

Building Control Building Standards

BUILDING STANDARDS – WHAT’S IT ALL ABOUT?

INTRODUCTION

In Scotland we take for granted the safety and comfort of our homes and the buildings in which we work or visit. This is no coincidence or chance of fate; it is the result of years of proactive development of Legislation and Regulations. Resulting in statutory controls or red tape, as it is often perceived.

Notwithstanding this perception the Building (Scotland) Act 1959 which is the piece of primary legislation which empowers Scottish local authorities to administer the Building Control function, has saved lives and has improved dramatically the quality of the built environment. Without regulation or minimum standards, the chance of inferior or dangerous development occurring, increases dramatically.

No one likes to be told what to do, Scottish Ministers have recognised this and after a little less than 50 years service the Building (Scotland) Act 1959 will be replaced on the 30th April 2005.

To reflect the changing needs of society, embrace free trade and ultimately encourage more flexible, innovative buildings, the Building (Scotland) Act 2003 comes into force on 1st May 2005.

WHO WILL ADMINISTER/USE THE ACT?

The 32 Scottish Local Authorities have been appointed as Verifiers, which simply means that for Building Warrants and all works associated with Building Warrants, you will still deal directly with your own Local Authority. There is scope within the Act for private competition however it is the view of Scottish Ministers that for at least the next 6 years this duty will fall solely with your Local Authority.

What about the public interest/public safety?

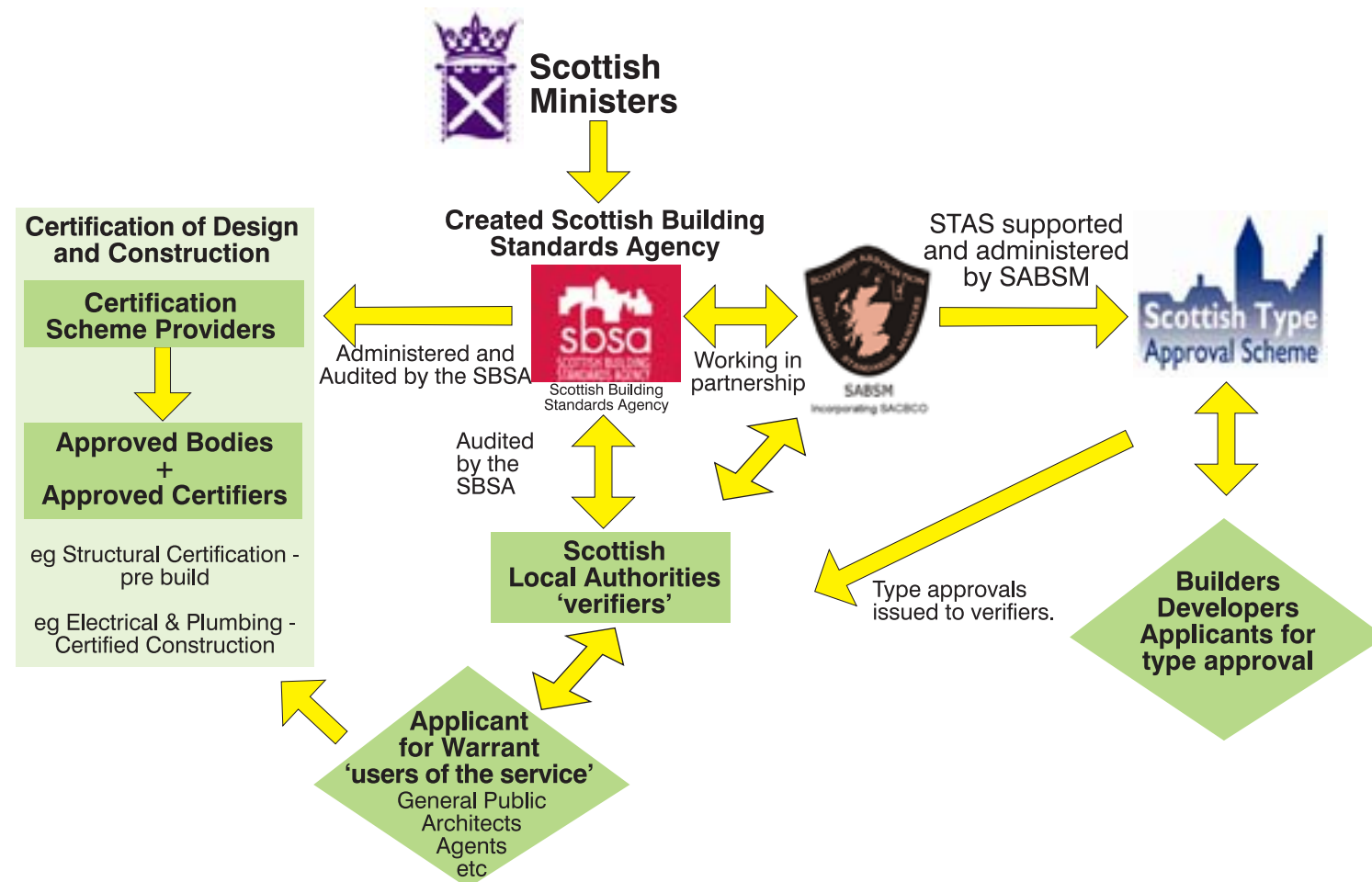
The Public interest/safety element of the Building Standards System will remain the responsibility of your Local Authority.

