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# Building Control

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## Introduction

Building control refers to the requirement for supervision and control of building work, and services carried out by a local authority or approved inspectors. The main function of building control is to ensure compliance with the Building Regulations under the Building Act 1984. The purpose is to make certain that minimum building standards are met to protect the health and safety of persons in and around buildings. We can only look at a council's role in Building Regulation applications and Building Control issues. We cannot consider complaints about the work of approved inspectors who can be employed by developers to carry out the building control function (although only a council, as the Building Control Authority, can issue a completion certificate).

## What we can do

We can look at:

- Whether or not a council has taken reasonable steps to assess plans and inspect building work at its various stages to determine whether the development complies with the Building Regulations;
- A complaint that a council made an error in approving Building Regulations and issuing a completion certificate for work which should not have been the subject of approval;
- Whether or not a council has considered taking enforcement action in a proper manner in connection with building work which does not comply with Building Regulations and which affects a third party.

## **What we cannot do**

We cannot look at:

- A council decision where the applicant has a right to appeal to the Welsh Government. This applies, for example, when a Building Regulations application is refused. Applicants are expected to use this right of appeal. They can also request a decision to resolve a dispute or ask for an exemption from a strict requirement;
- A complaint about damage caused by a neighbour's building work which has been approved in an appropriate manner by the council. This would constitute a private dispute between the complainant and neighbour;
- Complaints about a defect to a property which existed before purchase and which could have been identified in a survey;

- Complaints involving a property which has a current National House Building Council (NHBC) warranty.

## Issues to bear in mind

The landowner or developer has the ultimate duty to ensure that the structure built complies with Building Regulations.

Any approval notice or completion certificate issued by a council is not a guarantee or warranty. They reflect the reasonable steps it should have taken to inspect the works.

The courts have held that local authorities undertaking their Building Control function are not responsible for any economic loss resulting from their actions.

## Further information

**Information on Building Regulations** can be found at

[www.planningportal.gov.uk](http://www.planningportal.gov.uk)

The Council's own website may also contain information on Building Control matters.

## Contact us

If you are not sure whether we would be able to look into your complaint, please [contact us](#) on 0300 790 0203.

# Easy Read

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