

BUILDING STANDARDS VERIFICATION - IMPROVING CHOICE IN VERIFICATION OF BUILDING STANDARDS



RESPONDENT INFORMATION FORM

Please Note this form **must** be returned with your response to ensure that we handle your response appropriately

1. Name/Organisation

Organisation Name

Homes for Scotland

Title Mr Ms Mrs Miss Dr Please tick as appropriate

Surname

Trouten

Forename

Karen

2. Postal Address

5 New Mart Place

Edinburgh

Postcode EH14 1RW

Phone 0131 455 8350

Email

k.trouten@homesforscotland.com

3. Permissions - I am responding as...

Individual

/

Group/Organisation

Please tick as appropriate

(a) Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government web site)?

Please tick as appropriate Yes No

(b) Where confidentiality is not requested, we will make your responses available to the public on the following basis

Please tick **ONE** of the following boxes

Yes, make my response, name and address all available

or

Yes, make my response available, but not my name and address

or

Yes, make my response and name available, but not my address

(c) The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Scottish Government web site).

Are you content for your **response** to be made available?

Please tick as appropriate Yes No

(d) We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Please tick as appropriate

Yes

No

1. Purpose

1.1 Improving Choice in Verification of Building Standards. A Scottish Government consultation on the introduction of the National House Building Council (NHBC) for the verification of new housing.

CONSULTATION QUESTIONS

Firstly Ministers decided to appoint all 32 local authorities for a further six years (up to May 2017) to undertake the verification function on a reformed basis. This would see local authorities working to improve service delivery within a new performance framework to be introduced in 2012. They would also move forward the compliance with building regulation agenda.

Secondly in addition to the reformed local authority model Ministers are **seeking views** on the introduction of limited private verification. This is in line with powers of section 7(1) of the Building (Scotland) Act 2003 and would allow for limited private verification to work alongside local authority verification. This would introduce the [National House-Building Council](#) (NHBC) to the verification process in Scotland. They would however be limited to competing with local authorities as a verifier for new housing only.

Question 1	Do you think verification of building standards would be improved by introducing choice on who provides the service?	YES	<input checked="" type="checkbox"/>
		NO	<input type="checkbox"/>

Comments

We are convinced that the private sector should be given the opportunity to deliver a building control service. Improving choice would undoubtedly drive service standards and quality improvements.

Whilst capable and knowledgeable verifiers can be found in a number of Local Authorities, it is our view that generally building control resources are currently inadequate in terms of finances, timeliness of decision making, certainty of outcomes, consistent interpretation or physical staff numbers. This has led to delays and a poor quality of service offered to our members.

Local Authorities are under no financial obligation to expand building control resources nor are they under any pressure from Scottish Government or COSLA to fully consider the ring-fencing of building control fees. We are concerned that

the further public spending cuts are going to worsen the current situation.

We strongly believe that introducing choice would ensure better standards all round - with increased efficiency as a result of competition between services.

4. Introduction of NHBC as a Verifier

Question 2	Do you think that NHBC should be appointed as a verifier?	YES <input checked="" type="checkbox"/>
		NO <input type="checkbox"/>

Comments

We have continued to argue that warranty providers should be included in the verification license structure.

A number of our members are national house builders operating both north and south of the border and as such have experience of working with NHBC as both the verifier and warranty provider. Feedback from those members has been positive, supporting the extension of the co-ordinated service approach to Scotland.

Question 3	Do you think there would be benefits in introducing NHBC as a verifier?	YES <input checked="" type="checkbox"/>
		NO <input type="checkbox"/>

Comments

New homes are already inspected thoroughly to ensure compliance with warranty provider requirements. There is potential therefore for the process to be streamlined, making use of the expertise and experience employed by warranty providers and combining the role that they would traditionally undertake. After all, the inspections undertaken by warranty providers are far more frequent and wide ranging than those currently undertaken by Verifiers. This could ensure the focus of limited public sector funds while at the same time increase the quality of service afforded to home builders. It also has further positive benefits to the home builder, where early input from key stage inspections can detect potential issues and allow them to be rectified before further work is carried out.

Question 4	Do you think that all appointed verifiers whether public or private should operate within the same legislative, fees, performance and scrutiny framework?	YES	<input checked="" type="checkbox"/>
		NO	<input type="checkbox"/>

Comments

We must make sure that we have consistency within the verification process throughout Scotland and would support the operation of one set of rules rather than having a split system for public and private verification.

5. Scope of Verifiable work

5.1 The license granted to NHBC in England and Wales is unlimited. There is no restriction on the scale or type of projects that NHBC can assess for compliance with the Building Regulations. Their main market is housing although they have moved into the commercial sector in recent years and delivered Building Control on a number of large scale complex projects.

5.3 NHBC has stated that newly constructed or converted homes are their core business. They would not wish to provide verification services for alterations and extensions to domestic properties.

Question 5	If NHBC are appointed as verifiers do you think the scope of work should be limited to newly constructed houses, flats and maisonettes?	YES	<input checked="" type="checkbox"/>
		NO	<input type="checkbox"/>

Comments

We understand that the license granted to NHBC in England and Wales is unlimited and that there is therefore no restriction on the scale or type of projects that NHBC can assess for compliance within the Building Regulations.

While we would support a level of service that is comparable to that offered by NHBC in England and Wales, and one which is comparable to what is offered by Local Authorities, we do understand the logistical need for appropriate exemptions and why the NHBC is reluctant to provide verification services to one off extensions or alterations to domestic properties. For obvious reasons Homes for

Scotland would support the targeting of NHBC's expertise to new build developments.

In granting licenses to NHBC, we would encourage Ministers to use their appointment powers to limit the scope of the work that NHBC undertakes to exclude individual household warrants.

Question 6	If NHBC are appointed as verifiers do you think the scope of work should include conversion of existing buildings to form new houses, flats and maisonettes?	YES	<input checked="" type="checkbox"/>
		NO	<input type="checkbox"/>

Comments

Given that conversions of existing buildings to form new homes are often part of a wider development, we would support the inclusion of conversions within the scope of work for NHBC as verifiers.

Question 7	If NHBC are appointed as verifiers do you think they should be allowed, on a mixed use development of mainly housing, to verify the commercial building aspect?	YES	<input checked="" type="checkbox"/>
		NO	<input type="checkbox"/>

Comments

We would support the inclusion of mixed use development within the scope of NHBC as verifiers. If this is not the case and the developer on a mixed use site is forced to work with a number of verifiers, we foresee difficulties and delays.

We accept however that NHBC's experience to date does not include non-domestic buildings under the Scottish Building Standards and appreciate that there is likely to be a skills gap that will need to be filled. If it is felt that private sector involvement in verification should be phased, with non-domestic on mixed use sites coming later, then we would accept that.

6. General

Question 8	Do you have any other comments on the proposals?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
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Comments

Throughout this response, a generic language of 'warranty providers' has often been used. We wholeheartedly support the inclusion of NHBC within the verification system and endorse the skills and experience that they can offer to improve the current service in Scotland building on their relationship that currently exists with the house building industry through warranty provision.

We would however also like to remind the Scottish Government that there is more than one warranty provider operating in Scotland. We would like to see the opportunity widened in the future to allow any warranty body that can demonstrate an adequate level of experience, ability and resource, the opportunity to participate in the verification system.