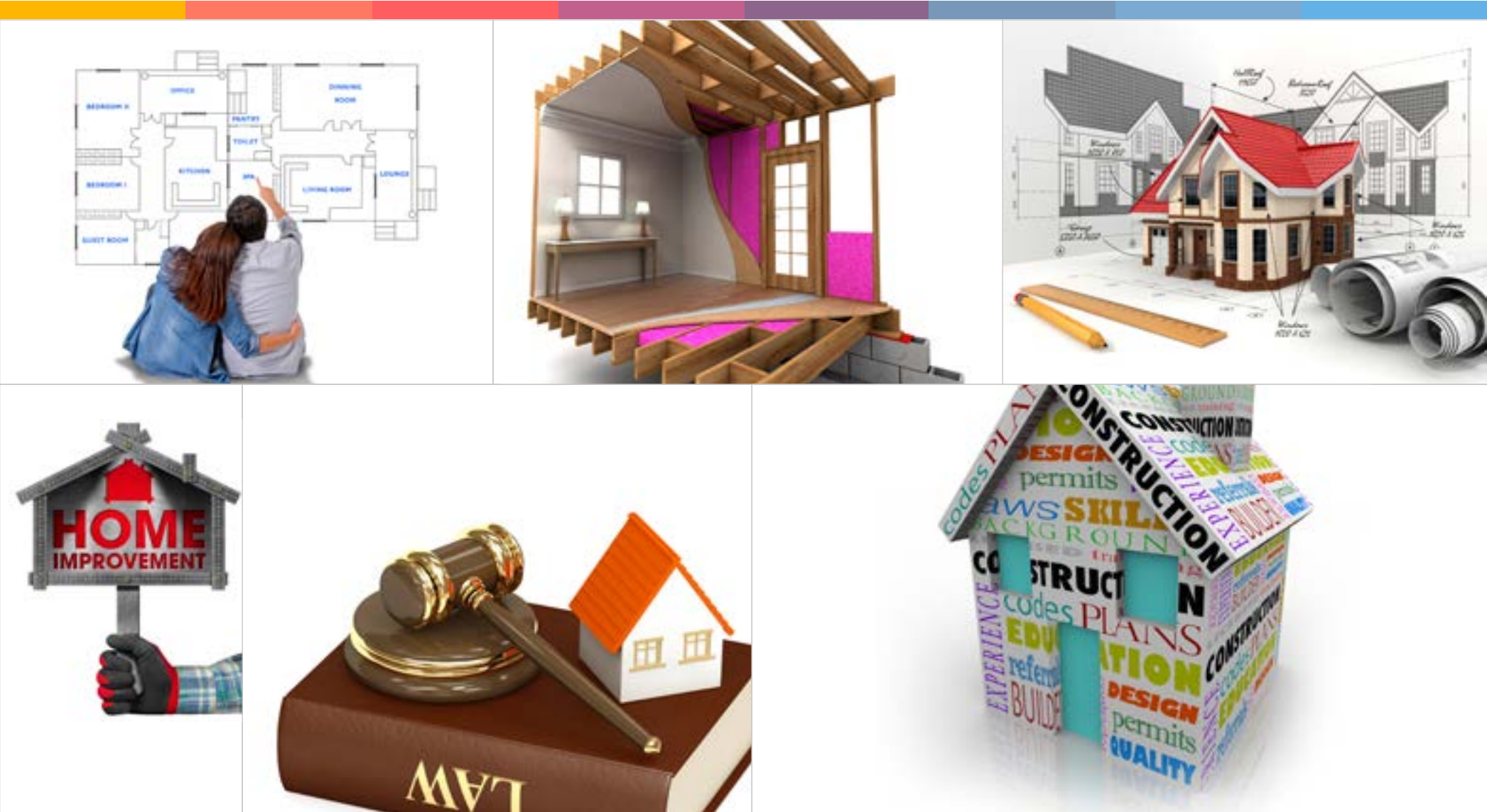


Building Standards Customer Journey

Are you doing building work or home improvements?

If so, this guide is for you.



Contents





Introduction

- What is the Scottish Building Standards System?
- What is the responsibility of the building owner?
- When do I need a building warrant?
- What is the process?

What is the Scottish Building Standards System?

The Scottish Building Standards System helps property owners undertaking building work or home improvements to meet the building regulations.

You may need permission in the form of a **building warrant** from your **local authority building standards service**.

This is normally required for a new building, or an alteration, extension, conversion or demolition of an existing building.

The **building warrant** confirms that the proposed work meets the requirements of the **building regulations**.

It is a legal requirement for you to have a building warrant before any work commences

The Scottish Building Regulations



The **building regulations** set out minimum standards of design and construction.

They protect the health, safety, welfare and convenience of people in and around buildings, and for the conservation of energy, and sustainable development.

Who is responsible for building work meeting building regulations?



**BUILDING OWNER
(OR TENANT)**

**LEGALLY RESPONSIBLE
for making sure building work
meets the building regulations**

What is the responsibility of the building owner?

Building Owner



The building owner (or tenant) is legally responsible for making sure that all building work meets the building regulations.

The local authority can take enforcement action against the building owner where this is not the case.

The building owner needs to ensure the right building professionals are used for the initial design and building work through to completion.

When do I need a building warrant?

When do I need a building warrant?

It is recommended that you contact your local authority building standards service to find out if a building warrant is required.

Types of work that need/do not need a building warrant > - [CLICK HERE](#)

How to contact your local authority building standards service > - [CLICK HERE](#)

How is all this different to planning permission?

Good question!

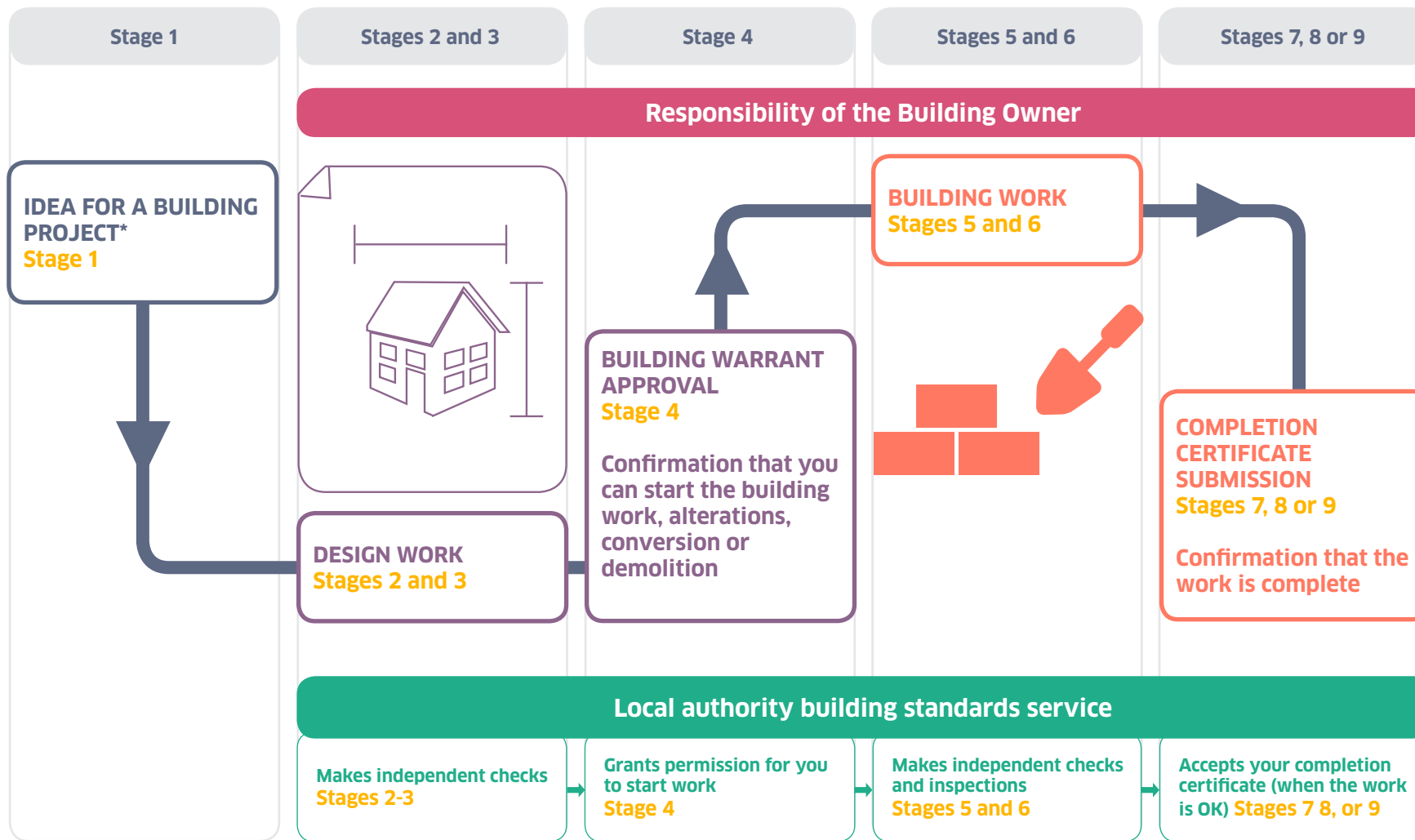
The **building standards process** gives you permission for the design and construction of the work and the building regulations make sure that the work meets minimum building standards.

