

Building Control Enforcement Policy

1. This Policy is to determine if enforcement action is required when it is discovered that there is a breach under the Building Act 1984 and the Building Regulations 2000 (as amended) (www.legislation.gov.uk). This may be for construction works that do not show compliance with the regulations or for commencement prior to an application being made or non-submission of notices. This Policy must be read in conjunction with the Council's **Corporate Enforcement Policy**
2. If a contravention is discovered, the owner and the builder will be notified of the contravention. This may be done verbally.
3. The applicant and any other party concerned will be given an outline of the works required to be carried out to ensure compliance.
4. Agree a time scale for the works to be completed, usually within 14 days of the offending work being discovered.
5. The Building Control Officer will check the offending works when notified of compliance by carrying out a site visit, or to ensure an application has been made..
6. If the offending works have not been rectified within the 14 days, the owner and builder as applicable will be written to.
7. Where the contravention concerns the non-submission of notices or an application, a letter will be sent to the owner and to the builder (if known)
8. In respect of construction work which does not comply with the regulations, if within 21 days of the letter no response has been received a follow up letter will be sent to the applicant.
9. For non-submission of an application the Building Control Services Manager will send a requisition for information to the owner or any other person with an interest in the land, in accordance with section 16 of the Local Government (Miscellaneous Provisions) Act 1976.
10. The Building Control Officer will make a further site visit to ascertain if the required works have been carried out to a satisfactory standard.
11. If a contravention still exists the Building Control Officer will submit a report to the Building Control Services Manager, outlining the events and extent of the contravention and detailing all site visits made and all correspondence sent.
12. Subject to agreement by the Building Control Services Manager, the relevant

December 2013

Cabinet Portfolio holder and the Head of Legal and Democratic Services appropriate prosecution proceedings will be commenced in accordance with the Council's **Corporate Enforcement Policy**.