

**Scottish Parliament Local Government and Communities Committee**

**Call for evidence on Building Regulations in Scotland**

**Submission by the Scottish Building Federation**

**February 2017**

**Introduction**

The Scottish Building Federation is delighted to have the opportunity to submit evidence to the Scottish Parliament Local Government and Communities Committee on building regulations in Scotland.

SBF is Scotland's leading construction employers' trade federation representing hundreds of construction companies throughout the country, from Orkney to the Borders. SBF was originally established in 1895 to represent the interests of employers working in the Scottish building industry and to foster cooperation amongst its members on the basis of shared ideals, collective needs and collaborative business practices. More than 120 years later, SBF adheres to those same founding principles and continues to represent the interests and aspirations of construction employers located throughout the length and breadth of Scotland. Above all, our mission is to ensure that the contribution the construction industry makes to the Scottish economy is recognised and valued – and to promote and advocate the positive economic, policy and environment our industry needs for a sustainable long-term future.

**Should verification of building standards be extended to organisations other than local authorities?**

There has been some ongoing discussion on this matter amongst SBF members. In particular, there is a view amongst many members that outsourcing building control from planning authority in-house staff to approved certifiers could be an effective means of speeding up decision-making and improving consistency. We would support further work being undertaken to explore the potential advantages and disadvantages of such an approach or even to introduce a pilot to trial such an approach on the ground.

**Should procedural regulations specify a minimum requirement for the inspection of ongoing building works, to ensure compliance with building standards?**

This could be a relatively blunt instrument for ensuring compliance with building standards and is likely to impose substantial additional pressure on planning and building control at a time when these services are already over-stretched. Rather than setting blanket minimum requirements, it would be preferable to consider each project on a case by case basis and to set minimum requirements for the inspection of ongoing building works according to the individual likelihood of building faults occurring and the associated risk.

**Should there be a statutory system to provide redress for new home buyers whose properties are subsequently found not to meet building standards requirements?**

There are existing consumer codes and warranties covering the new homes sector which we believe already provide appropriate protection for new home buyers.

**Are the current building warrant and associated fees set at the correct level?**

SBF has already submitted evidence to the Scottish Government's recent consultation on building warrant fees. In our submission, we emphasised the importance of ensuring that planning and building control departments are suitably resourced to be able to operate effectively and efficiently. At the same time, our members have identified a number of other key concerns in their dealings with planning and building control, not all of which will necessarily be fully addressed through an increase in resources. These include the time taken to reach decisions, a general lack of consistency in decision-making and the need for more flexibility in the interpretation of building standards to enable development, particularly on inner city sites.

We acknowledge the rationale behind the Scottish Government's proposal to increase building warrant fees, namely that the current fees structure has remained unchanged since its introduction in 2005. At the same time, we are also strongly of the view that any increase in building warrant fees must be accompanied by a corresponding improvement in the standard of service provided – and would seek assurances that improved performance of planning and building control will be a *quid pro quo* of any increase in fees. At the same time, we have also urged the Scottish Government to consider a more wide-ranging performance review of building control, to include the publication of updated guidance designed to encourage greater consistency in decision-making.