Planning permission mainly relates to the siting, appearance and use of the building and the effect this will have on neighbouring properties and the surrounding environment.

Further information about the planning system in Scotland is available online:
www.gov.scot

What is the process?

The Basic Process



*NB: Anyone can apply for a building warrant, such as the building owner, tenant, leaseholder or developer. This person is called the applicant. However the building owner is always responsible for ensuring the work meets the building regulations.



Main stages of building warrant process

- Stage 1** – Before you apply for a building warrant
- Stage 2** – Apply for a building warrant
- Stage 3** – Local authority assessment of your building warrant application
- Stage 4** – Building warrant granted by local authority
- Stage 5** – Building work starts (or conversion takes place)
- Stage 6** – Changes to building warrant design
- Stage 7** – Building warrant – work (or conversion) is complete
- Stage 8** – Local authority accepts your completion certificate
- Stage 9** – Local authority rejects your completion certificate

Building warrant application (stages 1, 2 and 3)

STAGE 1 Before you apply for a building warrant

Find out if you need a **building warrant**. Your local authority building standards service will be able to help.

You can choose to appoint an **agent** to act on your behalf, to help make sure your plans meet the building regulations (such as an architect, building engineer or building surveyor).

Consider using an **Approved Certifier of Design** for structural and energy designs. These are Scottish Government approved people who can self-certify that their design work meets the building regulations.

STAGE 2 Apply for a building warrant

Make sure you include all the design details and the appropriate fee with the application form when you apply for a building warrant to your **local authority building standards service**.

You might need to consult with other organisations.

It is a legal requirement for you to have a building warrant before any work commences.

STAGE 3 Local authority assesses your building warrant application

Your **building warrant** application will be assessed by your **local authority building standards service** to check the proposed work complies with the building regulations.

You will usually be advised of the outcome in around **20 working days**. The local authority may request further information at that time.

Building warrant granted and work starts (stages 4, 5 and 6)

STAGE 4

Building warrant is granted by your local authority

When your local authority grants your **building warrant** they will also tell you in writing about:

- What you need to do next; and
- Any inspections they plan to undertake at scheduled stages of the work. These will be set out in the **Construction Compliance and Notification Plan (CCNP)**.

STAGE 5

Building work (or conversion) starts

You must notify your local authority when **work starts** and again at different stages (advised in the **CCNP**).

You are responsible for making sure the work is done properly. Use reputable builders and trades persons, such as those registered with a respected trade or professional body.

You should consider using an **Approved Certifier of Construction** for electrical, drainage, heating and plumbing installations. These are Scottish Government approved people who can self-certify that their work meets the building regulations.

STAGE 6

Changes to the building warrant design

You must carry out your building work in accordance with the **building warrant**.

If you intend to make any changes to the design covered by the building warrant, **you must** apply for an **amendment to building warrant**.

You cannot carry out the changes until the local authority has granted the amendment to **building warrant**.

Completion certificate (stages 7, 8 and 9)

STAGE 7 Building work (or conversion) is complete

When your building work is complete, **you must** be satisfied that it meets the building regulations.

Sign and submit your **completion certificate** to your local authority building standards service. They will then make checks or inspections.

You cannot occupy a new or converted building or use a new extension until your local authority has accepted your **completion certificate**.

STAGE 8 Local authority accepts your completion certificate

Your local authority will either **accept your completion certificate or reject it**. They will advise you of any points to be addressed before it can be accepted.

Once your **completion certificate has been accepted**, you can make use of the building or extension.

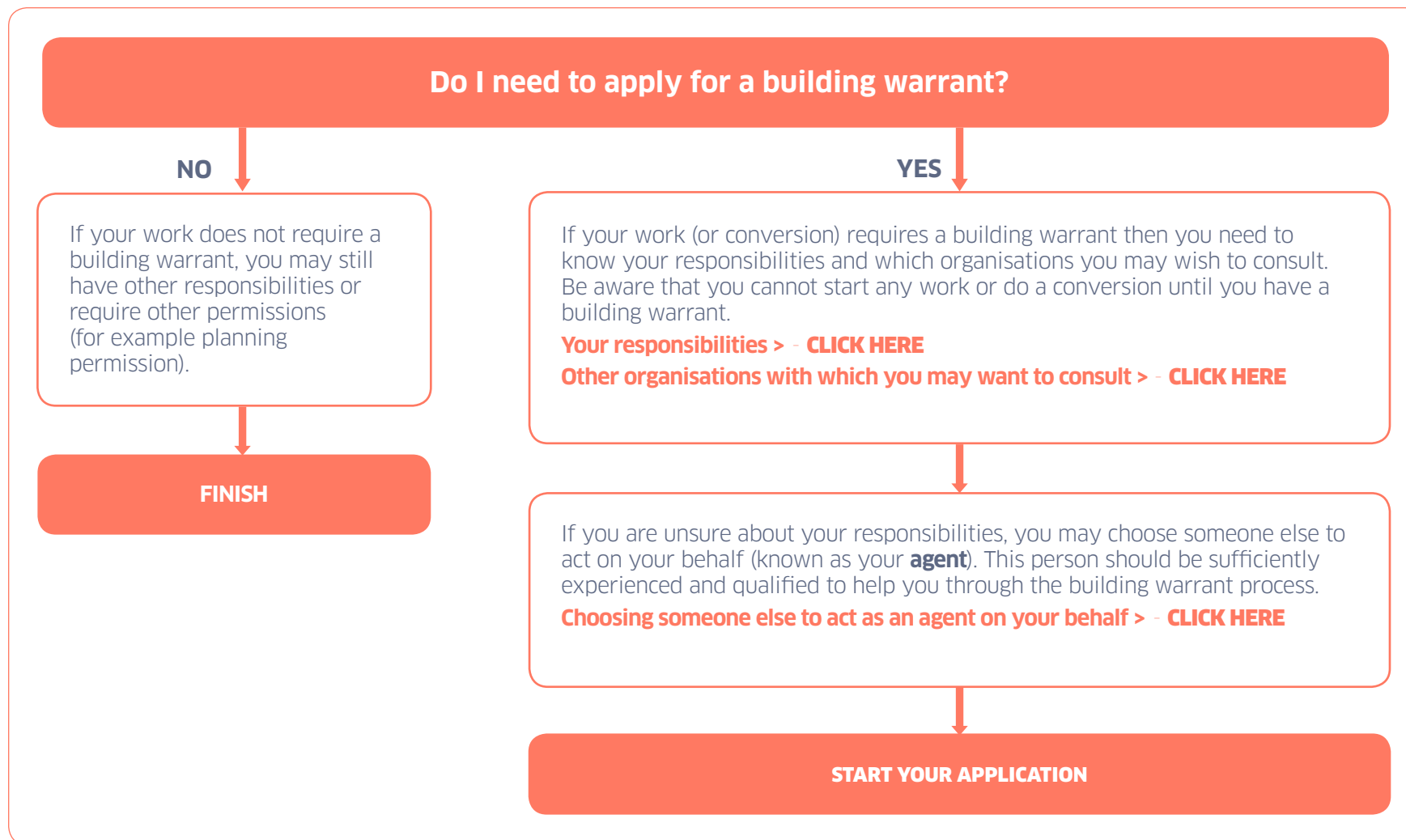
The property owner should retain the completion certificate and present it as evidence if required by a future property buyer, lease-holder, financial lender and/or solicitor.

STAGE 9 Local authority rejects your completion certificate

If your local authority **rejects your completion certificate** they will advise you of any points to be addressed before it can be accepted.

Once these have been rectified you will need to submit a new **completion certificate**.

Stage 1 - Before you apply for a building warrant



It is recommended that you contact your local authority building standards service to find out if a building warrant is required.

You should seek written confirmation from your local authority where the proposed work does not require a building warrant.

Additional guidance:
Types of work that need/ do not need a building warrant > - [CLICK HERE](#)

How to contact your local authority building standards service > - [CLICK HERE](#)



Stage 2 – Apply for a building warrant

To obtain a building warrant, you need to complete and submit an **Application for a Building Warrant** to your local authority building standards service. This can be done on-line through the eBuilding Standards portal.

Forms are available from your local authority building standards service. If you have any questions, they will be able to help.

More about what you must include as part of your Application for a Building Warrant > - [CLICK HERE](#)

If you are applying for a building warrant, you should consider appointing:

- an **Approved Certifier of Design** for aspects of design
- an **Approved Certifier of Construction** for aspects of construction

The Certifier of Design will certify that the design is safe and compliant with the building regulations. Your local authority can advise you on the benefits of using an Approved Certifier.

