



The Scottish Experience

Sue Bush

Building Standards Manager

Inverclyde Council

Past President
SABSM

The Scottish Experience

From an Englishwoman?

1977 Outer Hebrides

1978 Dounreay

Ross & Cromarty Council

Building Standards

- 1989** **Building Control R & C**
- 1990** **SACBCO**
- 1996** **Highland Council**
- 2000** **The Building Standards
Advisory Committee
(BSAC)**

2001 Inverclyde Council

**2003 President of the Scottish
Association of Building
Standards Managers**

What do we do?

The Aims of SABSM are

- to provide a forum for the discussion and promotion of local authority Building Standards and allied matters and, where necessary, to promote action.
- to promote uniformity of interpretation and application for the Building Acts Building Standards and all relevant legislation.
- to arrange for the collecting of relevant information concerning Building Standards and allied matters.
- to provide a means whereby the knowledge and experience of individual Members of the Association can be made available to the body of membership and, where appropriate, to their Authorities, the Scottish Executive, national agencies and other relevant organisations.
- to maintain, administer, and promote a [Scottish Type Approval Scheme \[STAS\]](#).
- to promote the training and expertise of local authority Building Standards professionals.
 - 1.to promote a culture of continuous improvement and the achievement of best value principles in the delivery of a local authority Building Standards service.
 - 2.to engage in partnership working with related regulatory and technical bodies and with member authorities.



SABSM

Incorporating SACBCO



SABSM Web Site

Links to

all local authority web sites

SBSA website

BSAC

The Building Standards Advisory Committee was continued under the Building (Scotland) Act 2003

The purpose of the Committee, which normally meets 3 times a year, is to advise Scottish Ministers on matters relating to the development of building regulations

Members of the Committee are appointed by Scottish Ministers, selected to provide a broad spectrum of technical knowledge relevant to construction

They are not selected to represent particular interest groups

Remit of the Committee

To advise Scottish Ministers on the exercise of their functions under the Building (Scotland) Act 2003

To keep the operation of the building regulations under review

**To make recommendations to
Scottish Ministers in connection with
the regulations**

**To advise Ministers on any question
relating to their functions under the
Act which they may refer to the
Committee**

Scottish Parliament

Elected May 1999

Holyrood September 2004

**129 elected representatives known
as Members of the Scottish
Parliament (MSPs)**

Devolved Powers

The power to pass legislation

The power alter the rate of tax

Most Important

**Scottish Building Standards,
previously legislated through
Westminster, now decided in
Scotland**

**The Scottish Parliament
operates as a self-contained and fully
functioning Parliament in its own right.**

**Legislation is passed by
the Scottish Parliament
without going through the
Westminster Parliament.**

The Scottish Executive

The First Minister

**The Lord Advocate and the Solicitor
General (the Law Officers)**

**plus other Ministers appointed by
the First Minister**

Westminster

**Secretary of State for Scotland -
member of UK Cabinet**

**Scotland continues to elect MPs to
the Westminster Parliament**

The UK Parliament at Westminster

retains power to legislate on any matter, but the convention of devolution is that it will not normally legislate on devolved matters without the consent of the Scottish Parliament.

**Reserved powers are mostly
those with a UK or an
International impact
Thus on EU Directives
the ODPM leads**

Local Government

32 Unitary Authorities

**Widely varied geographically,
socially, and numerically**

Inverclyde Council

West of Glasgow on Firth of Clyde

Population - 82,430 -

falling

Regeneration

**ex ship building and heavy
engineering area**

Electronics IBM 1950s

URC status awarded March 2006

Building Standards

Building Warrant Applications 750 pa

Value of work £51 million

Fee income £308,000

Building Standards Staffing

Manager

Structural Engineer

4 area BSOs

1 Trainee BSO

1 Inspector

1 clerical

Types of Work

Residential:

private

housing associations

Schools program

Port Glasgow Town Centre

expansion

Riverside Inverclyde

Building (Scotland) Act 2003

Into force 1st May 2005

**Changes mainly procedural, long
consultation lead in,**

Somewhat frenetic in April 2005

Revised Format

Standards changed to
functional to allow innovation
using the same 6 categories
as the European
Construction Products
Directive

General

Structure

Fire

Environment

Safety

Noise

Energy





First Amendments

May 2006 already issued

Consultation for May 2007 under way

Structure, Energy and Safety

Navigation icons: back, forward, home, print, close, refresh, search, star, globe, mail.



