



CITY OF
Lincoln
COUNCIL

BUILDING CONTROL SERVICES

BUILDING CONTROL GENERAL POLICY

**Issue: 01
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BUILDING CONTROL PERFORMANCE STANDARD



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Reviewed 8 October 2001
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MAIN AIM:

- To provide a safe built environment for people using buildings, providing accessibility for conservation of fuel and power and meeting the Council's Main Aims and Objectives.

OBJECTIVES:

- To ensure that all new buildings including alterations and extensions and the changes of use of premises meet with the minimum standards laid down by the Building Regulations 2000 (As amended).
- To ensure that measures taken in the design and construction of buildings contribute to energy efficiency.
- To ensure that buildings contain facilities and enable access for all.
- To provide a cost effective and efficient Building Control Service to construction industry professionals and members of the public.
- To contribute to meeting the Main Aims and Core Values of the Council.

1.0 BUILDING CONTROL POLICY

1.1 Building Control is defined for the purposes of this document as the administration and technical process involved in the enforcement of statutory building standards under the mandatory provisions of the Building Act 1984 and Building Regulations 2000 and includes :

1. The examination and passing or rejection of full plans and associated design calculations.
2. The examination and acceptance of building notice applications.
3. The determination and application of fees and charges.
4. The inspection of building work in progress, keeping accurate records in relation to this work and the certification completion.
5. The checking and verification of certificates submitted by Approved Persons.

6. The checking of notices and certificates other than 5) above given under the Building (Approved Inspectors etc.) Regulations 1985, their acceptance or rejection and the resumption of powers for reasons set out in those Regulations, where this is appropriate. Maintaining a register of notices and certificates as required by Section 56 of the Building Act 1984.

1.2 The objective of these processes is to ensure that, as far as practicable, buildings are erected or altered in accordance with standards prescribed in current Building Regulations and allied legislation.

1.3 It is not practical or possible for all building operations, covered by the many facets of the Building Regulations, to be individually monitored by the City Council Building Control staff. The resources of the Council are limited and the Council will, therefore, allocate adequate resources to Building Control to ensure that it can adequately perform its duties under the mandatory requirements of the Building Act 1984 and allied legislation.

2.0 ESTABLISHMENT

2.1 The establishment of Building Control and administrative support staff is adequate at the present time to carry out the mandatory functions under the Building Act. The Building Control Service Manager will deploy staff in the most effective manner but it is recommended that the establishment be reviewed at intervals not exceeding two years in view of changes in legislation and other fluctuating circumstances.

3.0 STAFFING

3.1 The City Council will ensure that its staff are at least equal in competence to the designers, architects and engineers who submit drawings and calculations for approval. This will enable a professional service to be presented to the public and the building industry. The Council will encourage its Building Control Officers to become professionally qualified and to become proficient in their duties. Qualified Officers are encouraged to take part in Continuing Professional Development (CPD).

4.0 THE EXAMINATION OF FULL PLANS, BUILDING NOTICES, CALCULATIONS AND CERTIFICATES

4.1 All submitted plans, notices, fees, calculations and certificates will be examined by the City Council Building Control staff. All necessary expertise will be contained so far as is practicable within one section under the Chief Building Control Officer.

4.2 External Consulting Engineers will be engaged to check complex structural design calculations and plans. This will be carried out under the terms of the annual tendering procedure to Consultants. It is

important to remember that when consultants are employed, the statutory responsibility still remains with the Council. It is, therefore essential that the Council satisfies itself that any consultants appointed carry adequate Professional Indemnity Insurance appropriate to the nature of the work being undertaken.

- 4.3 The City Council Building Control Service will be available to operate under Section 101 of the Local Government Act 1972 that allows for joint or shared arrangements between Authorities. It will accept consultancy work from public bodies at acceptable fee rates according to current workloads at the time, subject to staffing. It will engage in Partnership working with other local Authorities under the same provisions including the Local Authorities (Goods and Services) Act 1970.

5.0 RECORDS

- 5.1 It is essential that permanent records of all work carried out by the Building Control Section are maintained. These can take many forms but it is essential to ensure their permanence in a manner which can be readily referred to at any time. Notes on a record sheet filed as part of the submission (and, in the case of works which will be covered up, additional notes or statements on the drawings) will be retained by Building Control Officers and filed. This system will be supplemented by Officers' report sheets. Application information will be retained on a computer system held in the Building Control office.
- 5.2 In respect of work carried out under the "Building Notice" procedure, in most cases there will be no plans forming part of the record of building work. Building Control Officers will, therefore, maintain more detailed written records of these schemes which will be held on file.

