

WEST DUNBARTONSHIRE COUNCIL

Report by the Executive Director of Housing, Environmental and Economic Development

Planning Committee: 1 March 2011

Subject: Re-appointment of Council as a Building Standards Verifier

1. Purpose

- 1.1** To inform the Committee of the decision by the Scottish Ministers to re-appoint the Council as a Building Standards Verifier in relation to building warrant applications and related matters.

2. Background

- 2.1** The implementation of the Building (Scotland) Act 2003 on 1 May 2005 led to changes in the building standards system throughout Scotland and introduced the requirement for Verifiers. This is the way of ensuring that the public interest was protected in relation to the building regulations and the building warrant system. It provided an independent check of applications to construct, extend, alter and demolish buildings. In effect this appointment is a licence to function in relation to the building warrant system. This Council were appointed in 2005 for a period of 3 years as the sole verifier for the Council's area, as were all other Scottish Councils for their respective areas.
- 2.2** This appointment has been extended in recent years on a yearly basis while the Scottish Government researched alternative models of verification. The current appointment period ends on 30 April 2011.

3. Main Issues

- 3.1** The Building (Scotland) Act allows for the introduction of a variety of verifiers, including private sector verification. There have been extensive discussions with officials from the relevant Scottish Government department in relation to this subject. The Scottish Association of Building Standards Managers (SABSM), of which the Council is a member, presented the case for retention of local authorities as the sole verifier for their Council areas directly to the relevant Scottish Minister as well as the officials of the Scottish Government. Over the last few years there has been uncertainty on whether Councils would be reappointed, or if they were, on what basis.
- 3.2** Following conclusion of the Scottish Governments discussions and research, the matter was presented to the Scottish Ministers for decision on the future appointment of verifiers. The Scottish Ministers have re-appointed the Council as verifier for a period of six years; ending on 30 April 2017. This appointment will be dependant on the ability of the Council to satisfy Scottish Ministers that it is meeting, and continues to meet performance measures. The Council will

be subject to regular monitoring and periodic inspection under a performance framework to be developed by Scottish Government and introduced in May 2012. The performance framework will build on and develop the successful continuous improvement agenda that the Council, along with all other Scottish local authorities, have been implementing over the past 6 years.

- 3.2.1** In addition to the re-appointment decision, Scottish Ministers have announced that they intend to formally consult on the possible introduction of limited private sector verification. This consultation will be issued shortly and will seek views on the introduction of the National House Building Council (NHBC) for the verification of new houses. Views will also be sought on the terms of any appointment and the results of the consultation exercise will allow Ministers to give further consideration to the future shape of verification. This Committee will be advised of this consultation in due course and a recommended response forwarded for approval.

4. People Implications

- 4.1** As the Council have been reappointed as verifier until 2017 there are no people implications at this time.

5. Financial Implications

- 5.1** There are no financial implications in relation to this report.

6. Risk Analysis

- 6.1** No risk analysis is required in relation to this report.

7. Equalities Impact

- 7.1** No significant issues were identified in a screening for potential equality impact of this report.

8. Conclusions and Recommendations

- 8.1** The Council has been re-appointed as verifier in relation to the building warrant system for a period of six years until 30 April 2017. The Council can expect to be subject to monitoring and inspection by the Scottish Government in relation to this appointment.
- 8.2** Scottish Ministers intend to consult on the possible introduction of limited private sector verification by the NHBC in relation to housing developments, and a response to this consultation paper will be presented to a future Planning Committee.
- 8.3** It is recommended that the Committee notes the content of this report.

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Date: 15 February 2011

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Appendices: None

Background Papers: Scottish Government letter, 27 January 2011
Minutes of Planning Committee, 6 May 2008

Wards Affected: All wards