

**APPENDIX B4B
SCHEME OF BUILDING REGULATION CHARGES AND
ASSOCIATED MATTERS
FOR**

**South Cambridgeshire District Council
Cambridge City Council
Huntingdonshire District Council**

Operated by 3C Building Control

Date this Scheme came into effect: 1st April 2016

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Purpose of the Building Regulations

Building Regulation standards have evolved to secure the health and safety of those persons in and around buildings, to assist with energy conservation and to provide access and facilities for all persons.

Level of Charges

We believe that the charges, referred to in this scheme, represent genuine value for money. Local Authorities are required to recover their costs incurred over a 12 month

accounting period. Allowing a three year rolling programme to allow for workload fluctuation. If you wish to discuss, in detail, our level of service or charges, please contact us for further information.

Definitions

The following definitions apply to this Charging Scheme and should be read in conjunction with the other clauses and tables which constitute the Charging Scheme:

‘building’

means any permanent or temporary building but not any other kind of structure or erection, and a reference to a building includes a reference to part of a building.

‘building notice’

means a notice given in accordance with regulations 12(2)(a) and 13 of the Building Regulations 2010 (as amended).

‘building work’ means:

- (a) the erection or extension of a building;
- (b) the provision or extension of a controlled service or fitting in or in connection with a building;
- (c) the material alteration of a building, or a controlled service or fitting;
- (d) work required by building regulation 6 (requirements relating to material change of use);
- (e) the insertion of insulating material into the cavity wall of a building;
- (f) work involving the underpinning of a building;
- (g) work required by building regulation 22 (requirements relating to a change of energy status);
- (h) work required by building regulation 23 (requirements relating to thermal elements);
- (i) work required by building regulation 28 (consequential improvements to energy performance);

‘chargeable function’ means a function relating to the following –

(a) the passing or rejection of plans of proposed building work which has been deposited with the council in accordance with section 16 of the Building Act 1984 (as amended).

(b) the inspection of building work for which plans have been deposited with the council in accordance with the Building Regulation 2010 and with section 16 of the Building Act 1984 (as amended).

(c) the consideration of a building notice, which has been given to the council in accordance with the Building Regulations 2010 (as amended).

(d) the consideration of building work reverting to the council under the Building (Approved Inspectors etc.) Regulations 2010 (as amended)

(e) the consideration of a regularisation application submitted to the council under regulation 21 of the Building Regulations 2010 (as amended).

‘cost’

does not include any professional fees paid to an architect, quantity surveyor or any other person.

‘disabled person’

means a person who is within any of the descriptions of persons to whom Section 29(1) of the National Assistance Act 1948, as extended by virtue of Section 8(2) of the Mental Health Act 1959, applied but disregarding the amendments made by paragraph 11 of Schedule 13 to the Children Act 1989. The words in section 8(2) of the Mental Health Act 1959 which extend the meaning of disabled person in section 29(1) of the National Assistance Act 1948, are prospectively repealed by the National Health Service and Community Care Act 1990, section 66(2), Schedule 10, as from a day to be appointed

‘dwelling’

includes a dwelling house and a flat.

‘dwelling-house’

does not include a flat or a building containing a flat.

‘flat’

means a separate and self-contained premises constructed or adapted for use for residential purposes and forming part of a building from some other part of which it is divided horizontally.

‘floor area of a building or extension’

is the total floor area of all the storeys, which comprise that building. It is calculated by reference to the finished internal faces of the walls enclosing the area, or, if at any point there is no enclosing wall, by reference to the outermost edge of the floor.

'relevant person' means:

- (a) in relation to a plan charge, inspection charge, reversion charge or building notice charge, the person who carries out the building work or on whose behalf the building work is carried out;
- (b) in relation to a regularisation charge, the owner of the building; and
- (c) in relation to chargeable advice, any person requesting advice for which a charge may be made pursuant to the definition of 'chargeable advice'

Principles of this Scheme

The set charges or method of establishing the charge have been established in this scheme for the functions prescribed in the Building (Local Authority Charges) Regulations 2010 (referred to as the chargeable functions), namely:

A plan charge, payable when plans of the building work are deposited with the Local Authority.