WILL THE LOCAL AUTHORITIES STAND ALONE?

No

Scottish Building Standards Agency (SBSA)

Scottish Local Authorities receive guidance and regulation from the newly formed Scottish Building Standards Agency (SBSA). The Agency launched on the 1st November 2004, who are based in Livingston. Carry responsibilities including, writing of technical guidance, giving views and will carry out the auditing of Verifiers and Certifiers.



Scottish Association of Building Standards Managers (SABSM)

The above association was established in 1976 by, the then Chief Building Control Officers of Scottish Local Authorities. This association has grown from strength to strength and is now the provider of the Scottish Type approval system (STAS). All 32 Scottish Local Authorities are represented, and all 32 have signed up to the STAS.



Consistency in interpretation and work practice has been greatly improved by the cohesive nature of SABSM. SABSM and the SBSA have very strong partner ties which, have led to vastly improved joint up working between the former Scottish Executive Department and the new SBSA.

New Building (Scotland) Regulations 2004

As of 1st May 2005 all applications will be processed using new **Technical Handbooks**.

The building regulations are now expressed in terms of '64 functional standards'. These standards are statements of functions the completed building must fulfil or allow, rather than the prescriptive nature of the current 'Technical Standards'.

Instead of one book of standards catering for all types of application, we will now have two Handbooks, one set for use when assessing **Non Domestic** property and the other for dealing with **Domestic** property.

Each set has been split into 7 parts as follows:

- 0 General
- 1 Structure
- 2 Fire
- 3 Environment
- 4 Safety
- 5 Noise
- 6 Energy

The Building Regulations will remain largely unchanged, other than the format in which they are available.

One major change is that Applicants may choose to meet the requirements of the Building Regulations, by either complying with the prescriptive specifications previously known as "deemed to satisfy", or by satisfying the requirements of the 64 functional standards by complying with the intention of the standard.

CERTIFICATION

What are Certifiers?

From 1st May building owners and developers may employ Approved Certifiers of Design and Approved Certifiers of Construction to establish compliance with the building regulations. The Act requires that any valid Certificate issued by an approved certifier **MUST** be accepted by the local authority when submitted in support of an application for building warrant or a completion certificate. This does not apply to any other type of certificate.

This special status is only allowed to people and firms who belong to approved schemes and meet standards agreed with the Scottish Building Standards Agency (SBSA). Individuals (approved certifiers) must hold appropriate qualifications and have sufficient experience to certify compliance with building regulations. Firms (approved bodies) must operate systems to check compliance, hold adequate insurance, and provide access to training and to the documents needed for certification. Sole practitioners may be eligible to register as both approved certifiers and approved bodies.

Schemes are administered by organisations that can demonstrate sufficient expertise and resource to assess and audit members to the standards required for appointment by the Agency. The SBSA audits the procedures of scheme providers, while scheme providers audit certification practice by their members.