



CONSORTIUM
OF EUROPEAN
BUILDING CONTROL

BUILDING CONTROL SYSTEMS

Report

February 2024



About the Consortium of European Building Control (CEBC)

CEBC is an independent public organisation composed of member organisations representing different European countries and associated non-European countries from both public and private sectors. CEBC is comprised of about twenty-nine institutions from twenty countries. Members engage in building control or in the development of appropriate legislation and standards associated with health, safety, accessibility, energy conservation and sustainability aspects of the built environment and include professional organisations, government bodies or a comparable agency.

The aim of the CEBC is to promote and contribute to improving the safety and sustainability of the built environment and to promote modern building control systems, which are both sustainable and business friendly.

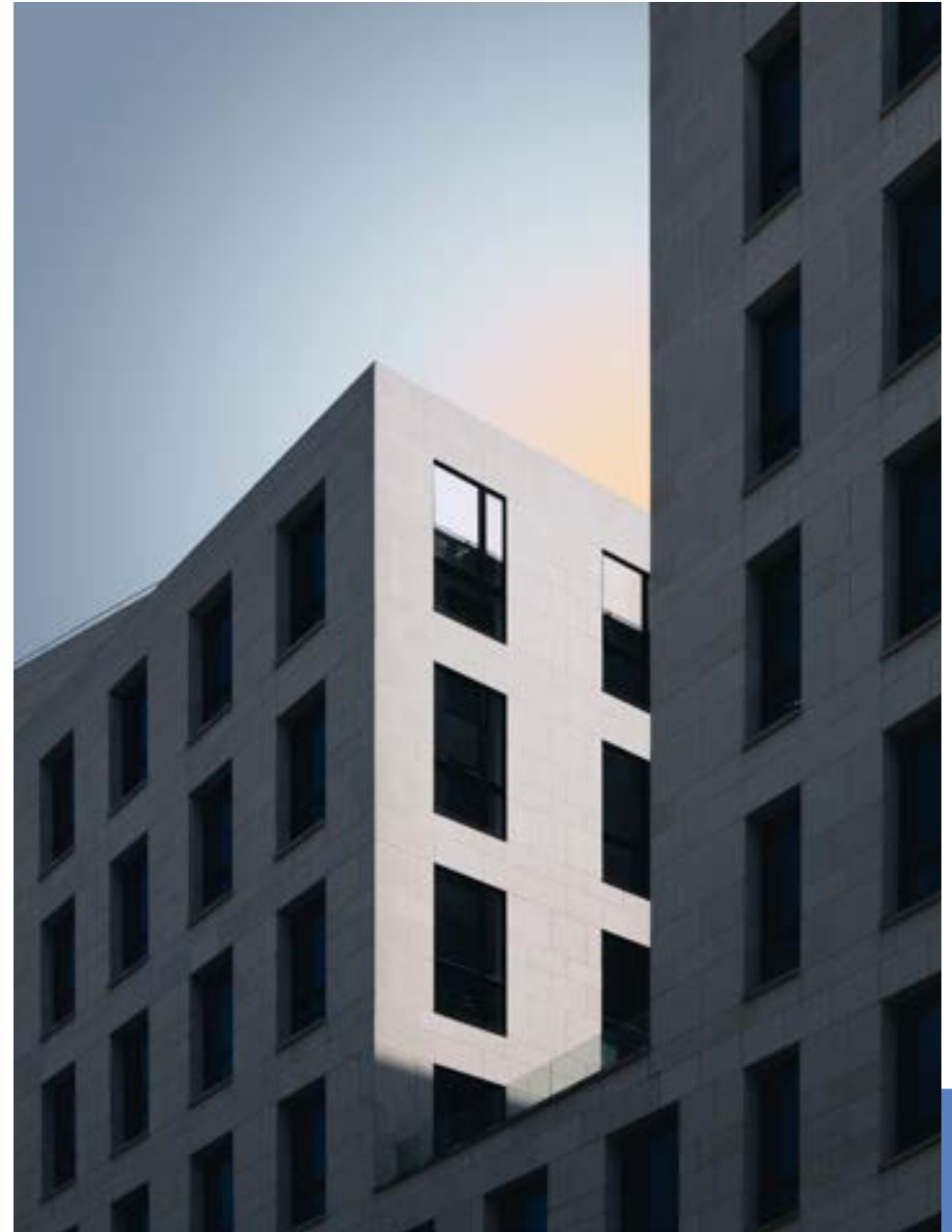
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Introduction

The Consortium of European Building Control is a platform for exchange of information concerning building control issues in Europe and beyond. This access to information gives CEBC a unique opportunity to provide comprehensive information about building control systems. Consequently, it was decided to prepare the Building Control Systems report which aims to summarize the current state of Building Control throughout Europe.

The construction sector is a branch of economy that has a deep effect on other industries. Investments in infrastructure, housing, and various commercial properties not only generate contracts for construction companies and suppliers of construction materials but also for various related services, thereby contributing to an overall increase in economic activity. Furthermore, the construction sector is a significant source of employment, offering jobs in various professions. Each job in construction generates several additional jobs in other sectors, meaning that heightened activity in the construction sector directly translates into the development of the job market and a reduction of unemployment. The construction industry is also undergoing rapid technological advancement. Modern technologies and products also introduce challenges in areas such as assessment, monitoring, management, and regulation. The current standards and regulations may not be fully equipped to accommodate these emerging technologies, thereby creating hurdles in maintaining safety and ensuring compliance. Therefore, it is crucial to evaluate this technological progression within the construction industry.

In the background of these extremely important processes, operate building administrations organized on the basis of rules defined by each country independently. The purpose of this report is to present the current solutions in the area of building control that can be useful for various stakeholders of construction process: building control inspectors, investors, designers, site engineers, contractors, insurance providers, owners and many more.

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Research design

The research subsequently performed by the CEBC Building Control Systems Working Group employed mainly qualitative research methods, such as questionnaires and logical constructive analysis. The web-based electronic questionnaire was composed of 37 questions (Annex).

The survey was sent to the 29 individual members of CEBC from 20 countries. The answers were received between May and June 2023¹ from 18 countries (for the purposes of the report, Scotland is treated as a separate country):

1. Cyprus
2. Denmark
3. Estonia
4. Finland
5. France
6. Germany
7. Ireland
8. Israel
9. Latvia
10. Lithuania
11. Netherlands
12. Norway
13. Poland
14. Romania
15. Scotland
16. Slovenia
17. Spain
18. England and Wales

The tables and charts presented in the report show responses from individual countries, not member organizations. The only exception concerns the England and Wales, where Scotland was treated individually due to its separate BC system.

Additional explanation is provided of the BC system in England and Wales (important due to the adopted methodology).

The building control process is designed to ensure that all building work, including new build, extensions, or alterations to an existing building, meet the necessary standards of health, safety, welfare, and sustainability.

In the UK there are a variety of municipalities in each devolved nation or island dependency that all deal with building regulations in a comparable manner. However, the laws are applied differently within the various internal state institutions of England, Wales, Scotland, Northern Ireland, the Isle of Man and the Channel Islands.



¹ This implies that the report typically encompasses the prevailing legal status within the Member States at the time of sending survey.

This report deals with the system of Building Control within England, Wales, and Scotland. It has not considered the systems within Northern Ireland, the Isle of Man or the Channel Islands in any great detail and the outcome of this survey should not be seen as being wholly representative of the Building Control systems within those nations.

In England & Wales there has been significant change to the Building Control, and regulation regime since 2022, particularly in England. The system in Wales is undergoing change, in a similar way to that of England, but all the legislative changes have not yet been put in place by the Welsh government.

At the time of publication of this report the Building Act 1984 remains the principal primary Building Regulation/Control legislation, and the Building Regulations 2010 remain the principal regulations for building work to be assessed against in both England and Wales. However, the Building Safety Act 2022 has created amendments to the Building Act and introduced a national state institution in the form of the Building Safety Regulator (BSR)² in England, who will oversee all Building Regulations activity, including direct control over the inspection of building work relating to Higher-Risk Buildings (HRBs)³. The BSR will also be responsible for the registration and inspection of HRBs that comprise of occupied flats. The BSR will also, from April 2024, regulate the whole of the Building Control Profession within England, which will require both certified private professionals and municipalities to employ registered building inspectors.

It is not necessary to go into the detail of the English regime here. An overview of the UK regime can be found later in this report and details about the role of the BSR for England is available on their website <https://www.hse.gov.uk/building-safety/regulator.htm>.

² The Building Safety Regulator is a specialist department that sits within the UK's Health and Safety Executive

³ HRBs are tall residential buildings that contain dwellings (Flats), or is a care home, or is a hospital, where the building has an upper floor level of 18m or more above ground level; or has 7 or more storeys.

Executive summary

All **countries have specific building control systems** that have various **influence on whole construction sector**. Government agencies and other regulatory bodies play a key role in shaping and overseeing the construction investments.

This influence can have far-reaching implications on different aspects of the construction sector. First of all, building **administrations** are responsible for **establishing and enforcing building regulations**. These acts of law stipulate the minimum standards for construction practices and safety. The presence of **robust regulations helps ensure that buildings** are constructed to **withstand various environmental, structural and safety challenges, protecting the public interest**.

Building administrations manage the permitting process for construction projects. They **review plans, grant approvals, and issue permits for various construction** activities. Efficient and transparent permitting processes are critical for facilitating construction projects and reducing delays. During the next phase **building bodies** monitor construction sites, conduct inspections, and enforce safety regulations to prevent accidents and **ensure that the construction process is conducted in compliance with design**.

Finally, their role is essential in ensuring that buildings remain safe, functional, and compliant with applicable regulations throughout their lifecycle. Effective oversight helps protect the interests of property owners, occupants, and the broader community while preserving the integrity of the built environment.

Our data analysis results come from survey filled out by our responders and describes essential facts regarding building control area in 18 countries around Europe.

1. Planning and permitting phase

- *Zoning plans or land use conditions*

Most of the **countries** representatives (12 out of 18) answered that **have access to regularly updated zoning plans** or land-use conditions, which is a positive sign for effective urban planning and land management. In this situation all stakeholders have access to current and accurate information. However, there is room for improvement in these cases where plans are

both only partly available and not regularly updated. The data suggests that when zoning plans or specified land-use conditions are available the approximate coverage of built-up areas is between 21% and 100% **but in majority cases between 81% to 100%**.