An inspection charge, payable on demand after the authority carry out the first inspection in respect of which the charge is payable.

A building notice charge, which is not refundable, is payable when the building notice is given to the authority.

A regularisation charge, payable at the time of the application to the authority in accordance with Regulation 21 of the Building Regulations. An application for regularisation, where unauthorised work has been commenced on, or after 11 November 1985, is entirely discretionary in relation to the submission of a retrospective application to the local authority and equally the local authority is under no obligation to accept it. Where a Regularisation application is received and accepted, the Regularisation charge is not refundable.

A reversion charge, payable for building work in relation to a building: -

1. Which has been substantially completed before plans are first deposited with the Authority in accordance with Regulation 20(2)(a)(i) of the Approved Inspectors Regulations, or

2. In respect of which plans for further building work have been deposited with the Authority in accordance with the Regulation 20(3) of the Approved Inspectors Regulations, on the first occasion on which those plans are or have been deposited.

Chargeable advice, **we will** make a charge for giving advice in anticipation of the future exercise of our chargeable functions (i.e. before an application or notice is received for a particular case), which is payable after the first hour of advice, on demand after we have given notice required by Regulation 7(7) of the

Building (Local Authority) Charges Regulations 2010 (i.e. the charge has been confirmed in writing following an individual determination).

This charge can be discounted from a subsequent application or notice received for the work in question.

The above charges are payable by the relevant person (see above for definition).

The charges are based on the principle of achieving **full cost recovery**. The charges will be calculated by using the surveyors' average hourly rate stated in the charging scheme, multiplied by the time taken to carry out the functions/advice, taking the following factors into account, as applicable, in estimating the time required by surveyors to carry out the function/advice:

1. The existing use of a building, or the proposed use of the building after completion of the building work;
2. The different kinds of building work described in regulation 3(1)(a) to (i) of the Building Regulations;
3. The floor area of the building or extension;
4. The nature of the design of the building work and whether innovative or high-risk construction techniques are to be used;
5. The estimated duration of the building work and the anticipated number of inspections to be carried out;
6. The estimated cost of the building work;
7. Whether a person who intends to carry out part of the building work is a person mentioned in regulation 12(6) or 20B(4) of the Building Regulations (i.e. related to competent person/self certification schemes);
8. Whether in respect of the building work a notification will be made in accordance with regulation 41(4) of the Building Regulations (i.e. where design details approved by Robust Details Ltd have been used);
9. Whether an application or building notice is in respect of two or more buildings or building works all of which are substantially the same as each other;
10. Whether an application or building notice is in respect of building work, which is substantially the same as building work in respect of which plans have previously been deposited or building works inspected by the same local authority;

11. Whether chargeable advice has been given which is likely to result in less time being taken by a local authority to perform that function;

12. Whether it is necessary to engage and incur the costs of a consultant to provide specialist advice in relation to a particular aspect of the building work.

Payment by Instalment

The authority may accept payment by instalment in respect of all building work detailed where the total charges exceed £10,000. The authority on request will specify the amounts payable and dates on which instalments are to be paid.

Principles of the scheme in respect of the erection of domestic buildings, garages, carports and extensions

Where the charge relates to an erection of a dwelling the charge includes for the provision of a detached or attached domestic garage or carport providing it is constructed at the same time as the dwelling.

Where any building work comprises or includes the erection of more than one extension and/or multiple types of alterations or building work the local authority may be able to reduce the charge by providing an individual assessment.

Exemption from charges

The Authority has not fixed by means of its scheme, nor intends to recover a charge in relation to an existing dwelling that is, or is to be, occupied by a disabled person as a permanent residence; and where the whole of the building work in question is solely-

- (a) for the purpose of providing means of access for the disabled person by way of entrance or exit to or from the dwelling or any part of it, or
- (b) for the purpose of providing accommodation or facilities designed to secure the greater health, safety, welfare or convenience of the disabled person.