Certifiable design aspects are:

- **building structure**
- **energy design**

Certifiable construction aspects are:

- **electrical installations**
- **drainage, heating and plumbing work**

The Approved Certifier will certify that the aspects of design and construction are safe and compliant with the building regulations.

Your local authority can advise you on the benefits of using an Approved Certifier.

Additional guidance:
More information about using an Approved Certifier > - [CLICK HERE](#)



Stage 3 - Local authority assesses your application

Your local authority building standards service will assess your application against the building regulations. You should receive a response within 20 working days but check your local authority current performance levels.

It is a legal requirement for you to have a building warrant before any works commence.

Your application is accepted

Your application is not accepted

Your local authority will produce a **first report**. This will tell you if any aspects do not comply with building regulations and if any additional information is required or if points need to be clarified.

You or your nominated **agent** should arrange for the issues raised in the report to be addressed and additional information or points of clarity to be provided to your local authority.

Submit revised or additional details to local authority.

Revisions

Your application is not accepted

Your local authority will **grant the building warrant.**

Your application is accepted

If you do not wish to continue with the project, you should notify your local authority that you wish to withdraw your application.



Stage 4 - Building warrant is granted by your local authority

Your local authority **grants the building warrant**

In your building warrant package from the local authority you will be issued with:

A Building Warrant

A copy of the approved plans

A Construction Compliance and Notification Plan (CCNP)

More about the Building Warrant > - [CLICK HERE](#)

More about the CCNP > - [CLICK HERE](#)

You should read the information in the package and note any conditions on the building warrant and the notifications that are needed under the CCNP.

This allows work to commence
> - **[CLICK HERE](#)**

Stage 5 - Building work starts (or conversion takes place)

You arrange for work to commence.

Make sure you use an **Approved Certifier of Construction** if you said you intended to in your building warrant application. If you didn't state this in your building warrant application but now you do intend to use one, you should let your local authority know using the **Notice to Use an Approved Certifier of Construction**.

IF AN APPROVED CERTIFIER OF CONSTRUCTION IS USED:

Work is certified by your Approved Certifier of Construction.

IF AN APPROVED CERTIFIER OF CONSTRUCTION IS NOT USED:

Work is inspected by your local authority. This is called **Reasonable Inquiry**.

You must submit a **Notice of Work Stage Completion** form to your local authority building standards service at the scheduled times.

Your responsibilities

You must notify your local authority in writing at least 7 days prior to works starting, by submitting a **Start of Works Notice**.

You should follow the **Construction Compliance and Notification Plan (CCNP)** that was issued to you with the building warrant package.

More about your responsibilities
> - [CLICK HERE](#)

More about the CCNP
> - [CLICK HERE](#)

More about Reasonable Inquiry > - [CLICK HERE](#)



Stage 6 - Changes to the building warrant design

You have identified that changes are required to the work for which the building warrant was originally granted. Contact your local authority to find out whether an **Application for Amendment to Building Warrant** is required.

Is an **Application for Amendment to Building Warrant** required?

NO

FINISH

YES

Submit an **Application for Amendment to Building Warrant** to your local authority.

NB: If you have used an Approved Certifier of Design for any part of the proposed work, you must either:

- 1. Obtain and submit a new Certificate Of Design confirming that the amended work complies with the building regulations, or**
- 2. Submit the certifier's written confirmation that the amended design will not affect the certified work.**

More about what you must include as part of your Application for Amendment to Building Warrant

- Certifier of Design > - **CLICK HERE**
- Certifier of Construction > - **CLICK HERE**

Stage 7 - Building work (or conversion) is complete

The **Relevant Person** (usually the building owner) must complete, sign and submit a **Completion Certificate Submission Form** to the local authority building standards service.

More about the Completion Certificate and Relevant Person > - [CLICK HERE](#)

If an Approved Certifier of Construction has been used.

For aspects of the work, where an **Approved Certifier of Construction** has been used, they will issue you with a **Certificate of Construction**. This must be sent to the local authority in addition to the **Completion Certificate** Submission Form

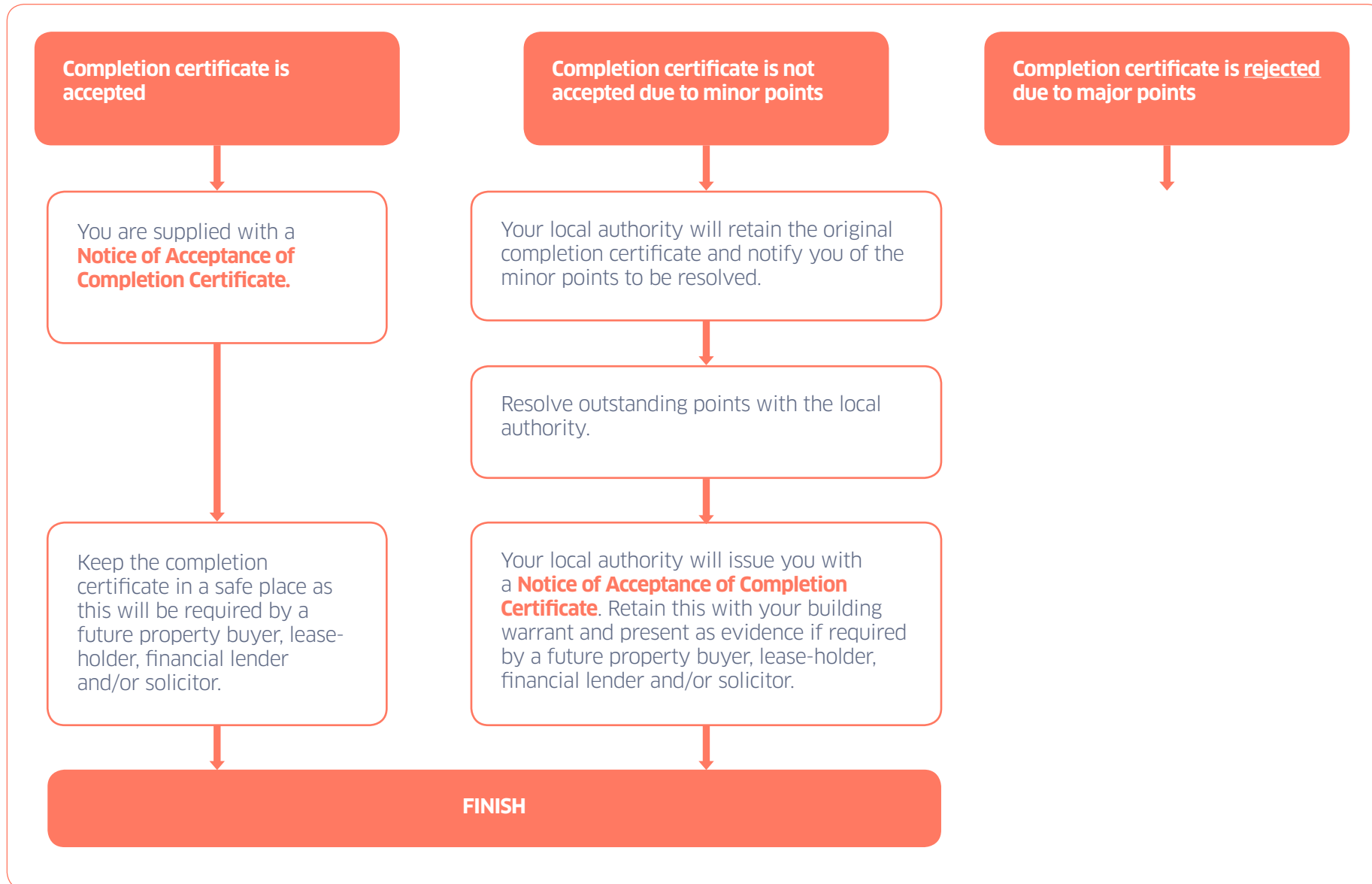
If an Approved Certifier of Construction has not been used.

Your local authority building standards service will contact you to arrange an inspection. This process is called **Reasonable Inquiry**.

