

## FAQ

### Q. What is Building Control?

**A:** Building Control is the term used to describe the statutory function performed by either your local council or by independent, government approved inspectors. Its purpose is to check if your works are likely to comply with the Building Regulations.

All Building Control bodies should have a policy for the delivery of their service, you can find ours at <http://www.jhai.co.uk/sites/default/files/Building-Control-Policy-Feb-2015.pdf>

### Q. What are the Building Regulations?

**A.** The Building Regulations are a set of standards which need to be considered and if required followed whenever a new building is erected or when an existing building is extended or altered. The regulations set the minimum standards that you must follow to meet the government's requirements for the health, safety, welfare and convenience of people in and around buildings. It also sets standards for the conservation of fuel and power, and for preventing waste of water.

### Q. Do I always need Building Regulation approval?

**A.** Most building projects – even small extensions, structural alterations or improvements - need to comply with the Building Regulations. They apply even if planning consent is not required.

However, some types of small works are exempt from control under the Building Regulations. For example,

- Small ground floor extensions such as porches or conservatories that are under 30m<sup>2</sup> may not require consent if they are thermally separated from the main house
- Certain small detached buildings like sheds, provided that they are constructed of non-combustible materials and they are not too close to boundaries or contain sleeping accommodation
- Other kinds of minor improvements such as replacement glazing or central heating may be covered by a Competent Person scheme. Although these works are controlled by the building regulations, you don't need to apply for consent to an approved inspector or the council. A full list of competent persons can be found at <http://www.competentperson.co.uk/>. This leaflet about the Competent Person Register: [Competent Persons Leaflet 2013](#)

If you are planning works and are wondering whether or not you will need Building Regulation approval, please feel free to contact your local office. You can find a list of our offices here: <http://www.jhai.co.uk/contact-us>

### Q. What is the difference between Building Regulation and Planning Approval?

**A.** Planning Permission is about deciding whether you can go ahead with a building project in terms of its effect on neighbouring properties and the wider environment. In contrast Building Regulations set standards for design and construction to make sure that projects are built to the minimum standards in the Building Regulations.

You can check whether your project will require planning approval by following this link: <http://www.planningportal.gov.uk/permission/>

### Q. How does the Building Regulation approval process work?

**A.** When you appoint an Approved Inspector they will serve an initial notice on the Council. This registers your project as "building work" on a public register.

After an Approved Inspector has completed their inspections of your property and collated various certificates to satisfy themselves that, within certain limits, you have complied with the regulations, they will issue a Final Certificate to you and to the local authority, so that the register mentioned above can be updated. This shows to a property conveyancer involved a property transaction in that the building work has been signed off as complete.

Further information on the Building Control process can be found at <http://www.planningportal.gov.uk/buildingregulations/>

### **Q. Can I start works without a Building Regulation submission?**

**A.** You can only start work without notifying a Building Control body when using a Competent Person scheme.

When using an Approved Inspector for your building regulation work, the initial notice must be served upon the local authority at least five days before any controllable aspect of the works may be started. This does not normally include preparatory work but, if in doubt, please check with your local office <http://www.jhai.co.uk/contact-us>

### **Q. When and who do I have to call for an inspection?**

**A.** When controllable works are due to start on site, we will need to inspect. Just phone your local office and they will be able to organise an inspection. The contact details will also be on the building control Information Sheet which we send to you when we are instructed.

You will also need to notify us when your work reaches certain stages. The stages relevant to your build are shown [here](#). If additional inspection stages are required, you or your agent will be notified when a plan check is undertaken of your drawings.

### **Q. What happens if I don't call for an inspection?**

**A.** If you don't call for an inspection, then we can consider other evidence to show that you have complied such as photographs or professional reports. But to avoid any complications it is best to phone us to let us know you're ready for an inspection. Your Building Control Surveyor is there to help you through the process and observe compliance. If you have any doubts, please phone and ask. Not notifying us could mean that we ask you to expose work for further inspection and sometimes start that element again if it was observed to be non-compliant. To undertake retrospective compliance work can be expensive and involve you in further inspection fees.

### **Q. What happens when you visit site?**

**A.** When a jhai Surveyor inspects the element of work we have been called out to inspect, they will make inspection notes. The Surveyor will make notes of any non-compliances observed and will either leave a hand-written inspection report with the builder or will email an inspection report to you, your designer and the builder as soon as possible after the inspection.

### **Q. Does this mean my works comply?**

**A.** Unless we have notified you or your builder to the contrary, our inspections are evidence, but not conclusive evidence that the works we have seen comply.

Our surveyors cannot be on site all the time and we cannot see all elements of the building work as our inspection regime is limited to set stages. We could never see every aspect of a project. For instance it is virtually impossible to inspect flashings or cavity trays. You may want to consider appointing an independent project manager or your architect to project manage the works.