GIS-based maps are a valuable tool for providing access to zoning regulations in various regions. Most countries representatives reported widespread availability, either covering the entire country or most developed areas (15 out of 18). This demonstrates a **positive trend toward making zoning information more accessible and transparent to end users**. However, there are still cases where the extent of availability is limited to specific major cities, suggesting room for further improvement in this regard.

- *Permits*

A planning permit or its equivalent is typically a **prerequisite for most investments**. In a survey conducted, 7 out of 18 countries representatives confirmed that such a permit is universally required, while an additional 11 indicated that it's necessary but only in specific cases. **The permitting process often involves collaboration with various other authorities and regulatory bodies**. These entities may play a role in conducting reviews, issuing pre-approvals, or providing no-objection letters, among other tasks. A significant majority of 16 out of 18 countries representatives acknowledged this interplay of authorities in the permitting process. Additionally, in vast majority of countries investors must obtain a building permit. Only a minority of 2 countries representatives answered that a building permit is not required.

- *Fees*

A majority of countries require **fees for the approval process**, which can vary widely. Remarkably, 11 countries representatives revealed that these fees are meticulously **calculated to achieve full cost recovery for the process**. This means that the fees cover all expenditures, including staffing, office costs and other expenses. In some of these countries, **fee structures may be contingent upon the size and intended use of the projects**. 7 countries representatives answered also that the percentage of fees charged when compared against project construction costs is between 0-5%. Only in individual cases fees reach 5-10% or even 10-20% of project construction costs.

- *Performed control*

Data collected in our survey provides a comprehensive overview of the control activities of construction projects during the planning and permitting phase and which entities are responsible for conducting controls in different aspects.

In majority of countries **the most significant role in this process is played by municipalities and private certified professionals with involvement of state institutions** in some countries. Generally, data from survey shows that almost all aspects we had asked about, are subjects of control during permitting phase but it is carried out by various entities. Only in individual cases the respondents indicated that the control is not conducted: mechanical resistance and stability – 3 cases, safety in case of fire – 2 cases, safety, and accessibility in use – 1 case, energy efficiency – 2 cases, architectural quality (building's integration into the landscape and urban environment) – 1 case, third party interests (neighbours) – 1 case. One aspect was indicated as is always controlled - territorial planning, local plans.

- *Substantive review of designs*

A majority of answers shows that construction projects are subject of a detailed review of technical requirements. 15 out of 18 countries representatives indicated that such action is conducted always or in specific cases (depending on factors such as project complexity or size). This suggests that **there is a formalised comprehensive evaluation of technical aspects during the planning and permitting phase for designs. Structural aspects are the most frequently reviewed**, with 13 countries indicated that construction projects undergo a technical review in this category. The least checked area is geotechnical – 6 answers. Other areas were indicated in 8-11 responses (architectural, plumbing, electrical, mechanical services, other).

2. Construction phase

- *Performed control*

The data we've gathered offers a thorough examination of control measures implemented during construction phase. It also identifies the entities responsible for carrying out these controls in various aspects.

In majority of countries **certified private professionals play the most important role in this process while municipality and state institutions have a less significant role**. The criteria that are most controlled are: construction work compliance with technical project and regulatory acts (16 out of 18 countries), compliance with construction products (15 out of 18 countries), safety and accessibility in use, energy efficiency, safety in case of fire, mechanical resistance and stability, architectural quality and qualifications of participants of construction process (14 out of 18 countries). On the other hand, territorial planning and third-party interests are relatively less controlled criteria (between 11-13 out of 18 countries).

In general, it can be concluded that the construction phase is strictly controlled by various institutions regarding different criteria.

- *Risk-based approach*
Using of risk management principles is more and more popular in building control processes in recent years and applies not only to the construction phase but also to the permitting phase. This approach **seeks to identify, evaluate, and prioritise potential risks to allocate resources and control efforts** accordingly. In most countries, a risk-based approach is applied both during the assessment of building permit applications and during on-site inspections (7 out of 18 countries) while in 5 cases is used only during construction phase and in 1 case only during permitting phase. Five countries representatives answered that a risk-based approach is not applied either during the assessment of building permit applications or during on-site inspections. These countries should consider introducing this approach because it helps to ensure that limited resources are directed where they are most needed.

3. Commissioning/completion of construction phase

- *Commissioning/completion permit*
In most countries, there is a requirement for an issue of completion, commissioning, or use certificate for construction objects (17 out of 18 countries). However, **there are exceptions for small constructions and/or small conversions** in a significant number of cases (14 out of 18 countries). The decision on whether a certificate is needed likely depends on state regulations and the nature of the construction work being undertaken.

- *Performed control*
During **commissioning/completion phase**, in most countries, **responsibility for carrying out inspections is taken over by municipalities and largely private professionals**. The share of controls performed by state institutions in this phase was demonstrated to a slightly lesser extent. The criteria that are most controlled are: mechanical resistance and stability, safety in case of fire, safety and accessibility in use, energy efficiency, documentation required in the construction regulation and unauthorised construction (between 15-16 out of 18 countries).

4. Use and maintenance phase

- *Performed control*
This phase is crucial for ensuring the long-term functionality, safety, and sustainability of the constructed objects. It involves several key activities conducted in majority of countries by municipalities and certified private professionals while state institutions playing again slightly lesser role. However, **compared to the design, construction and commissioning phases, there is a significant decrease in control activities performed**. Regarding the 5 criteria we have asked about in the survey, in case of only one - safety in case of fire, we received 12 answers that such controls are carried out. For the remaining criteria: safety and accessibility in use, mechanical resistance and stability, energy efficiency and unauthorised construction, responses that such aspects are checked ranged between 8-9 out of 18 countries. This means that **in many countries, the responsibility for maintaining the building in proper technical condition lies with the owner or administrator of the building**.

5. Insurance and liability

- *Insurance*
The **insurance framework differs among countries being not required in most of the countries**. Nevertheless, some countries mandatory request insurance for owners, investors, and technical experts.
- *Liability*
In relation to liability, it is not necessarily needed for investors and building managers. This differs for **designers and contractors where the liability scheme focuses mostly on 5 and 10 years**.

6. Legal requirements and enforcement

- *Built without a building permit*
Legal enforcement actions can be taken in all countries when there is no building permit even if the project is finalised, with the most common penalties being stop notice (16 out of 18 countries) and fines (16 out of 18 countries). In 18 out of 18 answers the building authority is the relevant enforcement body. Also, the fire safety authority (10 answers) and other dedicated authorities (9 answers) are relevant enforcement bodies. Only 1 country representative indicated that the penalty could be imposed by an independent private third party.
- *Non-compliance during construction phase*
During the construction phase, legal actions that might be taken against non-compliant projects and responses are almost similar to the permitting phase. 17 out of 18 countries representatives indicated that enforcement actions are carried out with the most common penalties being fines (16 out of 18) and stop notice (14 out of 18). In 16 out of 18 countries the building authority is the relevant enforcement body. Also, the fire safety authority (7 answers) and other dedicated authorities (7 answers) are relevant enforcement bodies. While in many countries, independent third parties engage in building control during the construction phase, there is no indication that penalties could be imposed by such independent third parties.
- *During the maintenance phase*
Enforcement actions are possible also during the maintenance phase. Except for a few details, similar answers were obtained as above to the questions whether enforcement action can be taken during the maintenance phase, and which are the most common penalties. **Bodies dealing with the maintenance phase are the building authority, fire safety authority and other authorities in most cases.**

Conclusions

1. Access to regularly updated zoning plans or land-use conditions is generally wide. However, there is room for improvement in cases where plans are not accessible or not regularly updated.
2. A planning permit is typically required for most investments, often involving collaboration with various authorities.
3. Majority of countries charge fees for the approval process, with some aiming for full cost recovery.
4. Construction projects undergo a detailed review of technical requirements in most cases, suggesting a comprehensive evaluation of technical aspects during the planning and permitting phase.
5. Control activities during the planning and permitting, construction and commissioning phases are widespread. In general, it can be concluded that those phases are strictly controlled by various institutions regarding different criteria.
6. A completion, commissioning or use certificate is required for most investments.
7. Control activities during maintenance phase, compared to the permitting, construction, and commissioning phases, are limited. This means that in many cases the responsibility for maintaining the building in proper technical condition lies with the owner or administrator of the building.
8. The use of risk-based approach in building control processes is becoming increasingly popular, applied during both permitting and construction phases in most countries.
9. Harmonising regulation of national quality control management system might improve the control of the whole construction system.
10. The insurance framework differs among countries being not required in most of the countries while liability is required mostly for designers and contractors.

11. Legal enforcement actions are commonly used for construction without a permit, non-compliance during the construction phase and during the maintenance of the building. Most often, these actions are taken by state authorities in the form of fines and stop notices.

Good practices

England and Wales

Building Control – An overview

Building Regulations compliance assessment is delivered in a variety of ways:

- Municipalities (local authorities) in England & Wales enforce regulations relating to controlled work in buildings other than Higher-Risk Buildings (HRBs); or
- Certified private professionals (Approved Inspectors who will have to register as Registered Building Control Approvers) in England & Wales can inspect plans and work on buildings other than HRBs to assess compliance and where non-compliance is identified can refer the project to local municipalities to enforce; or
- Work of a minor nature relating to building services or fittings in both HRB and non-HRB premises in England & Wales can be self-certificated by another type of certified private professional called a ‘Competent Person.’ This is someone who is registered with a state institution approved ‘Competent Persons Scheme.’ However, compliance enforcement is carried out by local municipalities in non-HRBs and by the state institution Building Safety Regulator in HRBs if the work is found to be non-compliant; or
- Work of a very minor nature, in both HRB and non-HRB type buildings, such as replacing taps, sanitary appliances, electric sockets and switches etc, can be carried out without notice by building owners in England & Wales. However, compliance enforcement is carried out by local municipalities in non-HRBs and by the state institution of the Building Safety Regulator in HRBs if the work is found to be non-compliant; or
- Building work for new HRBs or work to existing HRBs in England can only be inspected and enforced by the state institution of the Building Safety Regulator.