6.0 FULL PLANS CHECKING

- 6.1 Before plan checking is commenced a form of permanent record will be set up for each application. This record will indicate the date of receipt, that the correct fee has been submitted, and the date by which a decision is to be issued. The name of the person checking the plan will be entered in the file.
- 6.2 The plan must, of course, show compliance with the Building Regulations but certain essential features will be recorded and these are set out below.
1. Identification of any exempt buildings and work.
 2. Whether a building was considered to be a "new building" or an alteration to an existing building.
 3. The intended use of the building, floor area, cubic capacity, and number of storeys.

4. If the submission related to an extension, material alteration or a material change of use to an existing building, data in respect of the original building.
5. The fire resistance requirements, particulars of compartmentation and flame spread classification.
6. The permitted occupancy factor and anticipated maximum occupancy of floors (and/or zones or areas).
7. The accepted floor loading provided for by the designers.
8. confirmation that there are no known hazards such as mining subsidence, dangerous and offensive substances, sewers or other material services beneath or immediately adjoining the site, and that the site was not subject to flooding.
9. Confirmation that the means of escape from the building in case of fire were checked by a Building Control Officer.
10. Details of consultations with the Fire Authority including the following up of consultations to ensure that replies are received within the agreed 14 day period.
11. Details of consultations with any other department or bodies including Anglian Water Services Ltd.
12. The accuracy and feasibility of the proposals may also be verified and recorded by site inspection before a decision is reached when the full extent of the work is not absolutely clear on the plans deposited.
13. Provision made, where applicable, for suitable means of access and facilities for disabled people to the building and inside the building.
14. A check will be made with the Contaminated Land Officer about the needs and compliance with Part C – Site Preparation and Resistance to Contamination & Moisture. All requirements regarding land contamination will be given to the applicant through Building Control and continuous liaison with the Council's contamination Officer will be maintained throughout to plans approval and construction stages.

7.0 CONDITIONAL APPROVALS

- 7.1 When conditional approvals are issued, after agreement in writing with the person by whom or on whose behalf the plans are deposited, a schedule should be compiled of:
 - a) The modifications specified by the Local Authority and/or
 - b) Those supplementary items of construction which were not included in the original submission and in respect of which the Local Authority has indicated it required these subsequently to be submitted.

8.0 DECISIONS

- 8.1 There will be an unequivocal statement that, (except where there are reserved matters as noted in 3.5), the plans complied with the Building Regulations current at the date or, alternatively, failed to do so in respect of clearly specified items. Such a statement will be endorsed by the Chief or Principal Building Control Officers. This will be countersigned by the Director of Planning who is specifically authorised by the City Council to approve or reject plans.

9.0 DISPENSATIONS

- 9.1 A note will be made of any special or unusual circumstances affecting the construction of the building and in particular, any dispensations of the Building Regulations which are made. It will be especially prudent to note that where any construction entails a major departure from the guidance in an Approved Document consultation with the Fire Authority will be made prior to the varying of Part "B" (Fire Safety).

10.0 PLANS EXAMINATION POLICY

- 10.1 Reference should be made to the City of Lincoln Plans Examination Policy which will be complied with at all times.

11.0 THE INSPECTION OF BUILDING WORK IN PROGRESS

- 11.1 It is not possible to maintain the concept that every item of site work to which the Building Regulations relate can be examined. Building Control staff will be allowed to use their professional skill and judgement in their selection of priorities for inspections within the stated policy. Any challenge of such judgement must be made in the light of the generality of the workload in the office.
- 11.2 It is, however, of paramount importance that records are kept which show beyond doubt, what works were inspected, the results of inspection and the works not inspected.
- 11.3 Details of work which is subsequently hidden e.g. foundations, reinforced concrete, work hidden by suspended ceilings, should have a higher priority in the records than the work which is subsequently visible and forms its own record.

12.0 STATUTORY NOTICES

- 12.1 It is suggested that the Building Regulations requirement that notice be given to a Local Authority by a builder at certain stages of the work has little relevance to modern building construction. For example, a builder constructing a dwelling house is not required to give notice to a Local Authority between the time the damp proof course is laid and the completion of the building. This should not be regarded as an

indication that there is no need for the Building Control staff to inspect the building between these stages. Indeed, the appropriate site Building Inspector will carry out intermediate inspections between these stages as he feels necessary to discharge his duties and to protect the Council's liabilities.