### **Our top tips for avoiding a cowboy builder**

- *Employ a qualified designer and get a specification against which your builders contract can be set up.*
- *Always get a number of detailed quotes in writing, not estimates. If it looks too good to be true it probably is.*
- *Ask for client references and testimonials. Try and speak to the builder's previous customers. How did they perform? Did they deliver the project on time? If there were delays, what caused them? Were they considerate? Polite? Did they charge you for extras? If so what?*
- *Check your builder is qualified? For specific elements such as gas and electrical works, he will need specially trained professionals to meet safety requirements.*
- *If they belong to a trade body or a competent person scheme. Make sure you check out their claim.*
- *Always get a contract and get it signed, check on the FMB website for inexpensive contracts.*
- *Make sure they have insurance cover and get a copy of their certificates. Public indemnity insurance which covers for site injuries etc. Are they covered if they damage your property? What happens if they go bust? Or have an accident? Will the insurance pay for someone else to complete the job.*
- *Never pay money up front. A reliable builder will not ask you to do this, not even the cost of materials. If they run a business, they should have enough money to cover these costs. They will only normally ask for money at agreed stages or when work is complete.*
- *Never pay your final account until your project/contract manager or your Building Control certifier have issued their final paperwork. And make sure you are happy with the works before you pay for it.*
- *Never employ somebody who does not charge VAT when they should.*
- *Never employ somebody who only accepts cash.*

*Building Control exists to help you, but we are not always on site to help you. So please ensure you pick a good builder and good expert supervision especially for more complex projects.*

You can get advice about choosing the right builder and about contracts between you and your builder by visiting:

Federation of Master Builders [FMB Online - Homepage](#)

Citizens Advice

[http://www.adviceguide.org.uk/england/consumer\\_e/consumer\\_builders\\_and\\_home\\_improvements\\_e/consumer\\_builders\\_and\\_home\\_improvements\\_tips\\_e/consumer\\_choosing\\_a\\_builder\\_e.htm](http://www.adviceguide.org.uk/england/consumer_e/consumer_builders_and_home_improvements_e/consumer_builders_and_home_improvements_tips_e/consumer_choosing_a_builder_e.htm)

National Federation of Builders [http://www.builders.org.uk/nfb11/find/tips\\_for\\_choosing\\_a\\_builder.eb](http://www.builders.org.uk/nfb11/find/tips_for_choosing_a_builder.eb)

Trustmark

[www.trustmark.org.uk](http://www.trustmark.org.uk)

### **Q. How can you help if I am not happy with the builder's work?**

**A.** Your JHAI surveyor is here to help as much as possible. We can help you with any building regulation compliance concerns but our function is limited to this aspect only. Building control surveyors only look for minimum levels of compliance but your expectations of quality, and the requirements of your contract with the builder, may quite understandably be higher than the statutory

minimum. If you are worried about the quality of your building work, you should raise your concerns with your project manager or directly with the builder.

**Q. What is a Final Certificate?**

**A.** A Final Certificate is a statement by an Approved Inspector that the works should meet the minimum building regulations standards.

Like the Initial Notice referred to earlier, the Final Certificate is sent to the local council for inclusion on the public register.

Before we can issue the certificate there will be certain information that we will need to collect and details of this can be found on our [Building Control Completion Checklist](#)

**Q. If works do not comply how long do I have to put them right?**

**A.** If works do not comply we will write to you and give you a reasonable time in which to alter the work so that it complies. If we believe that the non-compliance is serious enough to warrant formal action, we can serve a notice requiring you to remove or alter the defective work within 90 days. This time limit is set by the regulations themselves and if nothing is done within that time period we will need to cancel the Initial Notice. The Local Council may then serve a notice on you to undertake such works as are necessary to comply with the regulations.

**Q. What happens if I have not quite finished works and want to move in?**

**A.** If you occupy a building which is non-compliant for more than four weeks the local authority may deem our Initial Notice invalid and reject our Final Certificate. So please be sure to notify us of your intention to occupy the building and we will ask for an extension of time. This will give you a little longer to finish the works.

**Q. How can JHAI help if I discover areas of non-compliance when I have already received my Final Certificate?**

**A.** Because our inspection regime is limited in scope it is possible for non-compliances to be found after the project has been signed off. There are elements of construction that cannot be inspected in any great detail or that may be covered over at the time of our site inspections. The legal status of a Final Certificate is that it is proof but not conclusive evidence of compliance with the building regulations.

If a non-compliance with the building regulations is identified after we have issued a Final Certificate, please contact us and we will do all we can to assist you in getting the matter put right.