- HRBs that comprise of flats in England must be registered with the state institution of the Building Safety Regulator and must obtain a Building Assessment Certificate and undergo a periodic building safety inspection/ reassessment at least once every 5-years.
- Neither local municipalities or certified private professionals (Approved Inspectors/Registered Building Control Approvers) can inspect work for HRBs in England – unless under the direct authority/instruction of the state institution of the BSR.

The building safety regime – England

Building Control for non-HRB premises operates in a very similar way to how it has in the past – with some variations to take account of the permitting (application) processes and to make: building owners, designers, and contractors (Dutyholders) more accountable/responsible for the work they conduct.

The process for HRBs begins at the Planning Stage where fire safety information must be submitted at the earliest possible stage of the planning process. This is to allow the state institution of the BSR to be consulted before Planning Permission is granted; in order that the state institution has the opportunity to object where it has any concerns about Planning related fire safety matters.

The building regulation controls in place for HRB work are also more stringent than those for non-HRBs with work only able to start once a grant of the building regulations application (permit) has been given by the state institution of the BSR.

Once the state institution of the BSR has granted the application for the HRB work and work has started, any changes during the construction phase will be notifiable and might require another application to be made to the state institution of the BSR. When the work is at, or nears, completion the developer must again apply to the state institution of the BSR for a Completion Certificate and await the state institutions decision before allowing the HRB to be occupied. Failure to comply with these two ‘gateways’ could result in a ‘Stop Notice’ being served and work being halted. The developer could be prosecuted and in extreme cases the developer/transgressor could face a prison sentence.

Enforcement powers for both local municipalities and the state institution of the Building Safety Regulator have been strengthened and penalties for non-compliance are more severe with either or both financial and custodial sentences

possible. Similarly, the time limits to investigate offences and prosecute or serve alterations notices have been significantly increased. Stop notices have also been introduced to allow local municipalities and the state institution of the BSR to halt work to allow technical non-compliances to be rectified before work progresses.

Additionally, it **will not** be possible for any developer, who is identified on a state institution register of prohibited persons (Prohibitions list), to obtain Planning Permission for major developments, or to apply for/or receive a Building Regulations permit (approval) or Completion Certificate for any building work they wish to carry out/complete – regardless of whether the development has previously been awarded Planning Permission. These prohibited persons are developers who have been identified as having built tall residential buildings in the past and who have not signed-up to the English state institutions Responsible Actors Scheme.

Proposals for Wales

A similar non-HRB and HRB regime to that which exists in England is proposed to be introduced in Wales.

The scheme in Wales will be similar to that outlined in the bullets above, but HRBs in Wales will be buildings with just one dwelling as opposed to there needing to be at least two dwellings in a building in England to count it as an HRB. The HRB height thresholds will be the same in both England & Wales. Children Homes will also be included in the list of the types of premises considered to be an HRB in Wales.

In Wales, the HRB regulator will be local municipalities and not a state institution. There will also be no opportunity for certified private professionals (approved Inspectors/Registered Building Control Approvers) to be able to inspect work on HRBs in Wales. Registration and any on-going building safety inspections of occupied HRBs in Wales will be the duty of local municipalities and not the state institution.

Associated existing building safety controls in the UK

As well as controls for building work to be compliant at the design and construction phase there also remains existing controls for enforcing health and safety on construction sites – which is the duty of the state institution of The Health and Safety Executive (HSE) in England, Wales, and Scotland. Similar

arrangements are in place in Northern Ireland, the Isle of Man and Channel Islands with each having their own equivalent state institution of a Health and Safety Inspectorate.

Fire safety in occupied premises, which are considered to be workplaces (including HRBs in England), generally falls to the UKs 49 local Fire and Rescue services to enforce. In Scotland it is the role of the state institution of the Scottish Fire and Rescue Service. It is similar in Northern Ireland and the other UK island nations who all employ a state institution Fire and Rescue Service model. In England there are 40+ municipality fire and rescue services with Wales having 3 fire and rescue services covering the North, Mid & West, and South principal areas of the country which cover some 22 local municipalities.

There are also controls in place for premises with high spectator volumes/crowds, which tend to require building safety certification from local municipalities. These premises are controlled under both sports ground and fire safety legislation, which is the same in England, Scotland, and Wales. The role of both fire and building safety certification and the on-going inspection of certificated sport stadia/stand type premises generally rests with either the local Building Control or Environmental Health departments in a local municipality. In Northern Ireland it falls to the district municipalities to certificate and enforce sports ground safety laws.

Denmark

Pre-dialogue (forhåndsdialog)

Before applying for a building permit, it is a good idea to contact the local building authority to clarify the framework for the building project. This is called a pre-dialogue. The preliminary dialogue is voluntary but can be a good help before many building cases, where there may be many unresolved questions to begin with. It can, for example, be which requirements in the building regulations apply to the construction, questions about whether a certified structural engineer or fire consultant must be assigned, whether it is necessary to apply for a dispensation to deviate from provisions in the building regulations, requirements for documentation or whether there is other legislation, you have to be aware of. At the preliminary dialogue, the municipal council can also invite representatives from other departments in the municipality, if it is relevant to the building case.

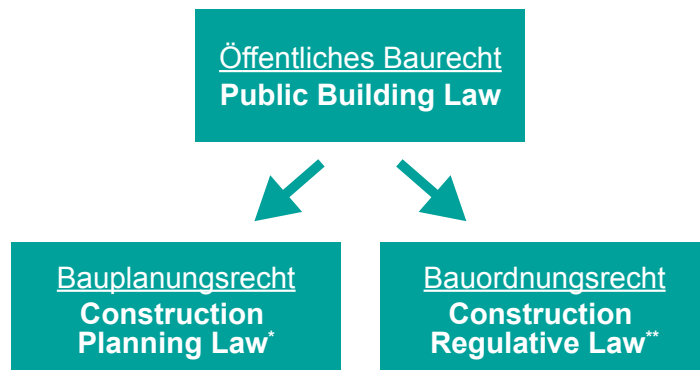
The preliminary dialogue can contribute to a faster and more flexible construction process by clarifying important issues before they become obstacles to construction or delay the process.

Byggesagsbehandling - Certificeringsordning



Germany

Public building law in Germany is subdivided into the construction planning and construction regulations laws (Figure 1).



* Area planning, regional planning, land use planning = what can/can't be built?
 ** Construction police, building law, building code = how can it be built?

Figure 1: The two parts of German building Law

The 16 Federal States of Germany

- **Basic law** for the Federal Republic of Germany (= *Constitution*) defining basic human rights:
- Art. 2 declares: Everybody's **right to life and physical integrity**
- Authority of building control in 16 states enforces the law under use of:
- Federal Model Building Regulation (*Musterbauordnung - MBO*)
- to prepare building regulations for the 16 States (*Landesbauordnung - LBO*)



Figure 2: The Federal States of Germany

Construction planning law regulates the usability of land. It regulates area-related requirements for construction projects. The legislative competence for construction planning law largely lies with the Federal Government.

Construction regulations law regulates the structural/technical requirements for individual building projects. Primarily, it is intended to avert hazards resulting from the erection, existence, and use of civil engineering structures. The construction regulations law contains provisions stating whether or not and which permission is required for the civil engineering structure and how a building project is to be executed in practice (setbacks, road development, traffic safety, structural integrity, fire protection). A **building permit** is required for the erection, modification, change of use and demolition of buildings.

The legislative competence for issuing the construction regulations law lies with the individual Federal States. (**Figure 2**). They regulate the respective construction regulations state law in so-called State Building Acts. All regulations required to achieve the objectives of hazard control as specified by the building regulations law are set out in this **Model Building Regulation**. It serves as a

recommendation for the adoption by the individual Federal States. The result is the so-called **State Building Act** (Landesbauordnung, LBO).

The Model Building Regulation contains a regulation which states that **compliance with the requirements** pertaining to **structural integrity, fire protection**, sound and thermal insulation, and protection against vibration shall be proven by structural **design verifications**.

The building permit generally implies reviewed and **verified structural analysis**, fire protection assessments and shop drawings, depending on the **level of complexity** of the building structure (e.g., buildings more than seven meters high, more than two units, more than 400 square meters each). The structural design verifications relating to structural integrity and fire protection must be **certified** either separately by the **building inspection authority** or by qualified experts.

Qualified experts are the Design Review Engineers for structural integrity and fire protection. The design review engineer does not adopt the role of an official civil servant who acts on behalf of the state by means of this appointment. He only establishes the basis for the building permit to be issued by the building control authority, but the building control authority accepts his decisions without further verification. The **liability** depends on the design review engineer's involvement either as independent contractor of the building control authority or as an expert consultant for these state building projects, where a building permit is not required. In the first case, the **overall liability remains with the state** with the exemption of acts of negligence by the design review engineer. In the latter case, the design review engineer resumes the standard consulting engineer liability. The **independent design review** is a cornerstone of German quality assurance in terms of building safety.

Literature on the topic:

- Der Prüfmgenieur (November 2020). Das Magazin der Bundesvereinigung der Prüfmgenieure für Bautechnik. www.bvpi.de
- Der Prüfmgenieur (Special Edition 2020). The Journal of the German Federal Association of Design Review Engineers. www.bvpi.de
- Sheridan, Visscher, Meijer (2003). Building regulations in Europe Part I, A comparison of the systems of building control in eight European Countries. Delft University Press

Scotland

Pilot for a national building standards hub

Following the tragic events at Grenfell Tower in 2017, the Scottish Government set up a Ministerial Working Group on Building and Fire Safety. This group in turn commissioned two panels, one to review compliance and enforcement of building standards and the other fire safety. In the recommendations that it published, the compliance and enforcement panel concluded that, although the core elements of the current building standards should be maintained, some reshaping of the system was necessary. The Building Standards Futures Programme Board was therefore set up in 2019 to give guidance and direction on developing and implementing the recommendations made by both panels. Recommendations are being taken forward through seven workstreams:

- the future workforce
- design and construction compliance
- certification of design and construction
- technical handbooks
- digital transformation of services
- verification standards
- the model by which verification is conducted

The latter workstream is reviewing the current model, in which the 32 Scottish local authorities are verifiers, and assessing scope for improvement. Both panels also identified the potential for a national or central hub that could offer expertise in specialist and safety-critical areas in the design of complex buildings. The Scottish building standards hub being piloted as part of this work is described below, as a key joint action between central and local government building control partners.

