

## **UPDATE ON SCOTTISH BUILDING REGULATIONS**

One year ago Scotland introduced a new building standards system.

The old system was very rigid. Nothing could be altered without a change in law, approved by Parliament. The new system has a short legal document, with most of the detail contained in guidance books that can be more quickly updated.

The change was made primarily to comply with the Construction Products Directive, which requires harmonised European Standards to be recognised within relatively short periods.

We also took the opportunity during the change to introduce other changes. I should like to mention two.

First, we included in the legal Act the possibility of having bodies other than the local authorities check plans, as in England and Wales. However the current Government in Scotland supports local authorities, and such a change is unlikely to happen. In any case, enforcement of building law would still be by local authorities even if other checking bodies (we call them verifiers) are appointed.

Second, we wished to expand and improve the system where certain parts of design and construction can be certified by suitable people, meaning the verifier does not need to check that part. Our old system allowed to this to happen for structural design, and for electrical installation, but there were weaknesses. The new system applies more strict rules to be met by certifiers, introduces ongoing checks, and makes it possible for certification to happen for other parts of buildings.

These changes are happening slowly, and after one year we still have only a scheme for structural certification, and a scheme for electrical installation. We are trying to get these schemes working well before introducing others.

The intention behind the certification schemes is to get designers and constructors to be more responsible for meeting the building regulations. They need to know the regulations better, because they now change so often, and they need to care about whether the regulations are met, or else practice on site will never be as good as it should be. This is especially important in the Scottish system where the emphasis is on getting a design approved before work starts, not on doing site checks.

The new system also brings new challenges for our local authorities. With standards expressed in functional form, and most detail now just guidance, the building standards officers in local authorities must use professional judgement more, not just apply a rule. While many have always done this well, others are finding this more difficult. The Agency has had to adopt new ways of informing local authorities about the system, and we have not been entirely successful. There are also of course with any new system matters that are not clearly enough defined – we continue to work on those.

Our feelings are that the system is only beginning to show how it might work. We believe there is potential for a much more flexible, responsive system to evolve, better suited to modern construction practices.

One year into the new system, we have just introduced our first set of changes to the technical guidance books, incorporating new European standards and other minor corrections. We have also included requirements for anti-scald valves on certain water fittings.

If anyone wishes to see all our documents they are available on our website – [www.sbsa.gov.uk](http://www.sbsa.gov.uk). I also have a limited number of CDs with the updated documents on - you are welcome to take these if you wish. If there are not enough please e-mail me on [jeff.carter@sbsa.gsi.gov.uk](mailto:jeff.carter@sbsa.gsi.gov.uk) and I will arrange for one to be sent.

Jeff Carter May 2006.