

Building Control Guidance Leaflet 3

Regularisation procedure



Planning and Transport

It is not uncommon for building work to be undertaken without the appropriate procedure being followed. Where this happens, problems often arise later during the conveyancing process. This leaflet provides information about the regularisation procedure and what to do to sort out the difficulties.

The regularisation procedure allows us to consider appropriate works carried out and completed without the submission of plans and giving of notice. This power does not replace our enforcement powers already available to the Local Authority and does not provide a short cut for those who failed to follow the correct procedure.

Regularisation procedure

Regularisation is a procedure which property owners follow when problems arise in conveyancing, for example the selling of property.

It is important to note that an owner is under no obligation to make an application for a regularisation certificate. Equally, we are under no obligation to accept it.

In order to assess whether compliance with Building Regulations has been achieved, we can ask the applicant to 'open up' work. This assumes a reasonable level of co-operation between us and the applicant.

An application for a regularisation certificate can only be made where:

- the work commenced after 11 November 1985;
- the work came within the scope of Building Regulations;
- no application was made at the time the work was carried out.

Issue of certificate

Before a certificate can be issued we 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 in or around the property.

We will then either:

- issue a Certificate indicating that the unauthorised works are in compliance with the Building Regulations standards; or
 - tell you what additional works are required to meet Building Regulation standards.
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Before applying

Please consult us prior to making an application. We will tell you what information is required and the fee to be charged for the type of work involved.

Please note that the fee for the regularisation application is not refundable in the event of a certificate not being issued.

Building Regulations approval does not imply approval under the Town and Country Planning Act. You should always check if a separate planning application is required.

This leaflet provides advice on a particular aspect of the Building Regulations. It is not a statement of law, but is intended to help you to understand the system.

Building Regulations change from time to time. If you did not receive this leaflet directly from Wigan Council's Planning and Transport Department, you must check that the information is still current.

We are here to help. If you are in any doubt over the requirements of the Building Regulations, or if you need further information, please telephone or write to us at:

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WN1 3DS.
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