12.2 Written notice should be given for commencement of work and notice of the other stages of work may be given:

a) in writing, or

b) verbally,

(i) by telephone to the Building Control office,

(ii) by personal visit to the Building Control office,

(iii) on the site of the work.

13.0 GENERAL INSPECTION

13.1 The concept of a general survey is not acceptable. Such a survey is often recorded as a "general inspection", together with such qualification as "satisfactory". This expression could mean anything and a court might reasonably suggest that the Building Control Officer recording that he made a "general inspection" and that the result was "satisfactory" might well deduce that he looked at the building in respect of every item of construction which was then available to him to inspect and had found everything in order. If the Building Control Officer did examine the property with this intensity of investigatory work, which would involve many hours of labour, and found everything in compliance with the Building Regulations, then he would be justified in so recording his decision. However, if the Building Control Officer did not carry out a complete survey then to so record is inappropriate and possibly dangerous in the legal context. When the Building Control Officer visits a site he will note what he inspected and whether the work was of adequate standard. It will be office policy, clearly stated in written instructions to the staff, by way of this document, that anything which is not noted on a survey record was not inspected. Only through positive action by the Building Control Officer and this Authority can the position be defended if subsequently they are called upon to answer why a particular form of construction contravened the Building Regulations.

13.2 The Building Control Officer will try to be as specific as circumstances permit when completing records, viz.:

a) In all cases the date of the inspection and, where it can have any significance, the time should be recorded.

b) The part of the building or location of the work will be described, e.g. "Plots 32 and 34 steel reinforcement - first floor, bays 6 to 12", or "damp proof course to north and east walls".

- c) If the records are required for future reference, it is reasonable to assume that the technical context will be interpreted by a person having professional knowledge of the subject.
- d) Departures from the “approved plan” submitted under the full plans procedure will be recorded. Where major departures are made, revised plans need to be submitted for further approval by Building Control.

14.0 SITING OF A BUILDING

14.1 The Building Control Officer will not normally be expected to check the site by making a detailed survey of the building relative to local physical features. However, if the siting of the building is critical in relation to Building Regulation requirements and the drawings show the relevant dimensions, it will be appropriate to check and record the setting out. Where foundations are in close proximity to points of likely failure, such as former excavations, drains or sewers etc. then notes and/or sketches will be made showing depths and distances. The BCO will liaise with Development Control and advise the property owner when deviations to the approved plans are proposed. DC will also be advised when work on site is at variance with planning conditions to enable DC officers to act accordingly. This will particularly apply to sites subject to landslip or potentially unstable ground. The City Archaeologist will be notified when works commence to enable him to be actively involved when appropriate. BCO's will refer to planning conditions in this respect to ensure immediate notification.

15.0 FOUNDATIONS

- 15.1 The inspection of excavations for foundations is of the utmost importance. A clear and concise record will be made of:
- (i) the extent of the ground inspected
 - (ii) the depth of the excavation throughout the site and the relationship to finished ground levels
 - (iii) the type of soil and any unusual features such as differences in soil types within the site or disturbed ground
 - (iv) proximity to drains and other services
 - (v) method of assessment of bearing capacity
 - (vi) excavation to required width
 - (vii) proximity to living and recently felled trees

- 15.2 It will also be prudent to record any exceptional climatic conditions at the time of inspection.

16.0 DRAINAGE

- 16.1 A note of the first inspection, unless qualified, is likely to be interpreted that drains were all in the position shown on the approved plans (full plans procedure), that they were of the prescribed material, that they were to the levels proposed and were placed on and surrounded by the materials indicated on the plans. Any exceptions to these assumptions will be recorded in the inspection notes.
- 16.2 Subsequent inspections will be made to confirm that the drains were watertight and the manholes, etc. were correctly constructed. If all the work was not surveyed then the parts not examined will be noted.

17.0 MASONRY

- 17.1 Wherever possible, the type of bricks and mortar in use, the approximate height of the walls at the time of the survey, and whether any cavities, cavity insulation, or wall ties were examined, will be recorded. Any work not examined will also be noted. Masonry chimneys will be inspected for the adequacy of flue liners.