The pilot was established to demonstrate the viability and sustainability of a national or central building standards hub and identify the improvements that could be made to the current model of service provision. Strengthening it involves the development of regional partnerships with the centralised administration of national building standards system services, as well as specialist activities. As part of the building standards system, it will have clear

benefits for the system's users. This can be seen when considering the overall aims of the workstream, which are to:

- provide excellent public service
- encourage efficiencies
- increase capacity to verify all types of construction work
- ensure investment in skills and modern technology
- provide resilience
- increase consistency

National collaboration through local authorities

Since it began, the hub pilot has looked at a range of hosting arrangements, settling on local authority hosting as the preferred model because such organisations already have the relevant facilities, infrastructure and familiarity with building standards as a function.

The pilot has undertaken extensive engagement with all local authorities in Scotland and key construction industry stakeholders. The structure for a permanent hub has also been fully developed with implementation planned for May 2024.

A range of national building standards system services, previously provided by LABSS, have been embedded in the pilot hub, including: the Scottish Type Approval Scheme (STAS, a national system for housebuilders and developers that assesses and approves designs for standard buildings); technical research to be published in information papers; administration of dispute resolution; and administration of LABSS consortia technical working group,

Through stakeholder engagement, the pilot has identified scope for the hubs of expertise, particularly when it comes fire and structural engineering.

Digital learning support.

The hub is also now the primary vehicle for developing programs to support local authority verifiers in digital transformation as well as learning and development. This support includes:

- A digital hub providing a strategic link between verifiers and stakeholders to promote consistent digital transformation.
- Developing digitised training and a learning management system for verifiers
- CPD provision for verifiers

Hub structure set for development

The pilot has proposed a phased development for the permanent structure of the hub, so key skills are brought on board swiftly and its work has a positive impact as soon as possible. The hub will be funded from an overall increase in building warrant fees. The proposed permanent hub is supported and due to be established by the end of the pilot in May 2024 to ensure continuity of service.

Spain

Promote the design and regulation of a national harmonized quality control management system in construction works. Improving the programming of the control, its tests, service tests and acceptance or rejection.

The Building Control is defined at the national level:

- Technical Building Code (*CTE-Código Técnico de la Edificación* www.codigotecnico.org/): technical requirements and,
- Building Regulation (*LOE-Ley de Ordenación de la Edificación* www.boe.es/buscar/pdf/1999/BOE-A-1999-21567-consolidado.pdf): defining the experts' background to take part in projects and allowing provinces and local authorities (8.131) to increase the requirements for buildings and experts.

To increase the efficiency of the whole building process, several actions were put in place many years ago (1998 onwards). Some of them are mentioned below:

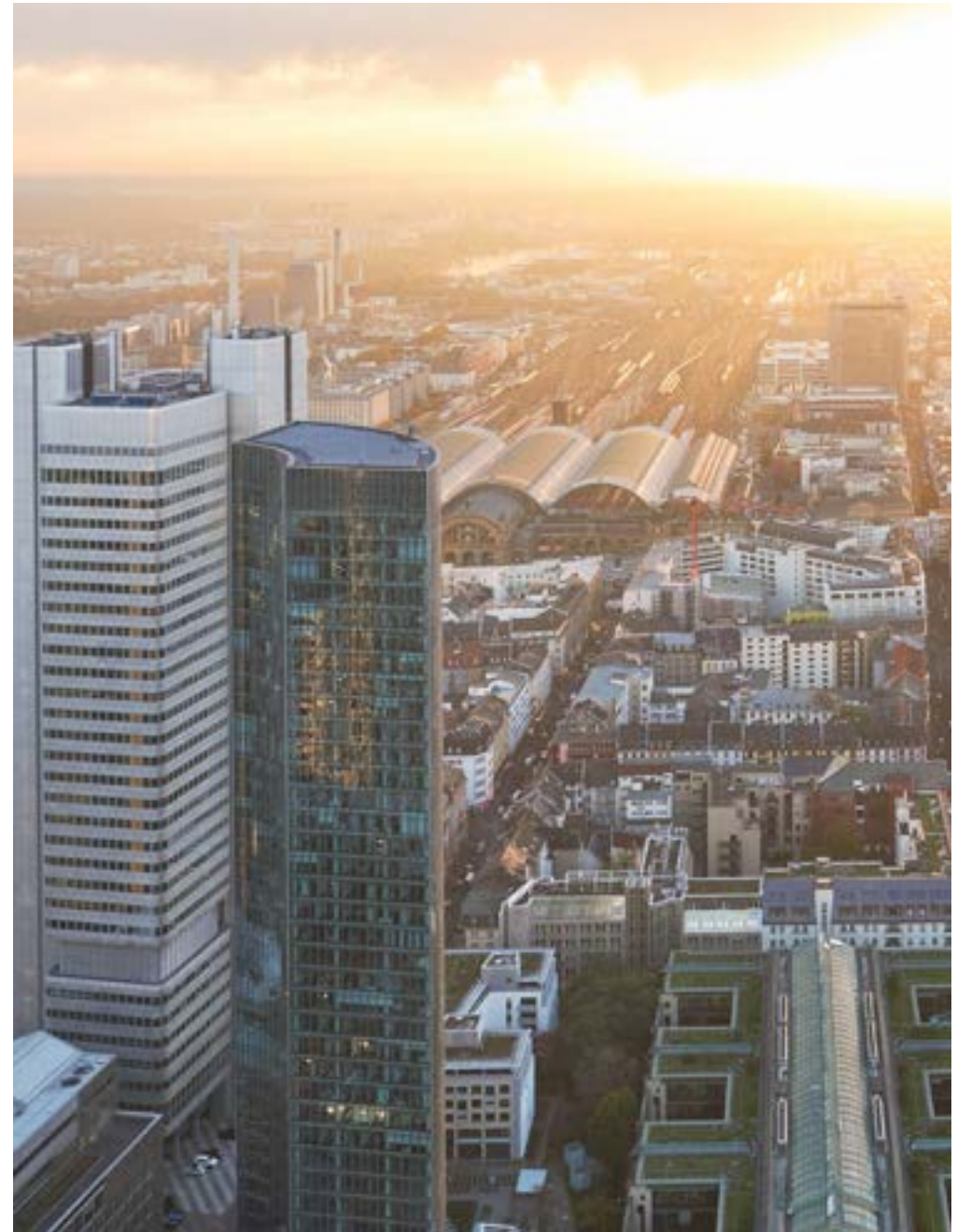
- The university background of technical experts paves the project they can work on
- Building permit through "Self-declaration" of the designers
- Third-party control by the private sector
- Insurances for designers, builders, owners, and maintenance teams

Professional associations, such as *CGATE*, monitor the market identifying challenges for the current legal framework.

The design team defines building Control activities. The contractor can always increase the control activities to make sure that the project meets the specific requirements.

The competencies framework is an issue which would probably be key in the coming years to keep professionals up to date.

Keeping the public sector as a centre piece allowing the private sector to develop and fulfil client needs is the idea behind this approach. Additionally, how the same problem is dealt with in other countries is key to developing new regulations for the building sector.



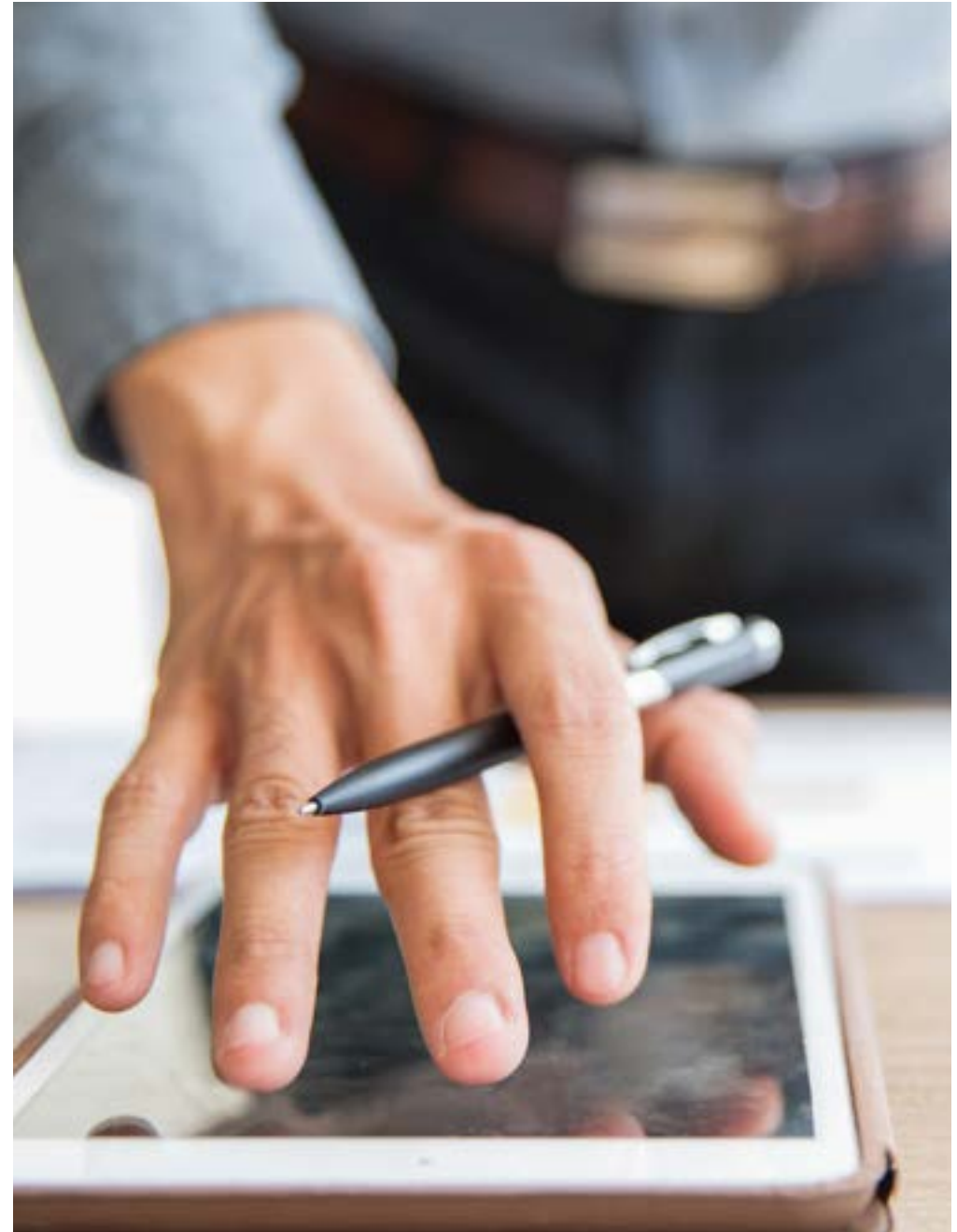
Facts and figures

Section 0 – General questions

Question 3: Country

The survey was sent to all CEBC members.