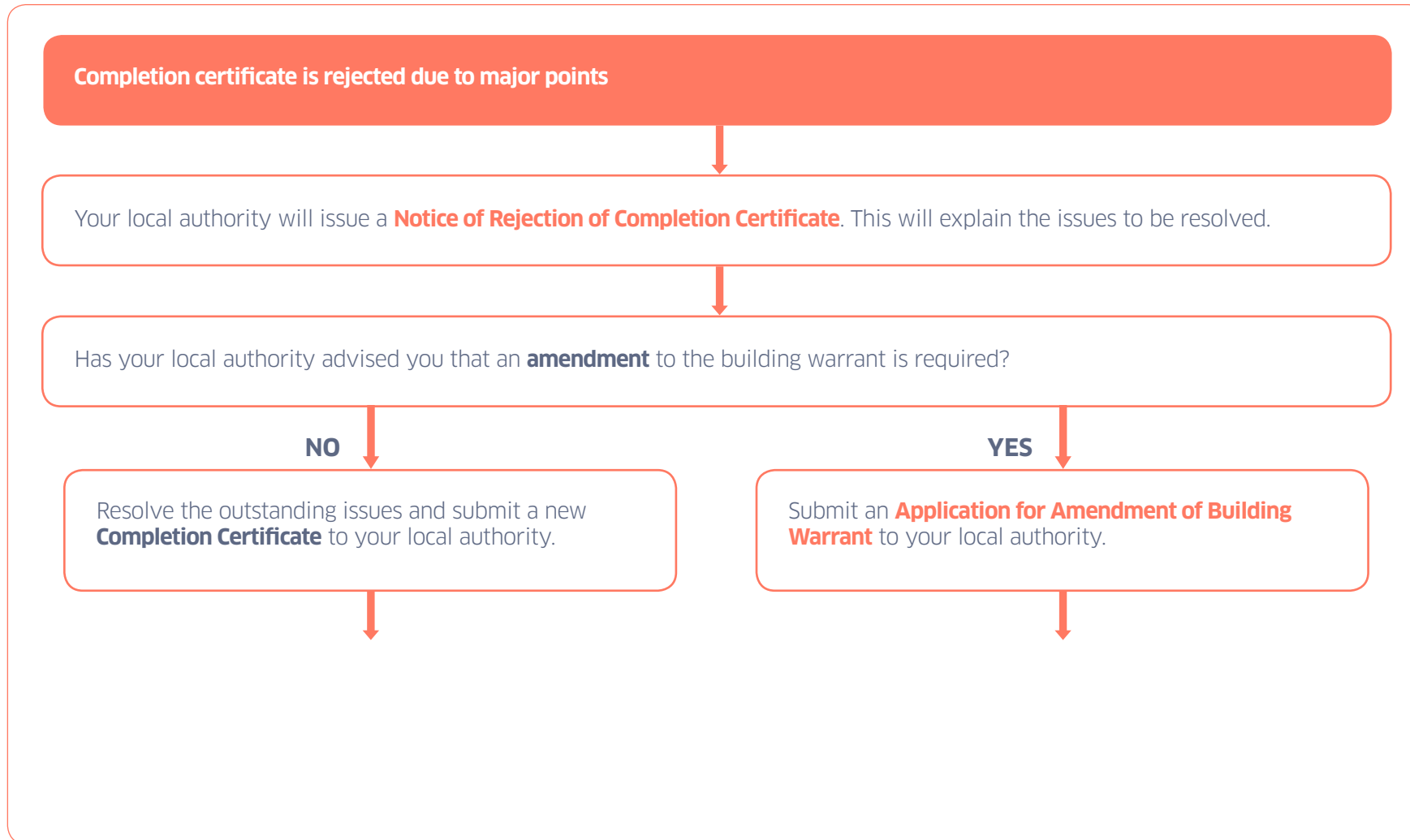
More about Reasonable Inquiry > - [CLICK HERE](#)

Your local authority building standards service will finalise their reasonable inquiries and notify you of their acceptance or rejection of the completion certificate within 14 days.

Stage 8 - Local authority accepts your completion certificate



Stage 9 - Local authority rejects your completion certificate





Role of approved certifiers of design

Approved Certifiers of Design - Project scoping and pre-design

Approved Certifiers of Design - Application and granting of building warrant

Approved Certifiers of Design – Project scoping and pre-application

START: A customer (e.g. property owner or their nominated representative) is planning to undertake work involving the erection, conversion, alteration, extension or demolition of a building. They have contacted you to discuss the services you can offer as an **Approved Certifier of Design** and this relates to work for which a building warrant will be required.

Do you agree to act as an Approved **Certifier of Design**

YES

Confirm the nature of your role with the customer and help them to understand what happens next.

Certification of Design (Building Structures):

If you are a Chartered Structural or Civil Engineer and a member of the Certification of Design Scheme, you can certify the structural design of new buildings and alterations, extensions and conversions of existing buildings.

Certification of Design (Section 6 – Energy) for Domestic Buildings OR Non-Domestic Buildings:

If you are a qualified energy design professional and a member of a Certification of Design (Energy – Domestic/ Non-Domestic, as appropriate) Scheme, you can certify the energy design of new buildings and alterations, extensions and conversions to existing buildings (domestic or non-domestic) to ensure they will be energy efficient with low carbon emissions.

Advise the customer of any design changes that are required and arrange for these to be implemented.

NO

Check the customer understands that they can still use the services of a competent design professional (such as an architect, engineer or surveyor) but **they will not get the benefits of using an Approved Certifier** (who can self-certify their work as compliant with building regulations).

Approved Certifiers of Design – Application and granting of building warrant

START: Prepare and issue a Certificate of Design with the necessary drawings to the customer that will accompany their building warrant application. It is important that the description provided on the certificate of design is accurate and consistent with the description on the application for building warrant, and covers all the work on the application for building warrant.

For Certification of Design work, it may also be necessary to provide the customer with a **Schedule 1** form detailing any design components that the certificate does not cover at this stage (for example, if a specialist subcontractor is needed for a particular structural element).

Once the **Schedule 1** items relating to the warrant have been finalised, provide the customer with a completed Finalisation Notice – **Form Q**. **If the items have not been finalised Form Q should not be issued.**

You are notified by the customer, of any amendments to the design, after the building warrant has been granted.

YES

Does the amended design change the certified work or affect the certified work in any way?

YES

Check the compliance of the changed design. Once satisfied, prepare and issue a new Certificate of Design to accompany a **Building Warrant Amendment Application Form**.

NO

Provide a confirmation letter to the customer that confirms the changes have no impact on the certified design.



Role of approved certifiers of construction

Approved Certifiers of Construction - Project scoping and pre-design

Approved Certifiers of Construction - Building work starts (or conversion takes place)

Approved Certifiers of Construction - Submission of completion certificate

Approved Certifiers of Construction – Project scoping and pre-application

START: A customer (e.g. property owner or their nominated representative) is planning to undertake work involving the erection, conversion, alteration, extension or demolition of a building.

The customer has contacted you to discuss the services you can offer as an Approved Certifier of Construction and this relates to work requiring a building warrant.

Discuss the proposed work with the customer and determine whether a Certificate of Construction can be used to cover all or part of the work. If necessary, contact the relevant local authority building standards service for advice.

Do you agree to provide a certification service to the customer?

YES

START: Confirm your role with the customer and help them to understand what happens once they have the Building Warrant and the Construction, Compliance and Notification Plan (CCNP).

YES

Certification of Construction (Electrical Installations to BS 7671):

If you are an Approved Certifier belonging to the certification scheme covering electrical installations, you can undertake and certify this type of work, ensuring it is safe and meets the building regulations and British Standard BS 7671.

Certification of Construction (Drainage, Heating and Plumbing):

If you are an Approved Certifier belonging to the certification scheme covering drainage, heating and plumbing installations, you can undertake and certify this type of work, ensuring it complies with building regulations and the applicable British Standards.

NO

Check the customer understands that they can still undertake the work using the services of a qualified and experienced building professional but **they will not get the benefits of using an Approved Certifier** (who can self-certify their work as compliant with building regulations).

Approved Certifiers of Construction – Building work starts (or conversion takes place)

START: Confirm your role with the customer and help them to understand what happens now they have the Building Warrant and the Construction, Compliance and Notification Plan (CCNP).

Do you need to make any changes to the work for which the building warrant was originally granted?

YES

Advise the customer, so arrangements can be made to prepare an **Application for Amendment to Building Warrant**.

You must not certify any work that is not in accordance with the building warrant, without an amendment to the building warrant being approved. This would place the property owner at risk of enforcement action.

The customer obtains an amendment of building warrant.

NO

Approved Certifiers of Construction – Submission of completion certificate

START: When the work is complete prepare and issue a **Certificate of Construction** to the customer to accompany the **Completion Certificate Submission Form**.

The certificate must cover all of the work you are able to certify that is subject to building warrant approval and the agreed plans.

NB: You should not certify work that is on-going or work that has been completed by another party without sufficient checks, inspection or tests to ensure compliance with the building standards and building regulations.

Has the local authority building standards verifier rejected the completion certificate?

YES

Does the amendment to building warrant have any changes to the certified work or changes that affect the certified work?

YES

Check the amended work once complete. Once satisfied, prepare and issue a new Certificate of Construction to accompany the new **Completion Certificate Submission Form**.

NO

Provide a confirmation letter to the customer that confirms the changes have no impact on the certified work.

NO

FINISH



Role of local authority verifiers

Local authority Verifiers - Project scoping and pre-design

Local authority Verifiers - Application for building warrant

Local authority Verifiers - Granting of building warrant

Local authority Verifiers - Building work starts (or conversion takes place)

Local authority Verifiers - Submission and acceptance of completion certificate

Local Authority Verifiers – Project scoping and pre-application

START: A customer (e.g. a potential applicant or their agent) contacts you to find out if they need a building warrant or to discuss any other queries prior to submitting an application for a building warrant.

