

# **LONDON BOROUGH OF RICHMOND UPON THAMES**

## **BUILDING CONTROL ENFORCEMENT POLICY**

### **Introduction**

The primary function of the Building Control service is to protect people's health and safety in the built environment. This involves, among other things, enforcing the Building Act 1984, the Building Regulations and other allied legislation, the London Building Acts (Amendment Act) 1939 (or superseding similar legislation), the Safety of Sports Grounds Act 1975 and Fire Safety and Safety of Places of Sport Act 1987. In so doing, we aim to enforce in an equitable, practical and consistent manner.

### **Purpose and scope**

The leaflet titled "Enforcement Policy Principles for Development and Street Scene Services" sets out the general principles that apply to all the enforcement policies of that department, including for Building Control. The purpose of the Building Control Enforcement Policy is to explain the ways in which this particular service will enforce its powers in accordance with the principles adopted by the Development and Street Scene department as a whole. The policy sets out what business and others affected by its regulatory responsibilities can expect from the service and assists staff in applying enforcement powers. The policy applies to all Building Control staff with enforcement responsibilities relating to the service areas and actions set out below.

### **Service Standards**

The basic standards of customer service are set out in the leaflet, "Building Control – Our Service Standards", available at our offices and via the Council's web site, (see "Contacts and further information" below). Building Control also has a policy statement identifying the sequence of functions associated with service to be assessed for an order of priority if resources dictate such a judgement should be made. This judgement would be conducted on the basis of building use risk.

In regard to enforcement, the general standards and procedures applicable to the Building Control service areas are as follows:-

### **Building Regulations**

Contraventions can occur as part of works in progress, at the completion of building works or from external notification.

The service will:

For deposited applications in accordance with the Building Control Policy statement:

- (i) Respond to requests for inspection within one working day.
- (ii) Carry out routine inspections where resources allow.

- (iii) Maintain adequate records to show when and what works were inspected, the results of the inspection and any remedial action considered necessary.
- (iv) When errors have not been corrected and a contravention of the Building Regulations exists, communicate clearly to the owner, builder and agent identifying the problem and the measures which may need to be taken to achieve compliance.
- (v) Initiate court proceedings wherever necessary, after satisfying ourselves that there is sufficient admissible evidence and that proceedings would be in the public interest.

For works in progress in accordance with the policy statement:

If oral communication relating to works in progress is unsuccessful, communication will take place in writing. Any oral communication will be recorded in site notes.

For all other unauthorised work relating to Building Regulations in accordance with policy statement:

- (i) Within three working days of a report of a possible contravention of the Building Regulations being received or established on site an officer will visit the site to assess the situation.
- (ii) Ensure that any visiting officer produces identification.
- (iii) Ensure that the officer will provide in a clear manner and will endeavour to make the legal position as clear as possible.
- (iv) Ensure that the officer will make the owner and builder fully aware of the next steps to be taken by them and the local authority.
- (v) Send a letter within three working days of the officer's visit explaining all relevant courses of action to be taken and any timescales involved.
- (vi) Where required, allow fourteen days in which to deposit a Building Regulations application.
- (vii) Initiate court proceedings wherever necessary, only after satisfying ourselves that there is sufficient admissible evidence and that proceedings would be in the public interest.

## **Dangerous Structures**

The service will:

For all dangerous structures undertake an assessment in respect of the appropriate procedure to be followed.

Imminently dangerous structures require immediate action. We will initially attempt to contact the owner and give them an opportunity to carry out the necessary work. If this is not possible, the Council will carry out works in default. Within 3 working days a written confirmation of the works carried out and any further responsibilities of the owner (or other interested party) will be sent. In some instances a Dangerous Structures Notice may be

served. The decision regarding the most appropriate course of action will be a matter of professional judgement made by the Surveyor attending the incident. Non-compliance with a Notice could result in Court action.

### **Safety of Sports Grounds**

The service will:

- (i) Carry out During Performance inspections to establish terms and conditions of Safety Certificates are being upheld by the sports grounds. Where contraventions occur, we will exercise judgement on the severity of the contravention and address the matter through informal oral communication or ultimately a Prohibition Notice as appropriate. Informal oral communication will also be recorded in a match day report in written form.
- (ii) Initiate court proceedings wherever necessary, only after satisfying ourselves that there is sufficient admissible evidence and that proceedings would be in the public interest.

### **Street Naming and Numbering**

The service will:

- (i) For Developers and owners invite applications for formal numbering of buildings and naming of streets where such applications have not been submitted and where a building exhibits a number (or in some instances a name) or a road exhibits a name which is not consistent with the local authority's Street Naming and Numbering policy and has not been allocated by the local authority.
- (ii) Inform you in writing allowing 28 days to submit an application. In the event an application is not received, we will serve a Notice requiring the removal of the unauthorised name or number and require the setting up of an appropriate name or number in accordance with the local authority's Street Naming and Numbering policy.
- (iii) Initiate court proceedings where there is a failure to comply with the Notice. This may result in the issue of a summons and ultimately works could be carried out in default by the local authority.

### **Contacts and further information**

All our services have a range of information leaflets, which explain what we do and how we can help you.

- Call the service on the phone number shown below
- Look at our website: [www.richmond.gov.uk](http://www.richmond.gov.uk)
- Email us at: [buildingcontrol@richmond.gov.uk](mailto:buildingcontrol@richmond.gov.uk)
- Write to us or visit us at the address shown below.

Building Control

2<sup>nd</sup> Floor, Civic Centre, 44 York Street, Twickenham. W1 3BZ.

- Building Control (Richmond, Petersham, Mortlake, Sheen, Barnes) 020 8891 7350
- Building Control (Twickenham, Whitton, Hamptons and Teddington) 020 8891 7354

Our Civic Centre has full access for disabled people and induction loops in the general reception area. If you need any help getting into the building, please let us know beforehand and we will make arrangements to help you.

We will provide interpreters, on request, for customers for whom English is their second language, and/or a telephone interpreting service

**If you need this leaflet in Braille, large print, audio tape, or another language, please contact us on 020 8487 5098 or minicom 020 8831 6001**

**CIVIC CENTRE, 44 YORK STREET, TWICKENHAM. TW1 3BZ.**

**[www.richmond.gov.uk](http://www.richmond.gov.uk)**