

REPORT TO THE EXECUTIVE

Date: **24 MARCH 2005**

Title : **BUILDING (LOCAL AUTHORITY CHARGES) REGULATIONS 1998**

JOINT REPORT OF THE PORTFOLIO HOLDER FOR SUSTAINABLE DEVELOPMENT, ENVIRONMENT AND PLANNING POLICY AND THE PORTFOLIO HOLDER FOR RESOURCES

IMPLEMENTATION DATE: 6 April 2005

SUMMARY/PURPOSE

1. To set revised Building Control charges in order that costs can be recovered in the administration and enforcement of new Building Regulations relating to electrical safety in dwellings.

BACKGROUND

2. Revised Building Regulations came into force on 1st January 2005 which introduced controls relating to electrical installations in dwellings.
3. The Regulations impose a requirement for a Building Regulation application to be submitted for most fixed electrical works in dwellings. The local authority must then satisfy themselves that the works meet the technical requirements of the Regulations. This requirement to submit an application does not apply when the works are to be carried out by an electrician who is a member of a government approved competent person scheme and therefore able to self-certify their own work.
4. The Building (Local Authority Charges) Regulations 1998 give local authorities powers to recover the costs in carrying out their functions relating to Building Regulations. The charges must be set such that the income to be derived should not be less than the costs incurred. The Building Control Section has been successful in recovering these costs, even though it operates in a competitive market where charges are a key factor in customer choice.
5. A scale of proposed charges has been devised (Appendix B). Where the works are to be carried out by an electrician who is able to self-certify, there are no Building Control charges. For all other situations, the charges need to cover the cost of providing the service, and it is therefore proposed to charge a different fee depending upon whether the applicant is able to prove by certification that the works are satisfactory, or whether it is necessary for Building Control to carry out this function.
6. Building Control Surveyors are not suitably qualified to carry out testing of electrical installations. Therefore, the Council will need to engage qualified electricians as necessary to carry out this task.

7. In order to set the charges at a level that ensures that the cost of providing the service are recovered (as required by the Building (Local Authority Charges) Regulations 1998) suitably qualified and experienced electrical contractors were approached to ascertain the cost of employing a contractor on an ad-hoc basis to carry out the role of checking design, installation and testing of electrical installations.
8. Where work is to be undertaken by an electrician registered on a government approved competent persons scheme, Building Control will be notified electronically, and are required to keep a register of all such installations. The Council are not permitted to make a charge for this.
9. Where work is undertaken by a person not registered on a government approved competent persons scheme, but will be able to provide certification in accordance with the relevant British Standard confirming the adequacy of the design, installation and testing on completion of the works, it will be necessary for a Building Regulation application to be submitted and for the validity and accuracy of the certificates to be checked by qualified electricians. The proposed charge will cover this cost. Where the electrical works are being carried out in conjunction with other works for which a Building Regulation application has been deposited, it is proposed that no additional fee will be payable, and the costs incurred will be absorbed by the existing fee structure.
10. Where works are not carried out by a person employed on a government approved competent persons scheme, and no certification will be provided, it will be necessary for the design installation and testing to be checked by qualified electricians. The charge is based on the cost of employing a qualified electrician to carry out this work in respect of a complete electrical installation to a dwelling, together with an administrative charge.
11. It is anticipated that, as a result of the introduction of this national legislation, the majority of electrical installation work in dwellings will be carried out by approved competent persons. It is considered that the Council will receive very few applications for works which are not carried out or certified by competent electricians. However, the council cannot refuse to accept such applications, and therefore it is important, particularly in terms of any enforcement action, that a charge is set to deal with this eventuality.
12. All other Building Control charges remain unchanged.

STRATEGIC CONTEXT

13. The implementation of the Regulations has a general and on-going positive effect for health and safety and quality of life issues for Island residents.

CONSULTATION

14. The proposed fees are similar to those being pursued by other local authorities nationally.

FINANCIAL/BUDGET IMPLICATIONS

15. The charges are set to ensure that the costs incurred in administering and enforcing the new Regulations will be recovered. The charges will need to be reviewed on an annual basis.