Provide information and/or advice to the customer in line with your Customer Charter.
Point the customer to additional or alternative sources of information depending on the nature of their enquiry.

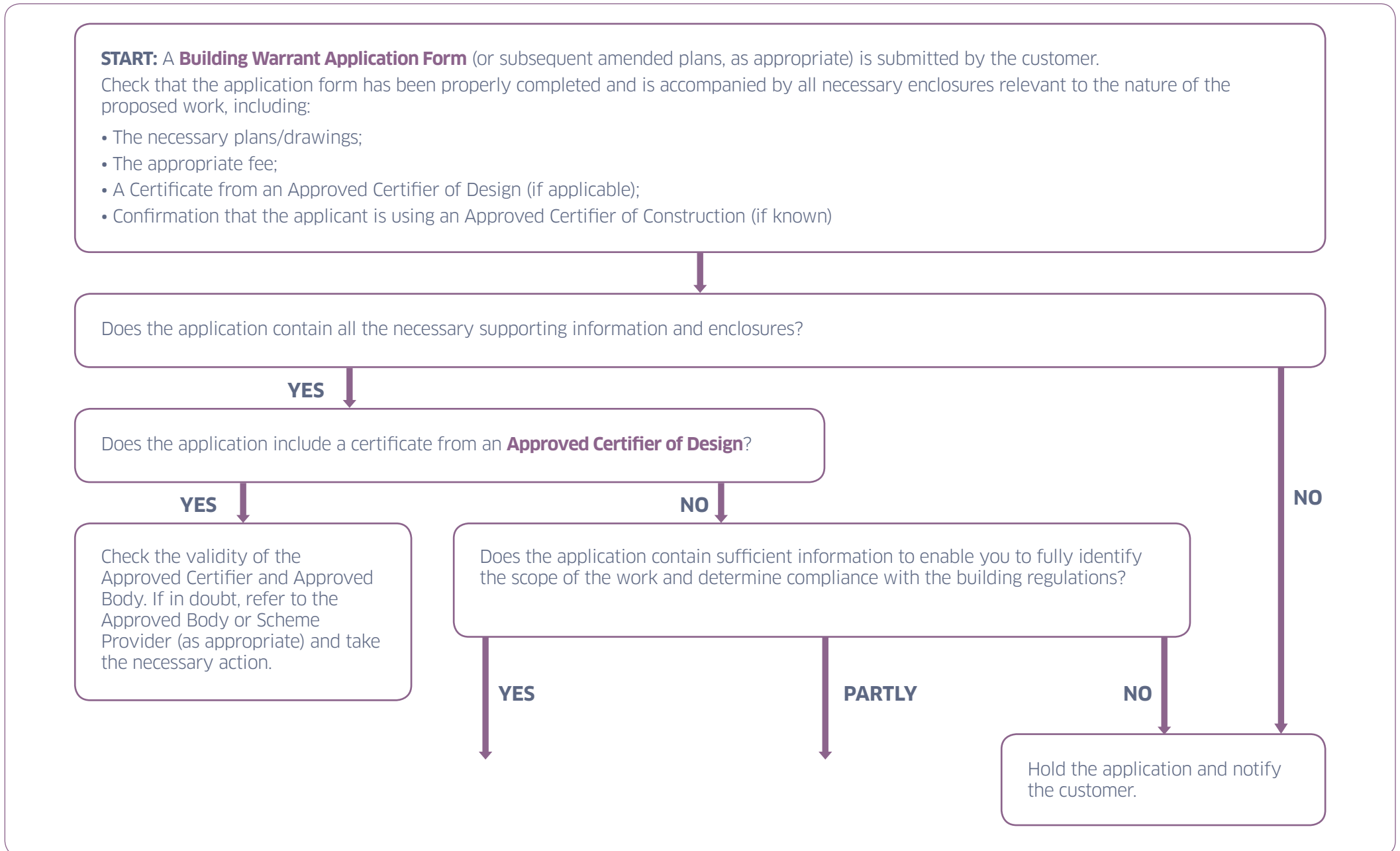
Other organisations that may need to be consulted by the customer > - [CLICK HERE](#)

If appropriate, engage in a formal pre-warrant application discussion with the customer.

Is an application for a building warrant subsequently submitted?

YES

Local Authority Verifiers – Application for building warrant



Local Authority Verifiers – Granting of building warrant

Some additional information is needed to enable you to fully identify the scope of the work and determine compliance with the building regulations?

Hold the application and send a **first report** to the customer to confirm aspects of non-compliance or to request clarification or more information. If an application for a view or relaxation direction is required, refer to the Scottish Government and await their response before making a decision. If appropriate, the local authority will either consult directly with another organisation or ask the customer or agent to consult with the organisation directly.

Other organisations that may need to be consulted > - [CLICK HERE](#)

Grant the **Building Warrant and issue** to the customer.
At the same time, issue a **Construction Compliance and Notification Plan (CCNP)** to the customer that identifies project risks and inspection stages.

Local Authority Verifiers – Building work starts (or conversion takes place)

START: The customer or their agent supplies you with a **Start of Works Notice**.

Monitor and record receipt of notifications as set out to the customer in the **CCNP**.

Contact the customer if any additional information or clarifications are required.

Undertake and record inspections in line with the **CCNP** (not necessarily for any work covered by an **Approved Certifier of Construction**).

Is an **Approved Certifier of Construction** being used?

YES

When you are notified.

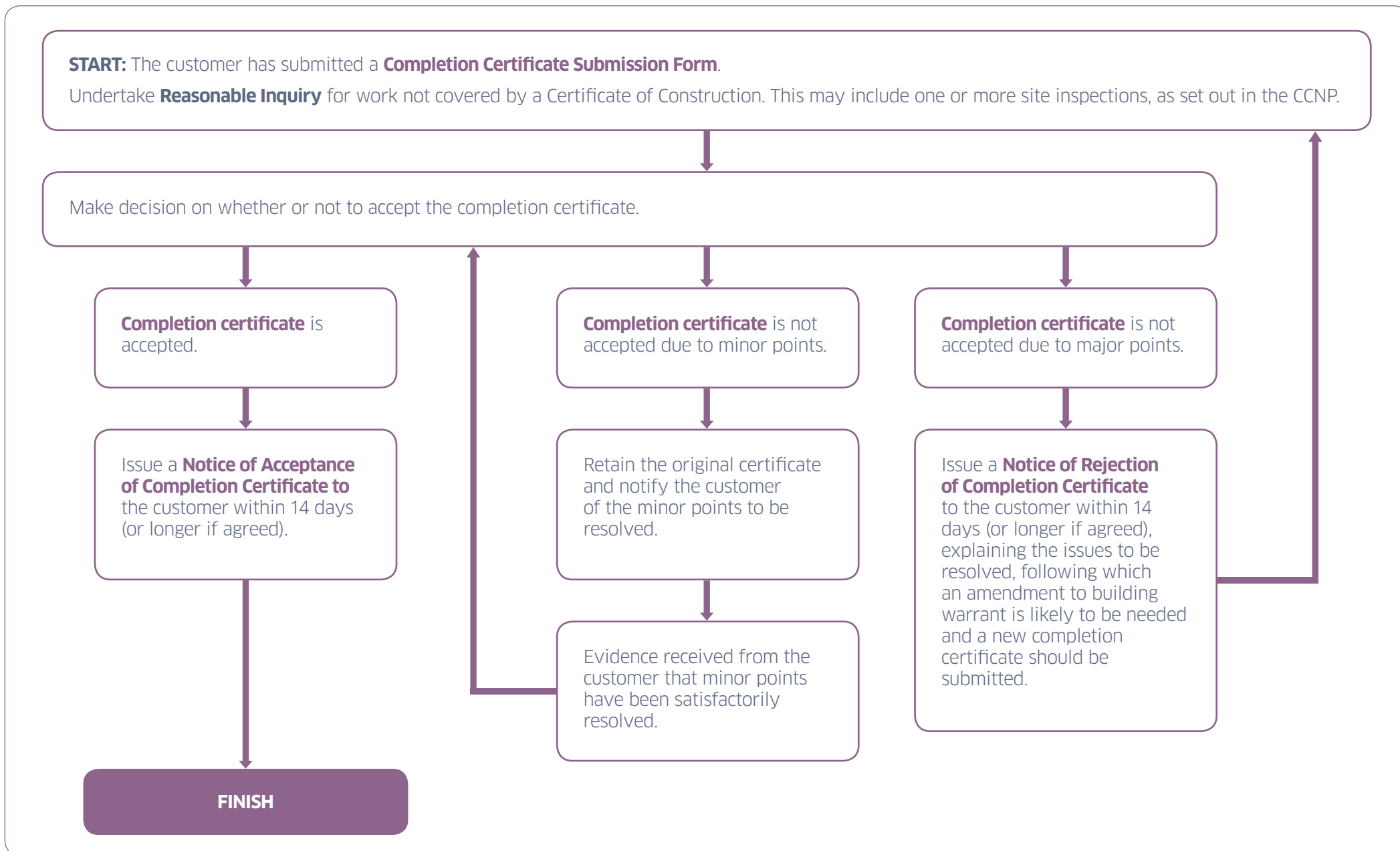
YES

When you receive their certificate at completion.