The council has not fixed by means of its scheme, nor intends to recover a charge for the purpose of providing accommodation or facilities designed to secure the greater health, safety, welfare or convenience of a disabled person in relation to an existing dwelling, which is, or is to be, occupied by that disabled person as a permanent residence where such work consists of-

- (a) the adaptation or extension of existing accommodation or an existing facility or the provision of alternative accommodation or an alternative facility where the existing accommodation or facility could not be used by the disabled person or could be used by the disabled person only with assistance; or
- (b) the provision of extension of a room, which is or will be, used solely-

(i) for the carrying out for the benefit of the disabled person of medical treatment which cannot reasonably be carried out in any other room in the dwelling, or

(ii) for the storage of medical equipment for the use of the disabled person, or

(iii) to provide sleeping accommodation for a carer where the disabled person requires 24-hour care.

The council has not fixed by means of its scheme, nor intends to recover a charge in relation to an existing building to which members of the public are admitted (whether on payment or otherwise); and where the whole of the building work in question is solely-

(a) for the purpose of providing means of access for disabled persons by way of entrance or exit to or from the building or any part of it; or

(b) for the provision of facilities designed to secure the greater health, safety, welfare or disabled persons.

Information required to determine charges

If the authority requires additional information to enable it to determine the correct charge the authority can request the information under the provisions of regulation 9 of The Building (Local Authority Charges) Regulation 2010.

The standard information required for all applications is detailed on the authority's Building Regulation application forms. This includes the existing and proposed use of the building and a description of the building work

Additional information may be required in relation to –

- The floor area of the building or extension
- The estimated duration of the building work and the anticipated number of inspections to be carried out.
- The use of competent persons or Robust Details Ltd.
- Any accreditations held by the builder or other member of the design team.
- The nature of the design of the building work and whether innovative or high-risk construction is to be used.

The estimated cost of the building work. The 'estimate' is required to be such reasonable amount as would be charged by a person in business to carry out such building work (excluding the amount of any value added tax chargeable).

Establishing the Charge

The authority has established standard charges using the principles contained within The Building (Local Authority Charges) Regulation 2010. Standard charges are detailed

3C Shared Service Building Control Scheme Charges Effective from 1/04/16

in the following tables. In the tables below any reference to number of storeys includes each basement level as one-storey and floor areas are cumulative.

If the building work that you are undertaking is not listed as a standard charge it will be individually determined in accordance with the principles and relevant factors contained within The Building (Local Authority Charges) Regulation 2010. If the authority considers it necessary to engage and incur the costs of a consultant to provide specialist advice or services in relation to a particular aspect of building work, those costs shall also be included in setting the charge.

When the charge is individually determined the authority shall calculate the charge in the same way a standard charge was set by using the average hourly rate of surveyors' time, multiplied by the estimated time taken to carry out their building regulation functions in relation to that particular piece of building work and taking into account the applicable factors listed in regulation 7(5) of the charges regulations.

Individually determined charges will be confirmed in writing specifying the amount of the charge and the factors that have been taken into account in determining the charge.

The building regulation charges for the following types of building work will be individually determined and we will state which factors in regulation 7(5) of the charges regulations we have taken into account in establishing a standard or individually determined charge.

Individually determined charges will be provided for the following:

- A reversion charge, or
- The building work is in relation to more than one existing building or
- The work consists of the erection or conversion of 11 or more dwellings, or
- The work consists of the erection or conversion of dwellings where the floor area of each dwelling exceeds 300m² or
- The work consists of the erection or conversion of dwellings more than 3 storeys in height or
- The work consists of a domestic garage with a floor area over 60m² or
- The work consists of a domestic extension or annexe with a floor area over 60m² or
- The work consists of a domestic loft conversion with a floor area over 60m² or
- The work consists of a domestic garage conversion with a floor area over 60m² or
- Building work consisting of alterations to a single dwelling exceed £75,000
- Building work consisting of alterations to a non-domestic building where the estimated cost exceeds £100,000 or
- The work consists of a Material Change of Use or
- Any other works not specifically listed in Tables A, B, and C

Other matters relating to calculation of charges

- In calculating these charges, refunds or supplementary charges, a surveyor's hourly rate of £71.00 has been used.
- Any charge payable to the authority shall be paid with an amount equal to any value added tax payable in respect of that charge.
- Charges are not payable for the first hour when calculating a substantive advice charge
- The authority accepts payment by instalment in respect of all building work where the total charge exceeds £10,000. The authority on request will specify the amounts payable and dates on which instalments are to be paid.