LEGAL IMPLICATIONS

16. The new Regulations will be known as Part P of the Building Regulations, which is secondary legislation under the Building Act 1984. The Building (Local Authority Charges) Regulations 1998 grant a power to charge as opposed to a duty, but provide financial directives for local authorities as referred to above.

OPTIONS

17. (a) Approve propose charges as set out in Appendix B
(b) Reject proposed charges

EVALUATION/RISK MANAGEMENT

18. It is anticipated that the majority of electrical installation work in dwellings from 1 January 2005 will be carried out by approved competent persons. It is unlikely that the Council will receive a significant number of applications for works which are not carried out or certified by competent persons.

RECOMMENDATIONS

19. The charges set out in Appendix B are approved.

BACKGROUND PAPERS

20. ● SI 2004 No. 1808, The Building (Amendment) (No.2) Regulations 2004
● SI 1998 No. 3129, The Building (Local Authority Charges) Regulations 1998

ADDITIONAL INFORMATION

21. Appendices to the report
Appendix A Existing building control charges
Appendix B Revised building control charges for electrical installations
in dwellings
Appendix C Building Control information sheet – Part P Electrical Safety

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BUILDING REGULATION FEES

BUILDING (LOCAL AUTHORITY CHARGES) REGULATIONS 1998

This schedule lists the fees payable to the Isle of Wight Council for various types of work requiring permission under the Building Regulations 2000 (as amended). Please contact a Building Control Surveyor at the above location if you require any further information.

PLEASE NOTE:

- (i) These Fees apply from the 1st April 2003.
- (ii) The Plan Fee is payable when the plans are deposited.
- (iii) The Inspection Fee is payable after the first inspection has been carried out. We will send you an invoice for this charge.
- (iv) The Building Notice Fee is payable when the Building Notice is given to the Local Authority and is equivalent to the Plan Fee plus the Inspection Fee
- (v) If a Regularisation Application is made under the Building Regulations, the fee payable is equal to 120 per cent of the relevant Building Notice Fee.
- (vi) For inclusion in Schedule 1 (Small Domestic Dwellings and Connected Work) the dwelling must not exceed 3 storeys in height and be no more than 300m² in floor area. If these criteria are exceeded, the building is considered under Schedule 3.
- (vii) Estimates are required to be submitted to determine Schedule 3 fees. Work carried out on a D.I.Y. basis attracts the same level of fees as would be payable if the work was costed on a professional basis.
- (viii) Value added tax is payable on all applications, except Regularisation Applications.

- (ix) Works necessary to improve facilities for a disabled person may be exempt from these charges.

**TABLE 1
FEES FOR THE ERECTION OF ONE OR MORE DOMESTIC BUILDINGS**

Number of Dwellings	Plan Fee		Inspection Fee	
	Basic Fee (£'s - inc. VAT)	Additional fee for each dwelling above the minimum number in the band in column (1)	Basic Fee (£'s - inc. VAT)	Additional fee for each dwelling above the minimum number in the band in column (1)
1	176.25	-	442.98	-
2	240.88	-	613.35	-
3	317.25	-	779.03	-
4	393.63	-	900.05	-
5	475.88	-	996.40	-
6	558.13	-	1119.78	-
7	581.63	-	1196.15	-
8	605.13	-	1394.73	-
9	628.63	-	1593.30	-
10	634.50	-	1810.68	-
11	640.38	-	1983.40	-
12	646.25	-	2154.95	-
13	652.13	-	2328.85	-
14	658.00	-	2471.03	-
15	663.88	-	2642.58	-
16	669.75	-	2814.13	-
17	675.63	-	2985.68	-
18	681.50	-	3157.23	-
19	687.38	-	3290.00	-
20	693.25	-	3459.20	-
21 to 30	705.00	11.75	3537.93	117.50
31 & over	822.50	5.88	4629.50	88.13

NOTE: The Building Notice Fee payable in respect of the erection of small domestic buildings is the sum of the Plan Fee and the Inspection Fee.

