

Regularisation Certificates

On occasions building work is undertaken without the appropriate Building Regulation procedures being followed. Where this happens, problems often arise during the conveyancing process. This leaflet provides information about the regularisation procedure.

Purpose

The Regularisation Procedure allows the Local Authority to consider works that have been carried out and completed without the submission of plans and giving of notice under the Building Regulations.

This power does not replace the enforcement powers already available to the local authority and is not intended to provide a short cut for those who failed to follow the correct procedure.

Regularisation Procedure

Regularisation is a procedure which property owners can follow where a retrospective approval under the Building Regulations can be issued (a Regularisation Certificate). This can be particularly helpful where confirmation that the works were in compliance with the regulations is required as part of the conveyance process in the sale of a property.

It is important to note that an owner is under no obligation to make an application for a Regularisation Certificate; equally, the

Council is under no obligation to accept it. An application for a Certificate can relate only to completed work or work which is substantially completed.

The procedure to apply for a regularisation certificate is as follows;

- Completion of the application form.
- The preparation and submission of plans which detail the work which has been carried out to show its construction.
- If it is known that any items do not comply with the Building Regulations the necessary remedial works also need to be shown on the plans.
- The payment of the relevant fee. The amount is dependent upon the type of work the regularisation application refers to and is to be in accordance with the Council's published charges.

An application can only be made for a Regularisation Certificate where;

- The work commenced after 11 November 1985,
- The work came within the scope of Building Regulations, and

- No application was made at the time.

Issue of a Regularisation Certificate

Before a certificate can be issued, the Council must be reasonably satisfied that the works conform to the Building Regulations and that there is no risk to the health and safety of persons caused by the works.

In association with checking the submission of plans an inspection of the site and works is carried out.

The Council may then:

- (1) Say whether additional works are required to meet Building Regulation standards, or
- (2) Issue a certificate indicating that the unauthorised works are in compliance with the Building Regulations standards.

If additional works are required (1 above) a certificate can not be issued until those works have been completed and inspected.

PLEASE NOTE

Building work may require other permissions including Planning Permission.

Ask for our ONE STOP SHOP leaflet and enquiry form – a simple way to find out which permissions you may need.

For Further Information:

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Building Control

Building Regulations 2010

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