The answers were received from eighteen states: Cyprus, Denmark, Germany, England and Wales, Estonia, Finland, France, Ireland, Israel, Latvia, Lithuania, Netherlands, Norway, Poland, Romania, Scotland, Slovenia and Spain.



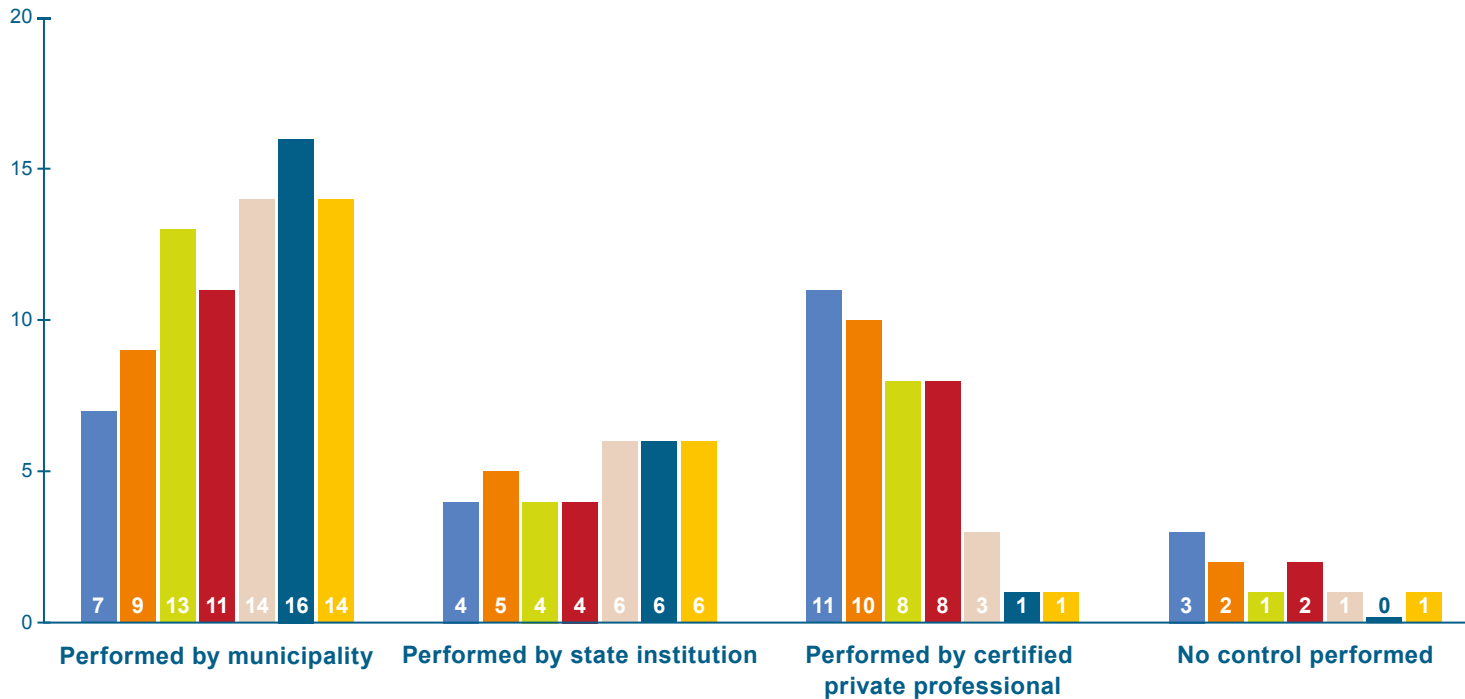
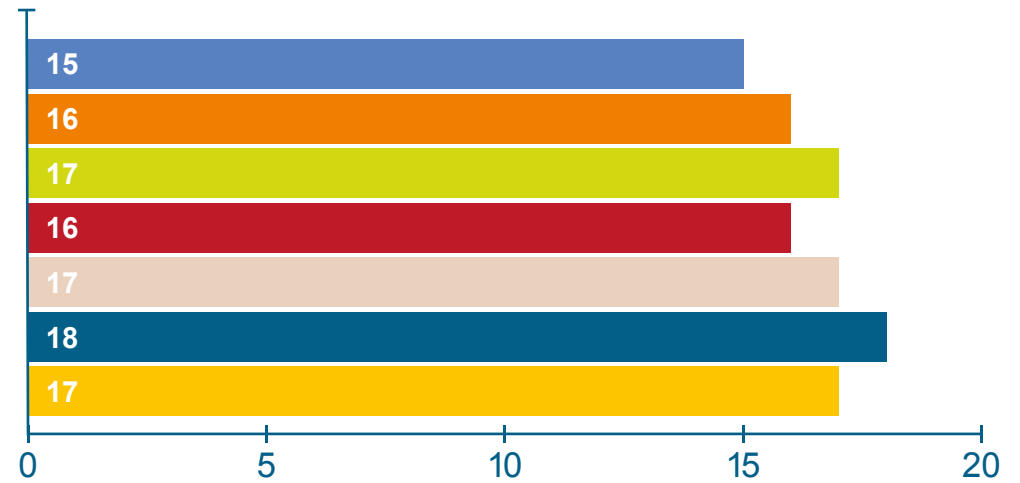


Question 5: Planning and permitting phase – performed control.
 Please define the requirements and the responsible body in your country
 (more than one answer is possible)

Answer:

- Mechanical resistance and stability
- Safety in case of fire
- Safety and accessibility in use
- Energy efficiency
- Architectural quality
(building's integration into the landscape and urban environment)
- Territorial planning, local plans
- Third party interests (neighbours)

Number of countries where particular criteria are controlled





Question 5: Continued

	Performed by municipality	Performed by state institution	Performed by certified private professional	No control performed
Mechanical resistance and stability	7 Cyprus, Germany, Estonia, France, Netherlands, Scotland, England and Wales	4 Cyprus, Estonia, Romania, Scotland	11 Denmark, Germany, Ireland, Israel, Latvia, Lithuania, Netherlands, Norway, Slovenia, Spain, England and Wales	3 Israel, Norway, Poland
Safety in case of fire	9 Germany, Estonia, Finland, France, Ireland, Netherlands, Scotland, Spain, England and Wales	5 Cyprus, Estonia, Israel, Romania, Scotland	10 Denmark, Germany, Ireland, Israel, Latvia, Lithuania, Netherlands, Norway, Slovenia, England and Wales	2 Norway, Poland
Safety and accessibility in use	13 Cyprus, Denmark, Germany, Estonia, Finland, France, Ireland, Israel, Netherlands, Norway, Scotland, Spain, England and Wales	4 Cyprus, Lithuania, Romania, Scotland	8 Estonia, Ireland, Israel, Latvia, Lithuania, Netherlands, Slovenia, England and Wales	1 Poland
Energy efficiency	11 Cyprus, Denmark, Germany, Estonia, Finland, France, Ireland, Lithuania, Netherlands, Scotland, England and Wales	4 Cyprus, Romania, Scotland, Spain	8 Estonia, Ireland, Israel, Latvia, Netherlands, Norway, Slovenia, England and Wales	2 Norway, Poland
Architectural quality (building's integration into the landscape and urban environment)	14 Cyprus, Denmark, Estonia, Finland, France, Ireland, Israel, Latvia, Lithuania, Netherlands, Norway, Romania, Scotland, England and Wales	6 Cyprus, Estonia, Latvia, Poland, Scotland, Slovenia	3 Latvia, Spain, England and Wales	1 Germany
Territorial planning, local plans	16 Cyprus, Denmark, Germany, Estonia, Finland, France, Ireland, Israel, Latvia, Lithuania, Netherlands, Norway, Romania, Scotland, Spain, England and Wales	6 Cyprus, Estonia, Latvia, Poland, Scotland, Slovenia	1 Latvia	0 -
Third party interests (neighbours)	14 Cyprus, Denmark, Germany, Estonia, Finland, France, Ireland, Israel, Latvia, Lithuania, Netherlands, Norway, Scotland, England and Wales	6 Cyprus, Estonia, Latvia, Poland, Scotland, Slovenia	1 Latvia	1 Spain