**TABLE 2
FEES FOR CERTAIN SMALL BUILDINGS, DOMESTIC EXTENSIONS &
ALTERATIONS**

Type of Work	Full Plan Application		Building Notice Application
	Plan Fee (£'s - inc. VAT)	Inspection Fee (£'s - inc. VAT)	Building Notice Fee (£'s - inc. VAT)
Erection or extension of an attached or detached garage or carport, having floor area not exceeding 60m ² in total and intended to be used in common with an existing building.	90.00	180.00	270.00
Any extension of a dwelling the total floor area of which does not exceed 10m ² .	270.00	Included in Plan Fee	270.00
Any extension of a dwelling the total floor area of which exceeds 10m ² , but does not exceed 40m ² .	100.00	300.00	400.00
Any extension of a dwelling the total floor area of which exceeds 40m ² but does not exceed 60m ² .	140.00	400.00	540.00
Alterations to provide one or more rooms in the roof space of an existing dwelling.	195.00	185.00	380.00
Provision or replacement of windows, roof-lights, roof windows and external doors in a dwelling.	60.00	Included in Plan Fee	60.00

**TABLE 3A
FEES FOR OTHER WORKS**

Estimated Cost (£)	Full Plans Applications		Building Notice Applications
	Plan Fee (£'s - inc. VAT)	Inspection Fee (£'s - inc. VAT)	Building Notice Fee (£'s - inc. VAT)
Under 2000	117.50	-	117.50
2001 - 5000	193.88	-	193.88
5001 - 6000	51.12	153.33	204.45
6001 - 7000	53.77	161.26	215.03
7001 - 8000	56.40	169.20	225.60
8001 - 9000	59.04	177.14	236.18
9001 - 10000	61.69	185.06	246.75
10001 - 11000	64.33	193.00	257.33
11001 - 12000	66.97	200.93	267.90
12001 - 13000	69.62	208.86	278.48
13001 - 14000	72.26	216.79	289.05
14001 - 15000	74.91	224.72	299.63
15001 - 16000	77.55	232.65	310.20
16001 - 17000	80.20	240.58	320.78
17001 - 18000	82.84	248.51	331.35
18001 - 19000	85.49	256.44	341.93
19001 - 20000	88.13	264.37	352.50
Where the estimate cost exceeds £20,000 but does not exceed £100,000			
(a) the sum of.....	88.13	264.37	352.50
together with			
(b) for every £1,000 (or part thereof) by which the cost exceeds £20,000, the sum of.....	2.35	7.05	9.40

NOTE: Where the estimated cost exceeds £100,000 please contact the Building Control Surveyor who will be pleased to advise you as to the appropriate fee. Alternatively use the fee calculator on our website (www.iwight.com/buildingcontrol). Where an extension to a dwelling has a floor area exceeding 60m², the sum of the plan charge and the inspection charge will be not less than £540.50 inc. VAT.

Addendum

TABLE 2 (CONTINUED)
FEEES FOR CERTAIN SMALL BUILDINGS, DOMESTIC EXTENSIONS & ALTERATIONS

These charges have been introduced as a result of amendments to the Building Regulations in relation to the control of electrical safety in dwellings and come into force from 1st January 2005.

ELECTRICAL INSTALLATION (inc. provision or extension of, and alterations to)	FEE PAYABLE (£'s – inc. VAT)
a) Where work is to be undertaken by an electrician registered on a government approved competent persons scheme and who is able to self-certify the works.	No Fee Payable
b) Where work is to be undertaken by a person <u>not</u> registered on a government approved competent persons scheme, but BS7671 certificates will be provided by a competent electrician confirming design, installation, inspection and testing on completion of the works.	No additional fee if electrical installation is being carried out in conjunction with other works for which a Building Regulation application will be deposited. Otherwise, £60.00 (per dwelling)
c) Where work is to be undertaken by a person <u>not</u> registered on a government approved competent persons scheme, and BS7671 certificates will <u>not</u> be provided on completion of the works.	£250.00 (per dwelling)



BUILDING CONTROL INFORMATION SHEET

Part P Electrical Safety

Each year on average 10 people die and about 750 are seriously injured in accidents involving unsafe electrical installations in the home. Some of these casualties are due to electrocution and others from fires in the home resulting from unsafe installations. As from the 1st January 2005, new Building Regulations (Part P) come into force with the aim of reducing this risk.

