

## **Isle of Wight Council Building Regulation Policy**

The Council is required to adopt and publish, or make available on request, a formal policy for the provision of its building control service in a manner that meets its legal duties and is effective in helping to achieve the compliance of building work with the Building Regulations.

The policy establishes the level of service considered appropriate in dealing with Building Regulations in order to achieve reasonable standards of health and safety and to ensure that the Council's duties and liabilities under the Building Act and Building Regulations are adequately fulfilled.

The following policy is recommended as being a reasonable level of service in relation to the Building Regulations aspect of Building Control. This has been examined and agreed by the Council's insurers.

Bill Murphy  
Head of Planning Services

John Lutas  
Building Control Manager

## **Isle of Wight Council Building Regulation Policy**

It is considered that the Building Regulation function can be effectively administered on the under mentioned basis, allowing operation within this to be managed by the Building Control Manager and exercised by suitably qualified Building Control staff using their professional skill and judgement: These items are not necessarily in priority order.

- (i) Fees to be checked on all applications submitted.
- (ii) All full plans applications submitted to be examined and decisions issued within the relevant period.<sup>1</sup>
- (iii) All Building Notices to be examined and verified within two working days of receipt.
- (iv) All Notices and Certificates given under the Building (Approved Inspectors etc) Regulations 2000 to be examined and either accepted or rejected within 5 days, and recorded in a register as set out in S.30 of those Regulations.
- (v) Works in progress to be inspected by a building control surveyor to determine compliance with the Building Regulations, except from that work for which an Initial Notice has been accepted under (iv) above.
- (vi) Subject to the professional judgement referred to in the first paragraph, inspection should be made of:-
  - a) Work which is the subject of the statutory notifications under the Building Regulations, and given to the Council within the period specified in Building Regulation 15.
  - b) Primary structural elements and components, the failure of which would, in the opinion of the building control surveyor, be significant;
  - c) Works which, in the opinion of the building control surveyor, would constitute unusual designs or methods of construction;
  - d) Work relating to fire safety;
  - e) Any type of work, construction or material which could cause defects that would be seriously detrimental to public health or safety;
  - f) Controlled work<sup>2</sup> affecting access and facilities for people with disabilities;
  - g) Controlled work<sup>2</sup> affecting energy conservation;
  - h) Any additional areas of work necessary for the subsequent issue of a completion certificate.

- (vii) Enforcement powers under the Building Act 1984 shall, where considered appropriate, be used to resolve breaches of Building Regulations that present risks to the public health and safety in accordance with the Isle of Wight Council Building Control Enforcement Policy.
- (viii) The inspecting Building Control Surveyor shall report to the Planning Enforcement section any works where it is considered that Planning legislation may be contravened.
- (ix) Consultation with statutory bodies shall be carried out as necessary.
- (x) The Building Control Manager should ensure that the professional staff are kept conversant with legislative changes, procedures and new technology and are given the training opportunities necessary to ensure appropriate continuing professional development.
- (xi) The establishment considered necessary to achieve the requirements of this policy will be determined through a recorded and justifiable method of assessment, and reviewed at intervals not exceeding three years.
- (xii) This Building Regulation Policy is to be reviewed every three years or in the light of major changes in building control legislation and / or developments in case law.
- (xiii) This Policy is kept in the office of the Building Control Manager at Seaclose, Newport Isle of Wight and on the website of the Building Control section of the Isle of Wight Council ([www.iwight.com/buildingcontrol](http://www.iwight.com/buildingcontrol)).

- 1 Relevant Period has the meaning defined in S.16 of the Building Act 1984 and means five weeks from the deposit of plans, or such extended period up to two months with agreement between the person depositing the plans and the Isle of Wight Council.
- 2 "Controlled work" means building work as defined in Building Regulation 3.