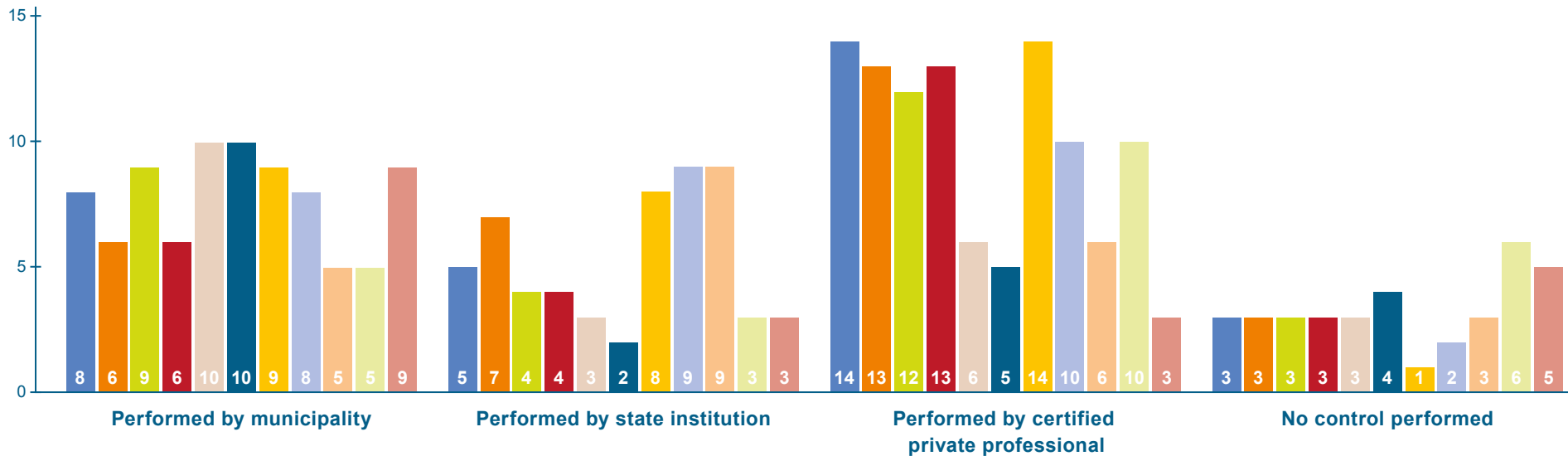
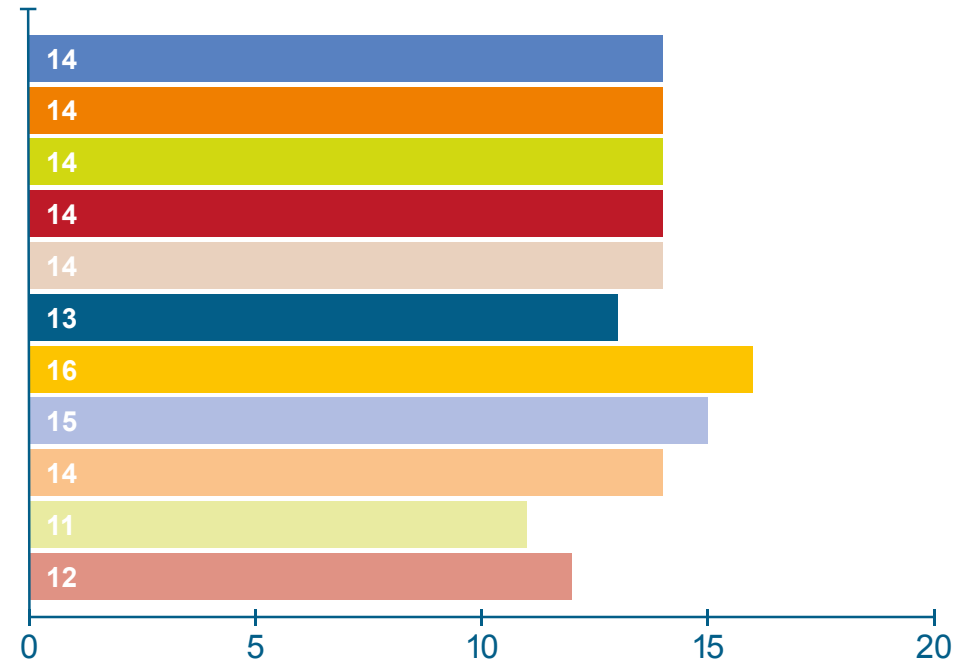


Question 6: Construction phase – performed control. Please define the requirements and the responsible body in your country (more than one answer is possible)

Answer:

- Mechanical resistance and stability
- Safety in case of fire
- Safety and accessibility in use
- Energy efficiency
- Architectural quality (building's integration into the landscape and urban environment)
- Territorial planning, local plans
- Construction work compliance with technical project and the requirements of regulatory acts
- Compliance of construction products
- Qualification of participants of construction process
- Internal control system on construction site
- Third party interests (neighbours)

Number of countries where particular criteria are controlled



Question 6: Continued

	Performed by municipality	Performed by state institution	Performed by certified private professional	No control performed
Mechanical resistance and stability	8 Germany, Finland, France, Ireland, Latvia, Netherlands, Scotland, England and Wales	5 Latvia, Lithuania, Romania, Slovenia, England and Wales	14 Cyprus, Denmark, Germany, Estonia, France, Ireland, Israel, Latvia, Lithuania, Netherlands, Norway, Slovenia, Spain, England and Wales	3 Israel, Norway, Poland
Safety in case of fire	6 France, Ireland, Latvia, Netherlands, Scotland, England and Wales	7 Finland, Israel, Latvia, Lithuania, Romania, Slovenia, England and Wales	13 Cyprus, Denmark, Estonia, France, Ireland, Israel, Latvia, Lithuania, Netherlands, Norway, Slovenia, Spain, England and Wales	3 Germany, Norway, Poland
Safety and accessibility in use	9 Denmark, Finland, France, Ireland, Israel, Latvia, Netherlands, Scotland, England and Wales	4 Latvia, Romania, Slovenia, England and Wales	12 Cyprus, Estonia, France, Ireland, Israel, Latvia, Lithuania, Netherlands, Norway, Slovenia, Spain, England and Wales	3 Germany, Norway, Poland
Energy efficiency	6 Denmark, Ireland, Latvia, Netherlands, Scotland, England and Wales	4 Latvia, Romania, Slovenia, England and Wales	13 Cyprus, Estonia, Finland, France, Ireland, Israel, Latvia, Lithuania, Netherlands, Norway, Slovenia, Spain, England and Wales	3 Germany, Norway, Poland
Architectural quality (building's integration into the landscape and urban environment)	10 Denmark, Finland, France, Ireland, Israel, Latvia, Netherlands, Romania, Scotland, England and Wales	3 Latvia, Slovenia, England and Wales	6 Cyprus, Estonia, Latvia, Lithuania, Norway, Spain	3 Germany, Norway, Poland
Territorial planning, local plans	10 Denmark, Estonia, Finland, France, Ireland, Netherlands, Romania, Scotland, Slovenia, England and Wales	2 Poland, Slovenia	5 Cyprus, Lithuania, Norway, Slovenia, Spain	4 Germany, Israel, Latvia, Norway
Construction work compliance with technical project and the requirements of regulatory acts	9 Cyprus, Germany, Estonia, Finland, Ireland, Latvia, Netherlands, Scotland, England and Wales	8 Cyprus, Estonia, Latvia, Lithuania, Poland, Romania, Slovenia, England and Wales	14 Cyprus, Denmark, Germany, Estonia, France, Ireland, Israel, Latvia, Lithuania, Netherlands, Norway, Slovenia, Spain, England and Wales	1 Norway

Question 6: Continued

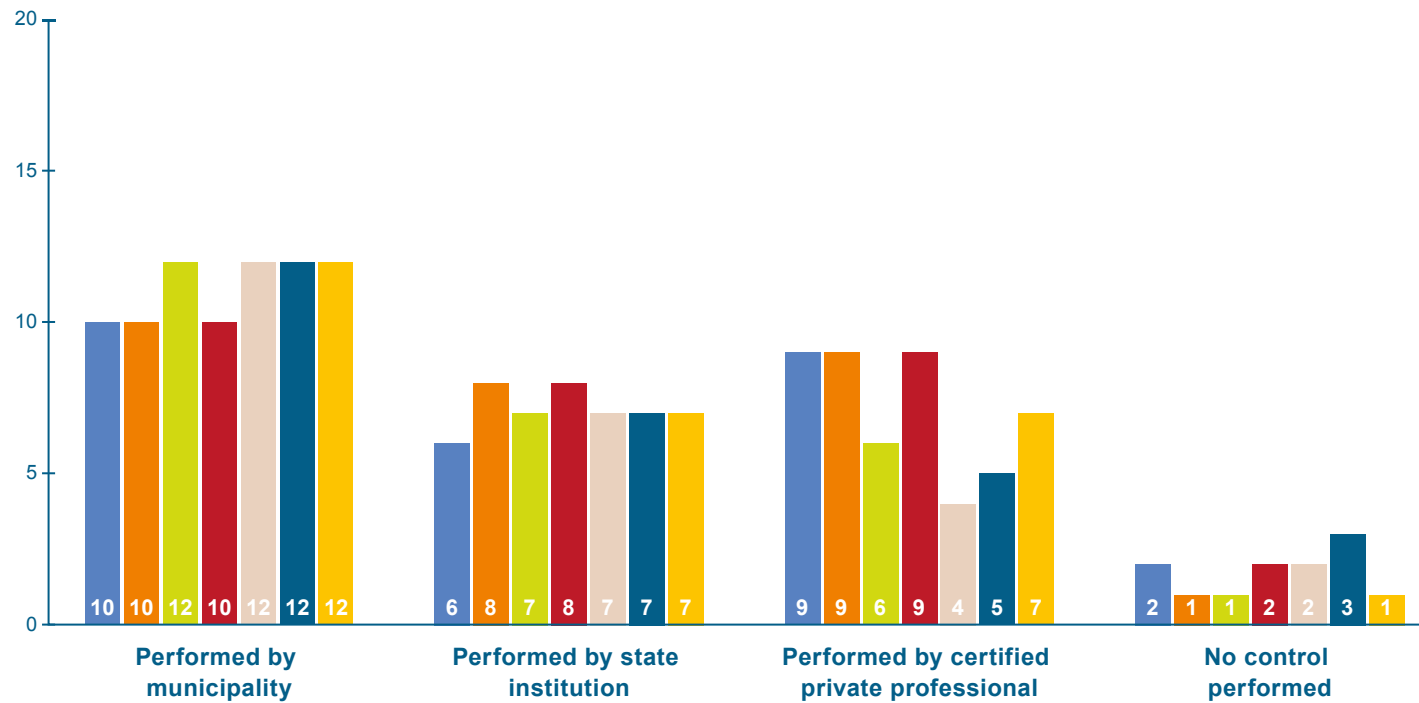
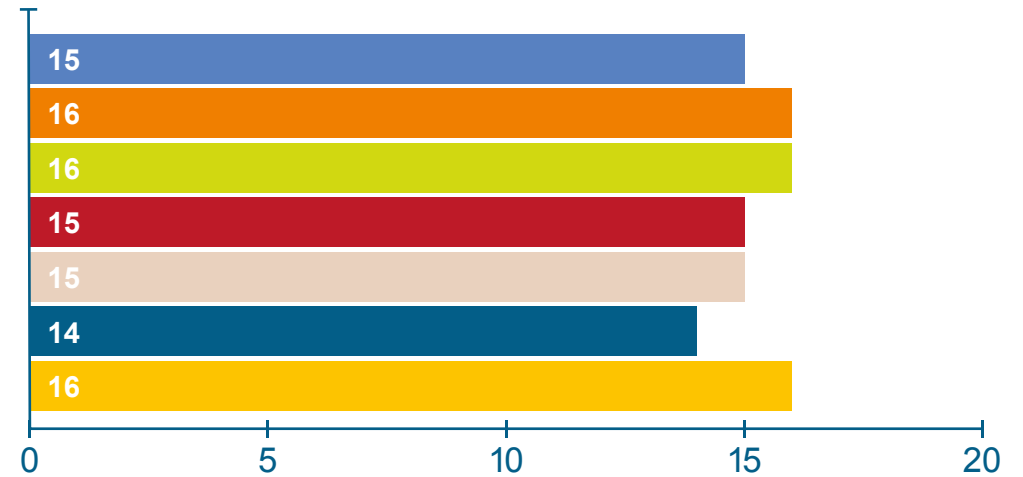
	Performed by municipality	Performed by state institution	Performed by certified private professional	No control performed
Compliance of construction products	8 Germany, Estonia, Finland, Ireland, Latvia, Netherlands, Scotland, England and Wales	9 Estonia, France, Latvia, Lithuania, Poland, Romania, Scotland, Slovenia, England and Wales	10 Cyprus, Denmark, Germany, Ireland, Israel, Latvia, Lithuania, Norway, Spain, England and Wales	2 Israel, Norway
Qualification of participants of construction process	5 Germany, Israel, Latvia, Netherlands, Norway	9 Cyprus, Estonia, Ireland, Latvia, Lithuania, Poland, Romania, Slovenia, England and Wales	6 Cyprus, Denmark, Finland, Ireland, Lithuania, Spain	3 France, Norway, Scotland
Internal control system on construction site	5 Germany, Estonia, Finland, Latvia, Netherlands	3 Latvia, Romania, England and Wales	10 Cyprus, Denmark, Estonia, France, Ireland, Israel, Latvia, Lithuania, Norway, Spain	6 Israel, Netherlands, Norway, Poland, Scotland, Slovenia
Third party interests (neighbours)	9 Denmark, Germany, Estonia, Finland, France, Ireland, Israel, Netherlands, England and Wales	3 Ireland, Lithuania, Poland	3 Cyprus, Lithuania, Norway	5 Latvia, Norway, Scotland, Slovenia, Spain