NO

Check the validity of the Approved Certifier and Approved Body. If in doubt, refer to the Approved Body or Scheme Provider (as appropriate) and take the necessary action.

Local Authority Verifiers – Submission and acceptance of completion certificate





Annex A - Helpful information

- **Work that requires or does not require a building warrant**
- **Your responsibilities under the Building (Scotland) Act 2003 and supporting legislation**
- Other organisations you might need to consult with
- How to contact your local authority building standards service
- Appointing someone to act as an agent on your behalf
- Using the services of Approved Certifiers
- Benefits of using Approved Certifiers
- What aspects can be certified
- Application for a Building Warrant
- Building Warrant
- Construction Compliance and Notification Plan (CCNP)
- Reasonable Inquiry
- Completion Certificate and Relevant Person
- Collective responsibilities under the Construction (Design and Management) Regulations 2015 (CDM)
- Complaints

Work that requires or does not require a building warrant

The property owner is legally responsible for making sure that all work complies with the building regulations. The local authority can take enforcement action against the property owner where this is not the case.

The Building (Scotland) Regulations 2004 define different types of work that requires or does not require a building warrant. First you need to find out whether your work needs to meet the requirements of the building regulations. If it does, you then you need to know whether you must also obtain a building warrant.

You should seek guidance from your local authority building standards service to find out what the requirements are for the work you plan to do. Work is divided into “types”, as seen below.

Work types that are categorised ‘exempt’ under SCHEDULE 1 of the building regulations:

- DO NOT need to satisfy the requirements of the building regulations (i.e. they are ‘exempt’ from the regulations); and
- DO NOT require a building warrant.

Work types that are categorised ‘not requiring a building warrant’ under SCHEDULE 3 of the building regulations:

- DO need to satisfy the requirements of the building regulations; but
- DO NOT require a building warrant.

You should seek written confirmation from your local authority that your work falls under SCHEDULE 1 or SCHEDULE 3. You can find further information about SCHEDULE 1 and SCHEDULE 3 work types in the building regulations:

www.gov.scot/Topics/Built-Environment/Building/Building-standards/techbooks/techhandbooks

Work types that DO require a building warrant

Types of work DO need to comply with the building regulations and DO require a building warrant. It is these types of work to which this customer process guide relates to, as the applicant for a building warrant then becomes a customer of the building standards system.

Construction work, a conversion or demolition cannot begin before the building warrant has been granted. You should be able to obtain the appropriate application form from your local authority building standards service website. The building owner should ensure that all work requiring a building warrant is undertaken by a qualified and experienced building professional, ideally registered with a reputable trade or professional body. If in doubt, seek advice from your local authority building standards service. If you have appointed an agent to act on your behalf they will also be able to advise you.

Work that requires or does not require a building warrant

A building warrant is required for the erection, conversion, alteration or extension of a building and is also necessary for the demolition of a property. A building warrant will normally be required for works such as:

- Building a new home;
- Extending your home;
- Building or removing load bearing walls;
- Altering roofs, external walls or other structural elements;
- Converting a loft or garage into a room;
- Demolishing a building.

You can find further information about work that requires a building warrant from the building regulations:

www.gov.scot/bsd

You can find information on the technical standards:

www.gov.scot/bsd

Note: The building regulations and technical standards are those in force at the time you apply for a building warrant. The building warrant is valid for three years from the date of granting and your work should be completed before it expires.

Your responsibilities under the Building (Scotland) Act 2003 and supporting legislation

The property owner is ultimately legally responsible for making sure that all work complies with the building regulations. The local authority can take enforcement action against the property owner where this is not the case.

Before applying for a building warrant, it is your responsibility to ensure that you have written permission from the property owner if you are not the owner.

The person having the work carried out should make sure that all work requiring a building warrant is undertaken by a qualified and experienced building professional, ideally registered with a reputable trade or professional body. If in doubt, seek advice from your local authority building standards service or from your agent if you have appointed one to act on your behalf.

Construction work cannot begin before the building warrant has been granted.

It is a legal requirement that you have a building warrant granted before work is started. If you do not have a building warrant the local authority may start formal enforcement action and stop your work. This will lead to delays and additional costs for the processing of the building warrant application. Your local authority may also require work to be opened up or tests to be carried out to show that compliance with the building regulations has been achieved. You must notify the local authority of commencement in writing.

Once work has commenced:

You should make sure that your work is supervised by someone with sufficient expertise. The work must be completed in accordance with the approved plans and is compliant with the building regulations. For all building, repair and maintenance work – even work that is not required to satisfy the building regulations – it is recommended that you use the services of a qualified and experienced building professional, ideally registered with a reputable trade or professional body for example an installer having current membership of an accredited registration scheme operated by a recognised trade body or professional body.

You must notify the local authority at the stages identified in the Construction Compliance and Notification Plan (CCNP).

Use of a new building or extension:

You are breaking the law and may be fined if you occupy or use a new building, or new extension, or a converted building prior to a completion certificate being accepted by the local authority.

If you wish to apply for early occupancy, you must submit an [Application for Temporary Occupation](#) or Use to your local authority building standards service.

This must be granted by your local authority using an [Authority for Temporary Occupation or Use](#) prior to taking up occupancy.

Once work has completed:

You must sign the completion certificate and submit it to your local authority building standards service.

In signing the completion certificate, you are declaring that work has been carried out in accordance with the building warrant and that it complies with building regulations.

Other organisations you may need to consult

Depending on the nature of any proposed work, the authorities listed in this section **may** need to be consulted by you as the customer or the local authority building standards service. This may include those organisations listed below.

Customer

Consult where necessary with other organisations listed in this section prior to applying for a Building Warrant

Local authority Building Standards Service

Consult where necessary with other organisations listed in this section prior to granting a Building Warrant.

1. **Access Panels** – for any building warrant application where there is public access to a building.
2. **Care Inspectorate** – where a building warrant application is for a building registered by the Scottish Commission for the Regulation of Care.
3. **Health and Safety Executive** – in some circumstances, local authority verifiers may wish to consult with the HSE to ensure before work begins that the health, safety and welfare of construction workers and other people with access to the construction site are not put at risk.
4. **Historic Scotland** – where a building warrant application is for a building that is designated an historic building.
5. **Licensing boards of local authorities** – where the building warrant application is for a type of building that will require a licence (liquor, entertainment or House in Multiple Occupation).
6. **Planning authorities** – where the building warrant application is for work of a type which may require planning permission.
7. **Police Scotland** – where security requirements may adversely impact on compliance with the building regulations.
8. **Scottish Environment Protection Agency (SEPA)** – where the building warrant application includes the introduction or alteration of a wastewater discharge where there is a risk of pollution to the environment.

Other organisations you may need to consult

9. **Scottish Fire and Rescue** – local authority verifiers should consult with the fire authority for the following types of building warrant applications:

- Non-domestic residential buildings;
- Non-domestic, non-residential buildings where the design does not follow section 2: Fire of the non-domestic Technical Handbook approved by Scottish Ministers;
- Domestic buildings with a storey at a height over 18m;
- Domestic buildings with a storey height over 7.5m but not over 18m where the design does not follow section 2: Fire of the domestic Technical Handbook approved by Scottish Ministers.

10. **Scottish Water** – a building warrant typically refers to the private drainage within the development and not to the public sewerage system. In certain circumstances the drainage system within a property boundary is public and is, therefore, the responsibility of Scottish Water. Permission is required from Scottish Water in order to connect to, alter or affect in any way the public sewerage network; and

11. **Transport Scotland** – where the building warrant application includes an access to a public road, including road openings, pavements, crossings, or temporary occupation of roads during construction.

Further information is included in section 14 of the Building Standards Procedural Handbook

www.gov.scot/bsd

How to contact your local authority building standards service

You can find contact details of your own local authority building standards service via the Building Standards Division website:

www.gov.scot/bsd

Appointing someone to act as an agent on your behalf

If you are unsure about your responsibilities, or the building standards procedures and technical requirements, you can appoint someone to act as an **agent** on your behalf.

This should be a suitable person, although **it is strongly recommended** that you appoint a suitably qualified and experienced building professional, for example an architect, building surveyor or structural engineer, to advise you on the design of your proposed work and look after your interests on site as work progresses.

Using the services of Approved Certifiers

The building owner is legally responsible for ensuring that all work complies with the building regulations. The local authority can take enforcement action against the building owner where this is not the case.

As the building owner and/or applicant for a building warrant, it is important that you use the services of building professionals and trades people who are qualified, competent, experienced and have an understanding of building standards and the building regulations. The best way is to use the services of an **Approved Certifier of Design** or an **Approved Certifier of Construction**.

