Local Government and Communities Committee

Building Regulations in Scotland

Submission from Frank Mcmillan

I would refer to your recent survey and respond as follows:

1. Should verification of building standards be extended to organisations other than local authorities?

   Building standards should remain with local authorities as they are impartial party within the design process and there is more consistency. All you have to do is look at the mess in England with approved inspectors and the problems which occur in new houses etc.

2. Should procedural regulations specify a minimum requirement for the inspection of ongoing building works, to ensure compliance with building standards?

   The procedural regulations should specify a minimum inspection regime. The problem with this is that council budgets have been cut dramatically over the years that many authorities would not have the staffing level to be able to cope with the demand.

3. Should there be a statutory system to provide redress for new home buyers whose properties are subsequently found not to meet building standards requirements?

   If there was redress for new home buyers then it would have to be made clear the difference between complying with the building regulations and the standard of workmanship as the two are always confused by the general public. It would also mean that the local authorities would probably have to take out some indemnity insurance in case they are suited. If you look at the situation with NHBC they do not have a great record when dealing with the general public complaints for new housing. There is also an issue with existing buildings that are being renovated as compliance with the technical guidance is not always possible and the term used in the regulation for getting these buildings to comply is reasonably practical.
4. Are the current building warrant and associated fees set at the correct level?

The Scottish government are looking at the fee structure at the moment. The problem is that if the fees are increased you may encourage people to not apply for warrants particularly if it is a small job.

5. Any other issues relating to the regulations which you wish to bring to the attention of the Committee?

The building regulation system is effect in Scotland (much better than the English system)) the provision of mandatory inspection would improve this further. The only issue is funding any changes as departments are stretch at the moment. The other issue is the amount of time that is spent filling in stats and attending meeting about constant changes which do not appear to provide any benefit to the customers.

Frank Mcmillan