



Guidance document GD 03

December 2012

## GUIDANCE NOTE ON BUILDING REGULATIONS COMPLIANCE

### UK BUILDING REGULATIONS BACKGROUND

The United Kingdom has a long history of legal controls on building construction which began in London around 1200 AD. The principal driver for the introduction of regulations was problems caused by densely-packed housing, thin party walls, badly-sited privies and overhanging gutters but the greatest hazard was fire. The Great Fire of London in 1666, which wiped out 80 percent of the city led to the London Building Act of 1667, the first to provide for surveyors to enforce its regulations.

In more recent times Scotland was the first country in the United Kingdom to adopt national regulations. The Building (Scotland) Act in 1959 created the power and the first set of Building Regulations was published in 1963 and came into force in 1964. England and Wales quickly followed suit.

The Town and Regional Planning Act of 1934 created local planning authorities. This was replaced by the Local Government (Planning and Development) Act of 1963, which included the power to create national building regulations. The more comprehensive Building Control Act 1990 established building control authorities. Building regulations were published under that Act and have been revised periodically to the present day.

Reference: <http://www.buildinghistory.org/regulations.shtml>

Further changes are in the pipeline and will continue to occur to meet the ever changing needs of the industry.

### BUILDING REGULATIONS APPROVAL

Building work as defined in the Building Regulations will normally need approval from a Building Control Body, Approved Inspectors or, for certain minor works, tradesmen and builders belonging to a Competent Person Scheme.

## **WHO IS RESPONSIBLE FOR MEETING THE REQUIREMENTS OF THE BUILDING REGULATIONS?**

Whoever carries out the building work should be responsible for ensuring that the work is compliant with the Building Regulations. However, responsibility ultimately lies with the building owner, who may be served a notice if work does not comply with the Building Regulations.

Compliance with the Building Regulations is building or project specific and as such the use or reference to generic information or advice contained in manufacturers' or industry publications, web sites or literature cannot be accepted as ensuring compliance. In many cases there will also be a need to submit additional evidence of compliance such as test certificates or performance calculations.

Compliance with Approved Document L *Conservation of fuel and power* is one of the documents which calls for performance calculations through the use of the National Calculation Method known as the Simplified Building Energy Model (SBEM). The SBEM programme also requires the designer to input specific information about the building geometry, application, materials and use. It also requires detailed information about the thermal performance of building materials and services.

Section 1.11 within the Approved Document states the following:-

### **Responsibility for compliance**

1.11 It is important to remember that if you are the person (for example, designer, builder or installer) carrying out building work to which any requirement of Building Regulations applies you have a responsibility to ensure that the work complies with any such requirement. The building owner may also have a responsibility for ensuring compliance with Building Regulations requirements and could be served with an enforcement notice in cases of non-compliance.

### **SCOPE OF RESPONSIBILITY**

Responsibility for ensuring compliance with the Building Regulations does not stop at the point of approval but continues through the on-site construction phase. It is during this phase that changes to specification, material or building practice and workmanship can result in non-compliance.

Engaging an independent roofing and cladding consultant will ensure that what is specified and, more importantly, what is installed and constructed on-site meets the requirements of the Building Regulations. It will also ensure that the client has a fully compliant building which is built to the highest standard and offers tenants minimum in-service running costs and a long term sustainable solution.

In many cases the manufacturer or material supplier will provide general guidance, help and advice and they will also provide project specific guidance and performance calculations. However, generic advice from whoever or wherever must not be used or relied upon to establish or imply compliance; project- specific design guidance *must* be sought at all times. It is the duty of the design and installation team but ultimately the building owner to ensure compliance with Building Regulations.

## DISCLAIMER

Whilst the information contained in this publication is believed to be correct at the time of publication, the Metal Cladding and Roofing Manufacturers Association Limited and its member companies cannot be held responsible for any errors or inaccuracies and, in particular, the specification for any application must be checked with the individual manufacturer concerned for a given installation.

Information provided by the MCRMA or contained within publications and articles which are made available in any form (mechanical, electronic, photocopying or otherwise) cannot be used or cited as a means of ensuring that a material, product, system or assembly is compliant with Building Regulations.