How to find an Approved Certifier:

The building industry employs nearly 2,000 registered Approved Certifiers in Scotland. Their companies, known as Approved Bodies, have their details recorded on the Certification Register on the Scottish Government Building Standards Division website:

www.certificationregister.co.uk

Choose the certification scheme you require and select the area where the work is being carried out. You can choose from a list of firms offering certification services. Discuss your requirements with the firm and arrange for an Approved Certifier to carry out the work.

What aspects can be certified:

Approved Certifiers of Design:

An Approved Certifier of Design **can certify certain elements of the design as part of a building warrant application**. This currently relates to **Structural Design** and **Energy Use**.

The Certificate of Design should be included with your application for a building warrant. It tells your local authority that the design work covered by the certificate meets the building regulations.

Appointing an Approved Certifier of Design:

- ✓ Currently attracts a discount on the building warrant application fee; and
- ✓ Speeds up the building warrant application process because these designs do not need to be checked by the local authority.

Approved Certifiers of Construction:

An Approved Certifier of Construction can certify certain elements of the completed work. This currently relates to drainage, heating and plumbing, and electrical installations.

Benefits of using Approved Certifiers

The Certificate of Construction should be included with your completion certificate submission to tell your local authority that the finished work covered by the certificate meets the building regulations.

Appointing an Approved Certifier of Construction:

- ✓ Removes the need for the local authority to carry out inspections once work is underway and following submission of a completion certificate; and
- ✓ Will attract a percentage discount of the warrant fee.

Alternatives to Approved Certifiers:

An Approved Certifier may not be able to cover the type of work you are planning to undertake, or you may choose not to use the services of an Approved Certifier.

In these circumstances it is recommended that you use the services of someone who has the professional skills and relevant experience relevant to the work, for example an installer having current membership of an accredited registration scheme operated by a recognised trade body of professional body. The work undertaken by Approved Certifiers will be of a high quality and compliant with the building regulations.

- ✓ Approved Certifiers will provide greater flexibility and more efficient designs or installations due to their up to date expert knowledge of new innovations and technologies.
- ✓ Approved Certifiers are construction professionals and trades-people who have met high levels of qualifications and experience sufficient for them to be accepted on to a Scottish Government approved Certification Scheme.
- ✓ A firm employing any Approved Certifiers is classified as an Approved Body and holds adequate professional indemnity insurance to cover any project to be certified.
- ✓ The work of Approved Certifiers and Approved Bodies is audited by the Certification Scheme provider.
- ✓ Each certification scheme operates a robust complaints procedure.

The Approved Certifier will give you a certificate to be sent to your local authority to show that the work complies with the building regulations.

There are two types of Approved Certifier:

- Certifiers of Design; and
- Certifiers of Construction.

Application for a Building Warrant

Your local authority building standards service will be able to advise you on what you need to submit with your application for a building warrant. This can be done on-line through the eBuilding Standards.

The main requirements are:

- Plans and drawings in relation to the proposed work;
- The appropriate application fee;
- Certificates from an Approved Certifier of Design (if you are using one); and
- Confirmation that you intend to use an Approved Certifier of Construction or (if you know this at this point).

Why should you use the services of an Approved Certifier of Design?

If you are using the services of an **Approved Certifier of Design**, they will be able to advise you whether there are any design elements that need to be completed by a specialist third party (usually in relation to specialist systems and components). If that is the case, these design elements may need to be completed at a later stage so as not to hold up the building warrant application process.

Where this is the case, the **Certificate of Design** that you submit to your local authority should be accompanied by a Schedule 1 that describes these additional design elements. These elements will be noted by your local authority building standards service and will be subject to separate checks once the specific detail of those designs is complete. A Form Q must be submitted to the local authority when the design of the elements on Schedule 1 have been finalised.

If you make design changes after the building warrant has been granted you are likely to need an amendment to building warrant and a new certificate from the Approved Certifier of Design.

Building Warrant

A Building Warrant is the legal permission to erect, convert, alter, extend or demolish a building. It is granted by your local authority building standards service. It is valid for three years from the date of granting and your work should be completed before it expires. In some cases the local authority may agree to extend the validity but you should discuss this with them as soon as you think completion will be delayed.

Construction work cannot begin before the building warrant has been approved.

If you are using the services of an Approved Certifier of Design they should advise you when they issue their certificate (and before you apply for a building warrant) whether any design elements are still to be prepared by a specialist third party (usually in relation to specialist systems and components). These are aspects of design that are expected to be completed later in the construction phase and do not have to be in place to allow the building warrant to be granted.

If this is the case, the certifier will identify the design elements on Schedule 1 of their Certificate of Design which was included as part of your application for a building warrant. In addition, the application drawings and details will include a performance specification for each Schedule 1 item.

When your building warrant is granted, your local authority will also issue a Finalisation Notice (Form Q), to be completed by your Approved Certifier of Design once they have checked the specialist designs. You then must return the completed Form Q to your local authority. This is important as your local authority will not be able to accept the final work as being complete and satisfactory in line with the building regulations without a completed Form Q.

Construction Compliance and Notification Plan (CCNP)

The CCNP is drawn up by your local authority building standards service and issued at the same time as the building warrant.

The CCNP sets out the key construction stages that your local authority has identified for inspection, or other methods that will check for compliance with the approved plans and building regulations.

The CCNP states when you should notify your local authority and the purpose of those notifications.

If you fail to notify the local authority they may require work to be opened up or tests to be carried out to show that compliance with the building regulations has been achieved.

Reasonable Inquiry

Reasonable Inquiry refers to the approach taken by your local authority building standards service to verify that the building work complies with the approved plans and building regulations.

Verification checks throughout construction will normally include inspections although other methods can be used to check for compliance with the building regulations, for example photographs.

The verifier may require certificates or other documentation for materials or aspects of work. The verifier may also require tests to be carried out. Inspections are not normally needed in relation to work covered by a **Certificate** from an **Approved Certifier of Construction**.

An Approved Certifier may not be able to cover the type of work you are planning to undertake. In these circumstances it is recommended that you use the services of someone who has the professional skills and experience relevant to the work, for example an installer having current membership of an accredited registration scheme operated by a recognised trade body of professional body.

Completion Certificate and Relevant Person

The **Relevant Person** (usually the property owner or developer) should submit a completion certificate to the local authority building standards service once building work is complete. This confirms that the work has been constructed in accordance with the building warrant and building regulations.

The Relevant Person is defined as follows:

- Where the work was not carried out on behalf of another person – then the person who undertook the work;
- If the work was carried out on behalf of another person – then that other person;
- If the property owner does not fall into either of the above categories and the person required to submit the completion certificate has failed to do so – then the property owner.

If you have used the services of a Certifier of Construction:

If you have used the services of a Certifier of Construction, they will issue you with a Certificate of Construction once the work is complete. This should be included with your completion certificate submission to tell your local authority that the finished work covered by the certificate meets the building regulations.

If you have used the services of a Certifier of Design AND they included design elements on Schedule 1 of the certificate:

If you have used the services of a Certifier of Design and they included design elements on Schedule 1 of the certificate, they will have advised you before submitting a building warrant application whether any design elements needed to be prepared by a specialist third party (usually in relation to specialist systems and components). This may have resulted in some design work having to be completed after you applied for your building warrant.

When your building warrant was granted, your local authority should have issued you with a Finalisation Notice (Form Q), to be completed by your Certifier of Design once they had checked the specialist designs. If you have not already returned the completed Form Q to your local authority, you must do so with your completion certificate. If not, your local authority will not be able to accept your completion certificate.

Collective responsibilities under the Construction (Design and Management) Regulations 2015 (CDM)

The CDM Regulations apply to all construction projects where people are at work and the regulations assign various roles and responsibilities. The CDM Regulations are about effective planning and management of construction projects, from design onwards. The aim is for health and safety considerations to be treated as a normal part of a project's development.

The object of the CDM Regulations is to reduce the risk of harm to those that have to build, use, maintain and demolish structures.

The CDM Regulations place legal duties on virtually everyone involved in construction work. **A key exception is individuals living in, or planning to live in, the premises where work is carried out.**

Further information on the roles and responsibilities of specific duty holders can be viewed on the Health and Safety Executive website.

www.hse.gov.uk/index.htm

Individuals living in, or planning to live in, the premises where work is carried out DO NOT have duties under CDM, although duties are placed on others who work on construction projects.

Any business that seeks or accepts the services of architects, builders or workers to carry out construction project work DOES have duties under the CDM, and these duties are assigned to an individual who accepts the role of the 'client'.

Further information about the CDM Regulations is available from the Health and Safety Executive (HSE):

www.hse.gov.uk/index.htm

Complaints

If you wish to make a complaint about any aspect of the service you have received during the building standards process, your first point of contact is your local authority.

Depending on the nature of your complaint, your local authority will be able to advise you to whom (or to which organisation) this should be directly addressed.

If you disagree with an interpretation of the Building Standards that the Building Standards Authority is adopting in the consideration of a building warrant that you have submitted or will require to submit you may request an interpretation through Local Authority Building Standards Scotland (LABSS) Dispute Resolution Process.

www.labss.org/advice-building-projects/advice-dispute-resolution-process

If you have a complaint about a public service organisation (for example if your complaint is about the services provided by your local authority), you should follow their complaints procedures in the first instance.