Question 7: Commissioning/completion of construction – performed control. Please define the requirements and the responsible body in your country (more than one answer is possible)

Answer:

- Mechanical resistance and stability
- Safety in case of fire
- Safety and accessibility in use
- Energy efficiency
- Unauthorised construction
- Positive conclusion if required by regulation
- Documentation required in the construction regulation

Number of countries where particular criteria are controlled



Question 7: Continued

	Performed by municipality	Performed by state institution	Performed by certified private professional	No control performed
Mechanical resistance and stability	10 Cyprus, Germany, Estonia, Finland, France, Ireland, Israel, Netherlands, Scotland, England and Wales	6 Cyprus, Estonia, Lithuania, Romania, Slovenia, England and Wales	9 Denmark, Germany, France, Ireland, Netherlands, Norway, Slovenia, Spain, England and Wales	2 Norway, Poland
Safety in case of fire	10 Cyprus, Germany, Estonia, Finland, France, Ireland, Netherlands, Scotland, Spain, England and Wales	8 Cyprus, Estonia, Israel, Lithuania, Poland, Romania, Slovenia, England and Wales	9 Denmark, Germany, Estonia, France, Ireland, Netherlands, Norway, Slovenia, England and Wales	1 Norway
Safety and accessibility in use	12 Cyprus, Denmark, Germany, Estonia, Finland, France, Ireland, Israel, Netherlands, Scotland, Spain, England and Wales	7 Cyprus, Estonia, Lithuania, Poland, Romania, Slovenia, England and Wales	6 France, Ireland, Netherlands, Norway, Slovenia, England and Wales	1 Norway
Energy efficiency	10 Cyprus, Denmark, Germany, Estonia, Finland, Ireland, Latvia, Netherlands, Scotland, England and Wales	8 Cyprus, Estonia, Latvia, Lithuania, Romania, Slovenia, Spain, England and Wales	9 Estonia, France, Ireland, Israel, Lithuania, Netherlands, Norway, Slovenia, England and Wales	2 Norway, Poland
Unauthorised construction	12 Cyprus, Germany, Estonia, France, Ireland, Israel, Latvia, Netherlands, Romania, Scotland, Spain, England and Wales	7 Cyprus, Estonia, Latvia, Lithuania, Poland, Slovenia, England and Wales	4 Denmark, Ireland, Lithuania, Norway	2 Finland, Norway
Positive conclusion if required by regulation	12 Cyprus, Denmark, Estonia, Finland, France, Ireland, Latvia, Netherlands, Romania, Scotland, Spain, England and Wales	7 Cyprus, Estonia, Latvia, Lithuania, Romania, Slovenia, England and Wales	5 Ireland, Lithuania, Netherlands, Norway, England and Wales	3 Germany, Norway, Poland
Documentation required in the construction regulation	12 Germany, Estonia, Finland, France, Ireland, Israel, Latvia, Netherlands, Romania, Scotland, Spain, England and Wales	7 Estonia, Latvia, Lithuania, Poland, Romania, Slovenia, England and Wales	7 Cyprus, Denmark, Estonia, Ireland, Lithuania, Norway, England and Wales	1 Norway

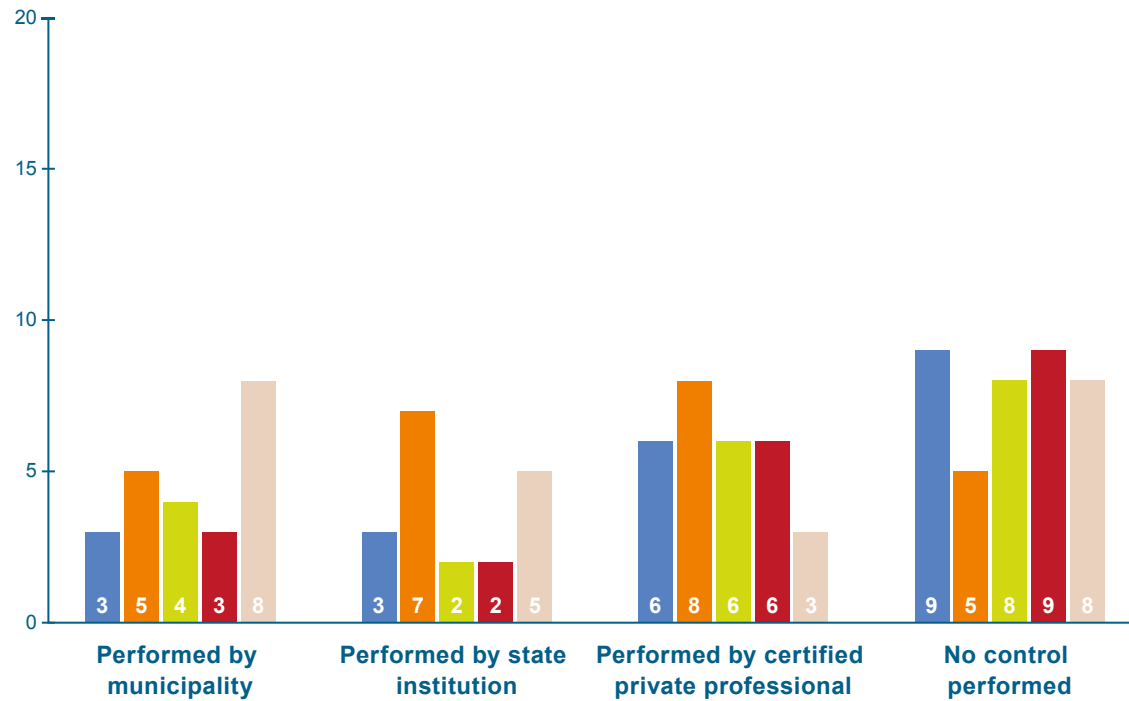
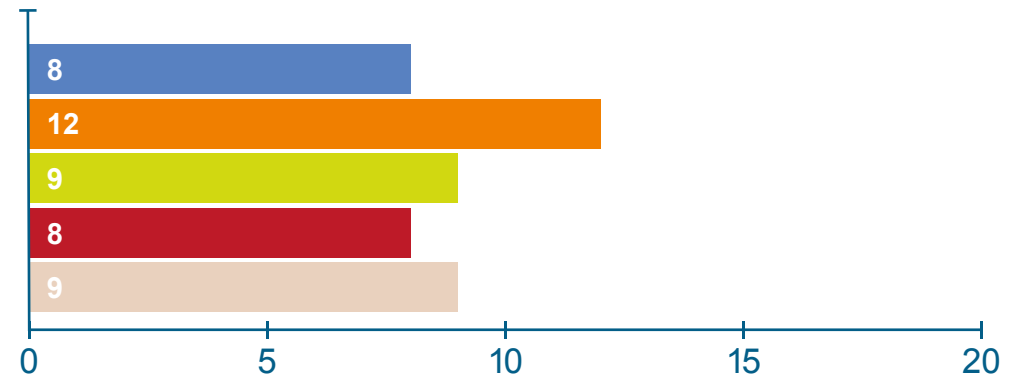


Question 8: Use and maintenance – performed control. Please define the requirements and the responsible body in your country (more than one answer is possible)

Answer:

- Mechanical resistance and stability
- Safety in case of fire
- Safety and accessibility in use
- Energy efficiency
- Unauthorised construction