Reductions

The authority shall make a reduction in a standard or individually determined charge when chargeable advice has been given before receipt of an application or notice for proposed building work, which is likely to result in less time being taken by the local authority to perform the chargeable function for that work.

When it is intended to carry out additional building work on a dwelling at the same time that any of the work to which Table B relates then the charge for this additional work shall be reduced by 50%.

Where in accordance with Regulation 7(5)(i) of the charges regulations one application or building notice is in respect of two or more buildings or building works all of which are substantially the same as each other a 50% reduction in the standard plan charge can be made.

Where in accordance with Regulation 7(5)(j) of the charges regulations an application or building notice is in respect of building work, which is substantially the same as building work in respect of which plans have previously been deposited or building works inspected by the same local authority, a 50% reduction in the plan charge will be made.

Supplementary charges

If the basis on which the charge has been set or determined changes, we may request a supplementary charge and provide a written statement setting out the basis of this charge and also state how this has been calculated. In the calculation of supplementary charges no account shall be taken of the first hour of an officer's time.

Non-Payment of a Charge

Your attention is drawn to Regulation 8(2) of the Building (Local Authority Charges) Regulations 2010, which explains that plans are not treated as being deposited for the purposes of Section 16 of the Building Act or building notices given unless the Council has received the correct charge. In other words, relevant timescales do not start until the agreed payment has been made. The debt recovery team of the authority will also pursue any non-payment of a charge

Complaints about Charges

If you have a complaint about the level of charges you should initially raise your concern with the Building Control team. If your complaint is not satisfactorily responded to then the council has a comprehensive complaint handling process, details of which are available on request.

Transitional Provisions

The Council's previous schemes for the recovery of charges continue to apply in relation to building work for which plans were first deposited, a building notice given, a reversion charge becoming payable, or a regularisation application was made, before 1 April 2016.

STANDARD CHARGES

These standard charges have been set by the authorities on the basis that the building work does not consist of, or include, innovative or high risk construction techniques and/or the duration of the building work from commencement to completion does not exceed 12 months

The charges have also been set on the basis that the design and building work is undertaken by a person or company that is competent to carry out the design and building work referred to in the standard charges tables that they are undertaking. If not, the work may incur supplementary charges.

If chargeable advice has been given in respect of any of the work detailed in these tables and this is likely to result in less time being taken by the authority then a reduction to the standard charge can be made.

Plan and Inspection Charges

The plan charge and inspection charge are listed in the following tables.

Building Notice Charge

With the majority of building notices the time to carry out the building regulation function is higher and the resultant additional costs of using the Building Notice procedure results in the higher charge as detailed in the following tables.

Reversion Charge

These charges will be individually determined

Regularisation Charge

Will be the equivalent of the building notice charge plus 20%

TABLE A						
Standard Charge for the creation or conversion to form a new dwelling						
Charges in £s, excluding VAT . VAT not charged on Regularisation						
Number of Dwellings	Plan Charge	Inspection Charge	Plan+ Inspection	Building Notice	Regularisation	Additional
1	180	387	567	623.7	748.44	190
2	250	770	1020	1122	1346.4	*
3	320	1065	1385	1523.5	1828.2	
4	390	1280	1670	1837	2204.4	
5	460	1380	1840	2024	2428.8	
6	530	1480	2010	2211	2653.2	
7	550	1560	2110	2321	2785.2	
8	570	1640	2210	2431	2917.2	
9	590	1720	2310	2541	3049.2	
10	620	1880	2500	2750	3300	

Note – for 11 or more dwellings or if the floor area of a dwelling exceeds 300m² or more than 3 storeys in height the charge will be individually determined.

