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)
<table>
<thead>
<tr>
<th>Year</th>
<th>Position</th>
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<tr>
<td>2001</td>
<td>Inverclyde Council</td>
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<td>2003</td>
<td>President of the Scottish Association of Building Standards Managers</td>
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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 Web Site

Links to

all local authority web sites

SBSA website
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
First Amendments

May 2006 already issued

Consultation for May 2007 under way

Structure, Energy and Safety
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
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 1\textsuperscript{st} 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
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.select.org.uk
- http://www.niceic.com
- If all else fails: sue.bush@inverclyde.gov.uk!