If you are not satisfied with their response, then you can progress your complaint to the Scottish Public Services Ombudsman (SPSO). Further details about the SPSO and how they work is available online:

www.spsso.org.uk/



Annex B - Links to additional information & glossary

- [Links to additional information](#)
- [Glossary of terms](#)

Web links to additional information

General:

Scottish Government: Building Standards Division (Homepage)

www.gov.scot/bsd

Legislation:

Building (Scotland) Act 2003

Building (Scotland) Regulations 2004

Building (Fees) (Scotland) Regulations 2004

Building (Forms) (Scotland) Regulations 2004

Building (Procedure) (Scotland) Regulations 2004

(and associated amendments)

www.gov.scot/bsd

Procedures:

Building Standards – Model Forms

www.gov.scot/bsd

Building Standards – Procedural Handbook

www.gov.scot/bsd

Local Authority Building Standards Scotland (LABSS): Procedural Guidance on Certification

www.gov.scot/bsd

Local Authority Building Standards Scotland (LABSS): Verification during Construction – Guidance to Support the Application of Reasonable Inquiry (Domestic)

www.gov.scot/bsd

Web links to additional information

Local Authority Building Standards Scotland (LABSS): Verification during Construction – Guidance to Support the Application of Reasonable Inquiry (Non-Domestic)

www.gov.scot/bsd

Certification:

Scottish Building Services Certification – Homepage

www.sbsc.uk.net/index.php

Types of Certification Schemes:

www.sbsc.uk.net/types-of-certification-schemes.php

Register of Approved Certifiers

www.certificationregister.co.uk/

Certification Scheme Providers:

For Certification of Design:

Building Research Establishment (BRE):

www.bre.co.uk/acd

Royal Institute of Architects in Scotland (RIAS):

www.rias-regs.co.uk/Main.aspx

SER Ltd.

www.ser-ltd.com/scotland

For Certification of Construction:

National Inspection Council for Electrical Installation Contracting (NICEIC):

niceic.com/

Scotland's Electrical Trade Association (SELECT):

www.select.org.uk/

Scotland and Northern Ireland Plumbing Employers' Federation (SNIPEF):

www.snipef.org/

Other Organisations:

Access Panels in Scotland

www.sdef.org.uk/AccessPanels/DirectoryOfAccessPanels.htm

Care Inspectorate

www.careinspectorate.com/

Health and Safety Executive

www.hse.gov.uk/

Historic Scotland

www.historic-scotland.gov.uk/

Local Authority Building Standards Scotland (LABSS)

www.labss.org/

Police Scotland

www.scotland.police.uk/

Scottish Environment Protection Agency

www.sepa.org.uk/

Scottish Fire and Rescue

www.firescotland.gov.uk/

Scottish Public Service Ombudsman:

www.spsso.org.uk/

Scottish Water

www.scottishwater.co.uk/

Transport Scotland

www.transportscotland.gov.uk/

Glossary of terms

Key roles:

Applicant: The person applying for a building warrant. This may be a property owner, tenant, lease-holder or developer.

Agent: The applicant's nominated representative whom they have chosen to act on their behalf. This can be anyone although it is highly recommended to appoint a suitably qualified and experienced building professional in this role (such as an architect, building surveyor or structural engineer).

Customer: A person embarking on building work to a domestic or non-domestic property that leads them to make contact with their local authority building standards service. A customer is typically either an applicant for a building warrant (e.g. a property owner, tenant, leaseholder or developer) or an agent whom they have chosen to act on their behalf (this can be anyone but is usually a suitably qualified and experienced building professional, such as an architect, building surveyor or structural engineer). In all cases the property owner is ultimately legally responsible for ensuring that any work undertaken is compliant with the building regulations (See also 'Applicant', 'Agent' and 'Owner').

Owner: The owner of a building where work is being carried out. The owner is ultimately legally responsible for ensuring that all work complies with the building regulations and the local authority can take enforcement action against the owner where this is not the case. (See also 'Customer').

Key Terms

Amendment to Warrant: Any changes from the approved building warrant that may require a formal amendment. This requires the customer to submit an Application for Amendment of Building Warrant to the local authority for assessment before the changes can be done.

Approved Body: A firm, public body or other organisation that has been approved as adopting professional practice to provide a certification service, including quality assurance procedures, to check compliance with the building regulations. The Approved Body is registered in an appropriate Certification Scheme. (See also 'Approved Certifier', 'Certificate of Design', 'Certificate of Construction' and 'Certification Scheme').

Approved Certifier: A suitably qualified person who is a member of an Approved Body and registered under a Certification Scheme. This person will either be an Approved Certifier of Design or an Approved Certifier of Construction. They have the knowledge and experience that allows them to certify that certain design or construction work is compliant with the building regulations and, if applicable, the relevant British Standards. Approved Certifiers accept responsibility for ensuring compliance with the building regulations without the need for detailed scrutiny of design or inspections by local authority building standards verifiers. Certification is only possible in relation to certain types of work and is only applicable when the work is being carried out under a building warrant. (See also 'Approved Body', 'Certificate of Design', 'Certificate of Construction' and 'Certification Scheme').

Glossary of terms

Building Standards System: The principal objective of the building standards system is **to protect the public interest** by setting out the standards to be met when building or conversion work takes place, to the extent necessary to meet the Building (Scotland) Regulations 2004. **The building standards system is not intended to provide protection to a customer in a contract with a builder.**

Building Warrant: The legal permission to erect, alter, extend, convert or demolish a building.

Certificate of Design: A Certifier of Design can certify certain elements of the design as part of a building warrant application. This currently relates to Section 1 of the Building Standards (Structural Design) and Section 6 (Energy). (See also 'Approved Certifier').

Certificate of Construction: A Certifier of Construction can certify certain elements of the completed work. This currently relates to drainage, heating and electrical works. (See also 'Approved Certifier').

Certification Schemes: Certification Schemes are proposed by industry organisations and developed in discussion with the Scottish Government Building Standards Division (BSD). Once fully developed they are approved by Scottish Ministers and a Scheme Provider is appointed to operate the scheme. In some cases more than one Scheme Provider may be appointed to operate the same scheme. There are currently two types of Certification Schemes (Certification of Design and Certification of Construction).

Completion Certificate: A certificate submitted to a local authority by the Relevant Person to confirm that the work has been constructed in accordance with the building warrant. (See also 'Relevant Person').

Construction Compliance and Notification Plan (CCNP): The CCNP is drawn up and issued to the customer by the local authority building standards service at the same time as the Building Warrant is granted.

The CCNP sets out the construction stages that the local authority has identified for inspection or other methods that will check for compliance with the approved plans and building regulations. The CCNP clarifies when the customer should notify the local authority and the purpose of those notifications.

The CCNP is drawn up based on a risk assessment methodology, giving consideration to: project or work type; value of work; size and complexity of the work; quality of the application; and competence of the contractor. (See also 'Reasonable Inquiry').

Exempt Work: Buildings and building work that are exempted from the Building (Scotland) Regulations 2004.

Glossary of terms

Local Authority Building Standards Service: The role of the local authority building standards service is to protect the public interest by providing an independent check of applications for building warrants. The local authority is appointed as a verifier in this role by Scottish Ministers. (See also 'Verification/Verifiers').

Reasonable Inquiry: This refers to the risk-based approach taken by the local authority building standards service to verify that the building work complies with the approved plans and building regulations. Verification checks throughout construction will normally include inspections although other methods can be used to check for compliance with the building regulations, for example photographs. Reasonable Inquiry is based on a risk assessment methodology, giving consideration to: project or work type; value of work; size and complexity of the work; quality of the application; and competence of the contractor. Inspections are not normally needed in relation to work covered by a Certificate of Design or Certificate of Construction.

The verifier may also be willing to accept a certificate from a Competent Installer who is not an Approved Certifier. (See also 'Competent Installer' 'Construction Compliance and Notification Plan').

Relevant Person: The **Relevant Person** should submit a completion certificate to the local authority building standards service once building work is complete. The Relevant Person is defined as follows:

- Where the work was not carried out on behalf of another person – then the person who undertook the work;
- If the work was carried out on behalf of another person – then that other person;
- If the property owner does not fall into either of the above categories and the person required to submit the completion certificate has failed to do so – then the property owner.

UKAS: The United Kingdom Accreditation Service (UKAS) is the sole national accreditation body recognised by the British government that assesses the competence of organisations providing certification, testing, inspection, and calibration services.

Verifier/Verification: Verification of the compliance of building works with the building regulations is undertaken by the 32 Scottish local authorities who are appointed as verifiers for their own geographical area. The work of verifiers has two main elements:

1. Checking that the building plans comply with building regulations when an application is made for a building warrant; and
2. Undertaking reasonable inquiry to verify that the building work itself complies with the approved plans and the building regulations.