The charge will depend on the factors referred to previously and it is the applicants interest to ensure full details of the construction, site control processes and duration of the project and expertise involved is made clear to ensure a fair charge is made.

* An additional charge is for work when the relevant building work, or part thereof, has not been carried out by a person referred to in regulation 7(5) (g) or (h) of the Building (Local Authority Charges) Regulations 2010 applies. It is additional to the inspection charge, building notice charge or regularisation charge.

Where standard charges are not applicable please contact building control on 01954 713204 or e-mail: building.control@scams.gov.uk

TABLE B : WORKS TO A SINGLE DWELLING

Charges in £s, excluding VAT . VAT not charged on Regularisation						
Description of Work	Plan	Inspection	Plan+ Inspection	Building Notice	Regularisa- tion Fee	Additional
Extensions & New Build						
Extension or annexe - with floor area not exceeding 10m2	150	225	375	412.5	495	190
- with floor area exceeding 10m2 but not exceeding 40m2	150	285	435	478.5	574.2	190
- with a floor area exceeding 40m2 but not exceeding 60m2	150	390	540	594	712.8	190
A building or extension comprising SOLELY of a garage, carport or store the total floor area of which does not exceed 60m2	150	190	340	374	448.8	190
Loft and Garage Conversions – apply to buildings of one or two storeys only, not including basements.						
loft conversions (less than 40m2	150	285	435	478.5	574	190
loft conversions (exceeding 40m2 but less than 60m2	150	345	495	544.5	653	190
Garage conversion up to 40m2	150	110	260	286	343	190
Alterations						
Replacement of windows, roof lights, roof windows or external glazed doors	100	0	100	110	132	
Renewable Energy systems (up to £20,000)	140	0	140	154	184.8	
Internal alterations - up to £5,000	180	0	180	198	237.6	
- exceeding £5,000 but not exceeding £10,000	280	0	280	308	369.6	
- exceeding £10,000 but not exceeding £20,000	150	220	370	407	488.4	
- exceeding £20,000 but not exceeding £50,000	150	285	435	478.5	574.2	
- exceeding £50,000 but not exceeding £75,000	150	385				
Notifiable electrical work (where a satisfactory certificate will not be issued by a Part P registered electrician	240	0				

Notes for Table B

* Where multiple work is covered by more than one of the above categories then the appropriate charge is calculated by paying the **full amount for the most expensive category** and only **50%** for the other applicable categories

* An additional charge is for work when the relevant building work, or part thereof, has not been carried out by a person referred to in regulation 7(5) (g) or (h) of the Building (Local Authority Charges) Regulations 2010 applies. It is additional to the inspection charge, building notice charge or regularisation charge

Where Standard Charges are not applicable please contact Building Control on 01954713203 or e-mail: building.control@scams.gov.uk

TABLE C: Alterations to non-domestic and commercial buildings

	Charges in £s, excluding VAT . VAT not charged on Regularisation			
	Plan Charge (+VAT)	Inspection Charge (+VAT)	Plan +Inspection	Regularisation Charge (NO VAT)
Renovation of a thermal element with an estimate up to £50,000	140	0	140	182
Renewable Energy systems (up to £50,000)	140	0	140	182
Replacement of windows, roof lights, roof windows or external glazed doors (up to £20,000)	110	0	110	143
Replacement of windows, roof lights, roof windows or external glazed doors (£20,000 - £100,000)	225	0	225	292.5
Internal alterations up to £5,000	200	0	200	260
Internal alterations exceeding £5,000 but not exceeding £10,000	150	160	310	403
Internal alterations exceeding £10,000 but not exceeding £20,000	150	250	400	520
Internal alterations exceeding £20,000 but not exceeding £50,000	175	350	525	682.5
Internal alterations exceeding £50,000 but not exceeding £75,000	225	450	675	877.5

Where there is a Proposed Change of Use of a building an individually determined charge will apply

Where Standard Charges are not applicable please contact Building Control