Introduction

On the 1st of May 2005 a new building standards system came into operation in Scotland.

All building warrant applications from this date will be processed under the [Building \(Scotland\) Act 2003](#), information on which is set out on these pages.

The Scottish Building Standards Agency (SBSA) is an executive agency of the Scottish Executive to undertake the national functions related to the building standards system.

The [Building \(Scotland\) Act 2003](#) gives Scottish Ministers the power to make building regulations to:

- secure the health, safety, welfare and convenience of persons in and about buildings and others who may be affected by buildings or matters connected with buildings,
- further the conservation of fuel and power, and
- further the achievement of sustainable development.

Information on the previous system, which remains relevant all to warrant applications made on or before 30th April 2005, is contained in our archive section, which can be accessed through the navigation bar.

[Information on Publication of New Technical Handbooks](#)

Navigation bar: Introduction, About the Agency, Frequently Asked Questions, Latest Update, Documents, Consultations, SBSA Views, Certification, Certification Register, Building Standards Advisory Committee, Links, Vacancies, Contact, Site Map, Archive.

SBSA

Legislation

Building Standards

Associated directions & guidance

Audit Verifiers

Appoint & Audit Scheme Providers

Based in Livingston

Verifiers

The role of the verifier to protect the public interest by providing an independent check of applications for building warrants.

Appointed by Scottish Ministers

**All 32 Local Authorities
have been appointed for six years
by “Direction” they can assess their
own projects for an initial period of
three years**

**Verifiers will be subject to audit
by the Agency, this is about to
commence, with all 32 being
audited within the next four years**

**Councils remain as enforcement
authorities for their areas**

On Line BS Register

LAs must maintain an on line Building Standards register

This is also going to be the recording place for EPBD energy certificates and is expected to be used in many other cases

Directions

Directions are issued by the Agency as to how they expect Verifiers to fulfil their responsibilities

Guidance

Guidance documents are issued by the Agency on possible ways of complying with the functional standards

Principally the Technical Handbooks

Although other guidance has been issued to LAs

Certifiers

Under the Act suitably qualified people, businesses or bodies can apply to the Agency to be appointed by Ministers as certifiers of design or certifiers of construction.



**Only one scheme provider for
certification of design has been
appointed – SER**

**IStE and ICE set up the company
and it was approved before 1st May
2005**

5% of applications to SER have been rejected.

SER have been audited by the Agency – report available on the web

SER's own audit scheme is in draft and audits of individuals and approved bodies will start soon

Initial Difficulties

Understanding of the requirements

Increased submission of calcs to LAs

Promotion of the scheme SER do not insist that a certifier must only use the process

SELECT



**Two scheme providers for
certification of construction have
been appointed**

SELECT and NICEIC

Both are Electrical schemes

SELECT do insist that their members use the Certification scheme in all cases

Still confusion as to what is required where a certificate of construction is not provided with the certificate of completion

Others bodies are in discussion with the agency, whose business plan anticipates appointing two scheme providers a year

General Issues

Extension of works not requiring a Warrant but needing to comply with the standards is not time saving for LAs – too many queries arising

SBSA register information not as robust as expected

**No Building Standards Assessments
so no end to letters of intent**

**SABSM are working on a protocol to
assist the relationship with SBSA**

Issues outwith BS legislation

Staffing shortages - Training

Other legislation – Fire Act

EU directives – EPBD

Funding

Another LG reorganisation?



**....and
finally**

web sites for further information

- <http://inverclyde.gov.uk/>
- <http://sbsa.gov.uk>
- <http://www.sabsm.co.uk/>
- <http://www.ser-ltd.com/>
- <http://www.select.org.uk>
- <http://www.niceic.com>
- **If all else fails:
[sue.bush@inverclyde.gov.uk!](mailto:sue.bush@inverclyde.gov.uk)**