# Isle of Wight Council

## Building Regulation Policy

### NOTES;

#### Deposited Plans

1. Plans submitted under the Local Authority Building Control LANTAC scheme should be examined only so far as is necessary to determine any outstanding matters not included within the original Approval.
2. For larger projects, consultation between the applicant and the Building Control section and /or the submission of informal plans prior to the formal submission of a deposited plan, will be encouraged.
3. Plans should be checked by suitably qualified Building Control staff to ensure that they contain sufficient information, and also that there are no contraventions of Building Regulations shown. Work on site has to comply with the Regulations, but not necessarily with the deposited plans. There is, thus, little to be gained from being unduly pedantic, i.e. it would be unproductive to raise points which do not generally cause problems, or could be readily resolved on site. In determining the level of plan examination required, this must be considered in conjunction with the expected level (quantity and quality) of subsequent site inspection.
4. When conditional and / or stage approvals are issued, after agreement in writing with the person by whom or one whose behalf the plans are deposited, a schedule should be compiled by the building control surveyor of: -
  - a) The modifications specified by the Council and / or:
  - b) The further plans, calculations and details required to be deposited and so specified by the Council.

This schedule will be attached to, and form part of, the conditional approval notice.

#### Building Notices

1. For larger projects, consultation between the applicant and the Building Control section and /or the submission of informal plans prior to the formal submission of a deposited plan, will be encouraged.
2. Further plans or details will be requested by Building Control staff for Building Notice applications where it is not possible to ascertain on site that the work will comply.

## **Checking the structural adequacy of building works in connection with applications submitted under the Building Regulations**

One of the principal functions of Building Control is to secure the safety of people in and about buildings, and Part A of the Building Regulations is concerned with ensuring the structural adequacy of building works.

Building Control Surveyors are competent in the appraisal of the structural adequacy of relatively minor works, but when more complex schemes are undertaken it is important that these are checked by a competent engineer, either employed directly or on a consultancy basis by the Council. This engineer must be independent from the designers.

The scope of the structural check to be undertaken will depend on a number of factors, including;

- The experience and qualifications of the designer
- The complexity of the scheme and the consequences of failure
- An over-view of the proposed design

For dwellings (up to three storeys in height), small buildings and minor alterations to other buildings, the Building Control Surveyor, having regard to the above criteria, may consider that no further check of submitted calculations is necessary. In such cases, it is important that proper records are kept indicating the action taken.

However, if there are concerns regarding the design of such buildings, and for all other buildings, a more detailed check in the form of a design review will be undertaken, comprising;

- Principles and primary design features
- Checking of sample calculations. The extent of these checks will depend upon the factors listed above, with particular attention paid to critical or key elements. The check will also be more comprehensive if errors are detected.
- Review of site investigation data and bearing capacity assumptions and foundation design
- Detailed scrutiny of stability and loading assumptions
- In the case of alterations, a review of the condition assessment of the existing building
- Provisions for disproportionate collapse

## **Inspections in General**

1. Not every item of site work to which the Building Regulations relate can be examined. Building Control staff must be allowed to use their professional skill and judgement in their selection of priorities for inspections within the stated policy: the generality of the workload and the resources available at the time must be considered in any challenge of such judgement. It is however, of paramount importance that records are kept in the application file by the inspecting Building Control surveyor which show beyond doubt, the works which were inspected, the results of inspection, any limitations governing an inspection and the works not inspected.

2. Where site progress has ceased and, in the opinion of the inspecting body, work is substantially complete and there are no apparent contraventions considered likely to have an adverse effect on Health or Safety, management may decide that, for administrative purposes only, such jobs could be filed away: this would not preclude the subsequent issue of a completion certificate, following a satisfactory final inspection.

## **Records**

1. A full and accurate record will be kept in the application file by the Building Control section of each inspection carried out. The records to be sufficient in detail such that any officer of the council could, by reference to them, prepare a comprehensive account of the Council's involvement. Such records to be retained for a 16 year period from completion of work on site.
2. On satisfactory completion of building work a Completion Certificate will be issued as standard practice

## **Contraventions**

1. Building Control staff shall be ever vigilant to observe work for which approval has not been sought. Any detected contravention of the Building Regulations will be clearly recorded in the file by the inspecting Building Control Surveyor and followed up. Where dealings are predominantly with the owner's representative (e.g. builder/ architect), the owner/ developer shall be appraised of the situation and appropriate enforcement action taken in accordance with the Isle of Wight Council Building Control Enforcement Policy.

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