18.0 REINFORCED CONCRETE

- 18.1 The extent of reinforcement checked will be recorded either on the normal records, i.e. by reference to bay or column numbers, or by notes on the Structural Engineer's drawings (which will by then have become part of the permanent records). There will be quality checks made on the concrete provided and where possible concrete test results will be recorded in the files.

19.0 STRUCTURAL STEELWORK

- 19.1 Here again it is necessary to state the extent of the examination. The Building Control Officer can only be expected to note what is seen on a particular visit, i.e. he will not necessarily check whether torsion bolts, for example, were correctly tightened, but he will make general inspections of the structural steelwork.

20.0 STRUCTURAL TIMBER

- 20.1 Floors, roofs and timber frame constructions will be inspected to check the sizes, centres, spans and grade of timber, and the positioning of connectors. Any variations should be noted and marked on the drawings.

20.2 In respect of paragraphs 4.8 - 4.11 inclusive, if a certificate was submitted by an approved person when plans were deposited, the Building Control Officer will inspect the work in accordance with these paragraphs.

20.3 If an initial notice ceases to be in force, the Local Authority will request such plans and carry out such inspections as are necessary to satisfy the Council's policy being mindful of the restraints of the Approved Inspector Regulations.

21.0 OCCUPATION AND COMPLETION INSPECTIONS

21.1 On receipt of notification of occupation or completion, a careful inspection of the premises will be made and any matters which do not satisfy any provisions of the Building Regulations will be recorded. The building owner, the builder, or the architect, as appropriate will be informed and a decision taken regarding the service of contravention notices by senior personnel.

22.0 CONTRAVENTIONS

22.1 The Building Control staff will be ever vigilant to observe work for which approval has not been sought, and any contravention of the Building Regulations detected will be clearly recorded. The appropriate course of action will be taken to remedy the situation and details of such action will be notified to the Head of Legal Services if this is considered necessary. Issues relating to breaches of Building Regulations will be recorded on the Land Charges System. BCO's will be following the procedure and guidance laid down in the BC Enforcement Policy.

23.0 COMPLETION CERTIFICATES

23.1 Following the satisfactory completion of new work where full plans or building notices have been submitted, completion certificates will be issued as soon as possible in the following instances:

a) Where the building is put, or is intended to be put, to a designated use under the Fire Precautions Act 1971. In such a case the completion certificate will only relate to the requirements of Part B (Fire Safety) of the Building Regulations. A copy of this notice will be sent to the Fire Authority.

b) Where completion certificate has been requested by the person carrying out the work, the certificate in this case will relate to all the relevant requirements of the Building Regulations.

23.2 There is an obligation on a Local Authority to issue completion certificates for work which has been carried out on a building notice. As part of customer service provision, completion certificates will be issued when requested for work previously carried out prior to the formal issue of certificates.

- 23.3 It is reasonable to expect that many people will rely on completion certificates as proof that work has been carried out in a satisfactory manner. Building Control Officers will therefore be careful to ensure that the issuing of completion certificates is done for work which has been seen and considered to be satisfactory. This is particularly important in connection with work which is covered up e.g. foundations, drains, structural timbers, steelwork, etc. Completion certificates will not be issued if Building Control are not satisfied with the works and the owner will be notified accordingly in writing.
- 23.4 The annual revenue allocation of the Council's commitments following the deduction of income from fees is considered to be reasonable having regard to the general level of building work normal to the City and provides for a sufficient establishment of Building Control and necessary support staff.
- 23.5 The Council is of the opinion that the Building Control function can be effectively performed on the above basis, allowing operation within the basis to be exercised by the Building Control staff using their professional skill and judgement.
- 23.6 The Council has resolved to charge fees for the Building Control function as are prescribed by the Secretary of State for the Environment. (DCLG).
- 23.7 The Council requires the Chief Building Control Officer to ensure that the professional Building Control staff are kept conversant with legislative changes and procedures.
- 23.8 At all times inspection of works will be made in accordance with the more detailed site inspection policy which shall be referred to for guidance.
- 23.9 Reference will be made to the separate policy of inspection and processing applications involving electrical work and complying with Part P of the Building Regulations 2000. This special policy has been identified as important to be issued in its own right by the LABC Services and the DSA, the professional associations representing Building Control nationally.
- 23.10 This document will be reviewed as and when required due to legislative or any other changes in circumstances but at least every 2 years.

If you would like this information in an alternative format:- large print or electronically, please do not hesitate to contact us on (01522) 873390 or email: building.control@lincoln.gov.uk