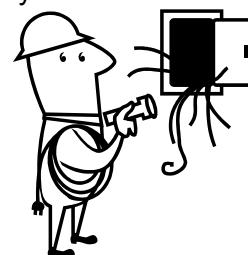
Many DIY enthusiasts and unqualified electricians carry out electrical installations, but they may have little or no way of knowing whether their installation is safe until a fault develops – and then it may be too late. It is important to recognise that a little knowledge is often sufficient to make electrical equipment function, but a much higher level of knowledge and experience is needed to ensure safety.

These new regulations are therefore being introduced to ensure that reasonable provision is made in the design, installation, inspection and testing of electrical installations in order to protect people from fire or injury.

How will the controls work?

There are of course many competent and qualified electricians, and Part P recognises that no further check is required on their work. Therefore, competent electricians who have been registered on a government approved Part P competent person scheme run by bodies such as NICEIC, ELECSA, BRE, BSI, NAPIT or other authorised scheme providers, need only submit details of each job to their assessment body.

The 'Competent Person' is able to self-certify that both electrical and other work associated with the installation is in accordance with Building Regulations and to issue a 'certificate of compliance' without involving Building Control. A copy of the certificate will be forwarded to Building Control for record purposes. We will be advised of all electricians who can self-certify their works.



If you use an electrician who is not registered on a Part P competent person scheme, you will need to submit an application under the Building Regulations in exactly the same way as if you were carrying out other building works. If it forms part of other work, such as a domestic extension or alteration, the electrical installation will be considered as part of the Building Regulation application for that work, otherwise it will need to be the subject of its own application.

What type of electrical work is controlled?

Part P applies to all fixed electrical installations associated with domestic property including garages, sheds, conservatories etc. that may otherwise be exempt from the

Building Regulations. However, the requirement to submit a Building Regulation application will not apply to replacement socket outlets or ceiling roses or to the replacing of a single circuit cable where damaged e.g. by fire or rodent.

In addition, and with some proviso's, the provision of a lighting point to an existing circuit or adding a socket outlet to an existing ring or radial circuit will not be controlled, unless such work is in a kitchen, bath or shower room, garden lighting or power, or other special location or installation, in which case Part P will apply and will need to be controlled. For full details of special locations and installations, please contact a Building Control Surveyor or visit our website.

What do I have to do?

If you intend to have electrical works carried out (other than those minor works described above) there are essentially three options available;

- 1) Use an electrician who is registered with a government approved *competent persons scheme* and is therefore able to self-certify. You will not need to submit an application or pay any fee to Building Control if you elect to use this option. You should, however, ask to see evidence that the electrician is a member of such a scheme, and if you are in any doubt, contact Building Control.
- 2) Submit an application under the Building Regulations for the works, (whether they be solely electrical works or part of other building works) and confirm that you will appoint a suitably qualified electrical contractor who will be able to certify compliance with BS 7671 (IEE wiring regulations), verifying design, installation, commissioning and testing on completion of the works. This will require visual inspection of the wiring as well as testing. You must then submit this certificate to Building Control who will vet the certificate to ensure it has been completed correctly and that the certifying electrician is suitably qualified.
- 3) Submit an application under the Building Regulations for the works, (whether they be solely electrical works or part of other building works) and confirm that you wish building control to ensure that you meet the requirements of Part P. As Building Control Surveyors are not sufficiently experienced and qualified to be able to inspect and test electrical installations, we will engage a suitably qualified electrical contractor who will be able to confirm to us whether or not Part P has been satisfied. You will be advised at what stages you must notify us in order that the inspection and testing can be carried out.

The Building Regulation application required in respect of both 2) and 3) above must consist of the application form, schematic wiring diagrams and the appropriate fee. The current fees are included in our current charges leaflet which is published on our website and is available on request. Please note, however, that for obvious reasons, the charges in respect of 3) above will be substantially more than those for 2).

All electrical installations subject to Part P will require testing and will need to be appropriately certificated on completion. A 'Completion Certificate' for the building project or installation will not be issued by Building Control unless a valid BS7671 electrical test certificate has been provided.

Enforcement powers are available to Building Control if this procedure is not followed, and your insurance is also likely to be invalidated. In addition, you may encounter problems when you come to sell your property in the future. However, failure to comply with this legislation may have far more serious consequences; ultimately you may put at risk the lives of yourself, your family, visitors to your property and future occupants.