Number of countries where particular criteria are controlled



Question 8: Continued

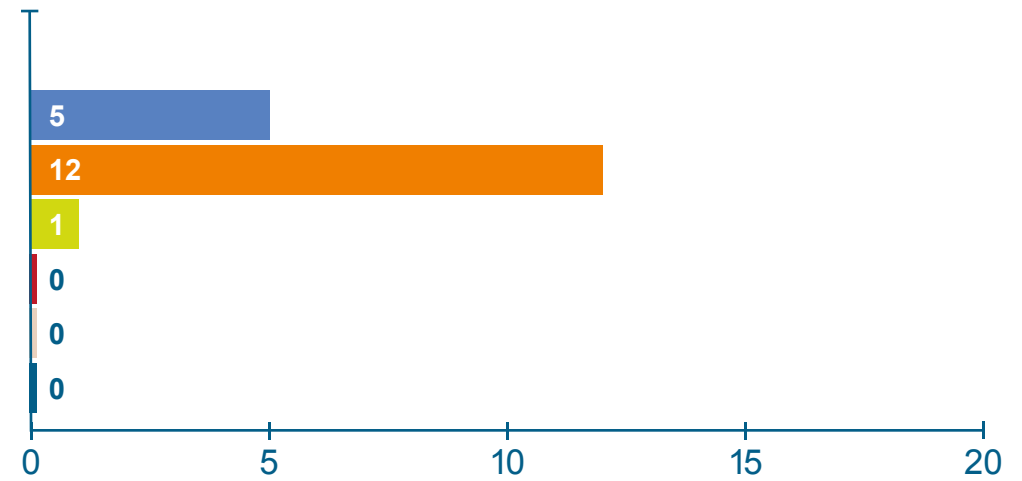
	Performed by municipality	Performed by state institution	Performed by certified private professional	No control performed
Mechanical resistance and stability	3 Latvia, Lithuania, Netherlands	3 Latvia, Romania, England and Wales	6 Ireland, Lithuania, Netherlands, Norway, Poland, Spain	9 Cyprus, Denmark, Germany, Finland, France, Israel, Norway, Scotland, Slovenia
Safety in case of fire	5 Germany, France, Lithuania, Netherlands, England and Wales	7 Estonia, Finland, Israel, Latvia, Lithuania, Romania, England and Wales	8 Germany, Estonia, France, Ireland, Lithuania, Norway, Poland, Spain	5 Cyprus, Denmark, Norway, Scotland, Slovenia
Safety and accessibility in use	4 France, Latvia, Lithuania, Netherlands	2 Latvia, Romania	6 Ireland, Lithuania, Norway, Poland, Slovenia, Spain	8 Cyprus, Denmark, Germany, Finland, Israel, Norway, Scotland, England and Wales
Energy efficiency	3 Germany, Lithuania, Netherlands	2 Romania, Slovenia	6 Germany, France, Ireland, Lithuania, Norway, Spain	9 Cyprus, Denmark, Estonia, Finland, Israel, Norway, Poland, Scotland, England and Wales
Unauthorised construction	8 Estonia, France, Latvia, Lithuania, Netherlands, Romania, Scotland, England and Wales	5 Estonia, Latvia, Lithuania, Slovenia, England and Wales	3 Ireland, Lithuania, Norway	8 Cyprus, Denmark, Germany, Finland, Israel, Norway, Poland, Spain

Section 1 – Planning and Zoning requirements

Question Are Zoning Plans or specified land-use conditions

Answer:

- Available and not regularly updated
- Available and regularly updated
- Partly available and regularly updated
- Partly available and not regularly updated
- Not available
- Not known



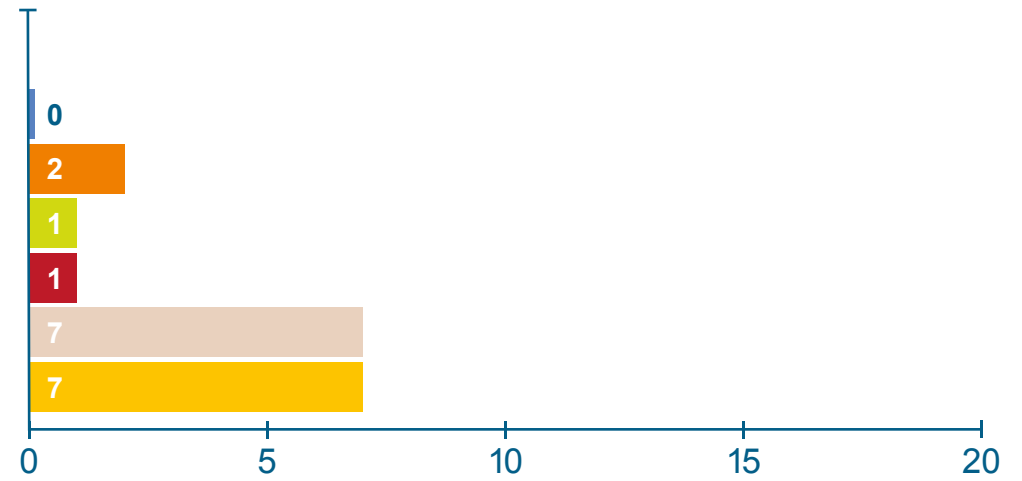
Available and not regularly updated	Available and regularly updated	Partly available and regularly updated	Partly available and not regularly updated	Not available	Not known
5	12	1	0	0	0
Denmark, Israel, Norway, Romania, Spain	Cyprus, Germany, Estonia, Finland, France, Ireland, Latvia, Lithuania, Netherlands, Scotland, Slovenia, England and Wales	Poland	-	-	



Question 10: Where zoning Plans or specified land-use are available, please indicate the approximate coverage of built-up areas (%)

Answer:

- 0 to 20%
- 21% to 40%
- 41% to 60%
- 61% to 80%
- 81% to 100%
- Not known

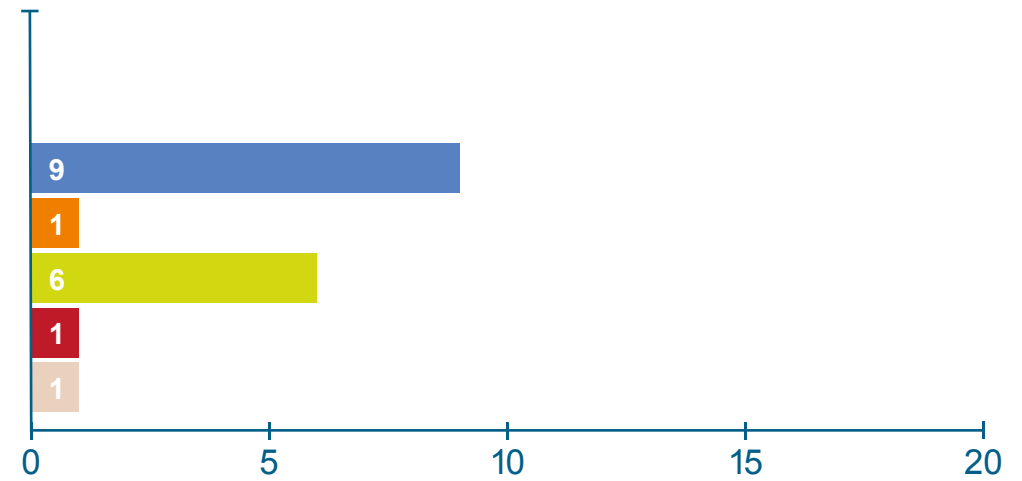


0 to 20%	21% to 40%	41% to 60%	61% to 80%	81% to 100%	Not known
0	2	1	1	7	7
	Poland, Slovenia	Germany	Israel	Finland, France, Ireland, Latvia, Netherlands, Norway, Scotland	Cyprus, Denmark, Estonia, Lithuania, Romania, Spain, England and Wales

Question 11: If zoning requirements are available, can end users access these through GIS-based maps?

Answer:

- Yes, zoning regulations are available through GIS based maps for nearly the whole country
- Yes, zoning regulations are available through GIS based maps for one or two major cities
- Yes, zoning regulations are available through GIS based maps for most developed areas
- No, zoning regulations are not available through GIS based maps
- Not known



Yes, zoning regulations are available through GIS based maps for nearly the whole country.	Yes, zoning regulations are available through GIS based maps for one or two major cities	Yes, zoning regulations are available through GIS based maps for most developed areas	No, zoning regulations are not available through GIS based maps	Not known
9	1	6	1	1
Estonia, Ireland, Israel, Lithuania, Netherlands, Norway, Scotland, Slovenia, England and Wales	Spain	Cyprus, Denmark, Germany, Finland, France, Poland	Romania	Latvia



Question 12: If zoning maps are available but not in GIS format, please specify in what format they are available?

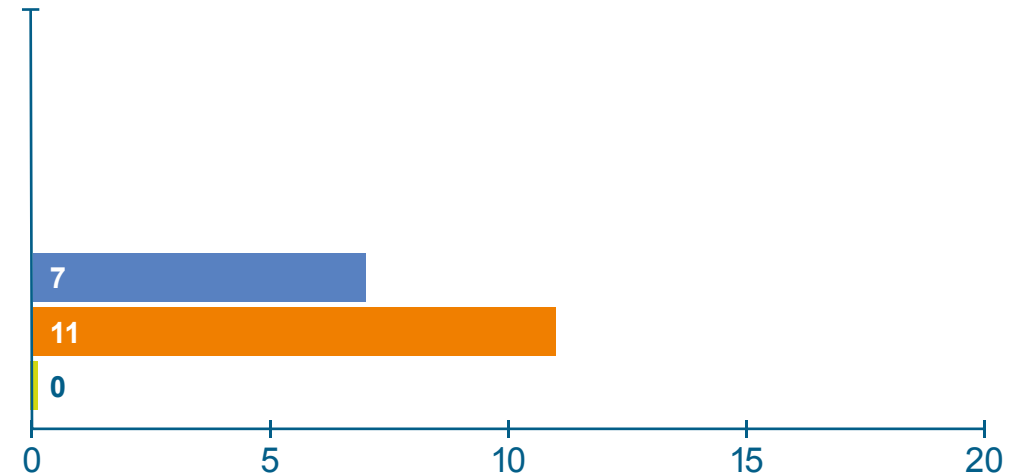
Answer:

PDF, Web Map Service (WMS), Web Feature Service (WFS), open standard - open geospatial consortium (OGC)

Question 13: Is a planning permit or equivalent (e.g., zoning certificate) required?

Answer:

- Yes, always
- Only in particular cases
- No, never



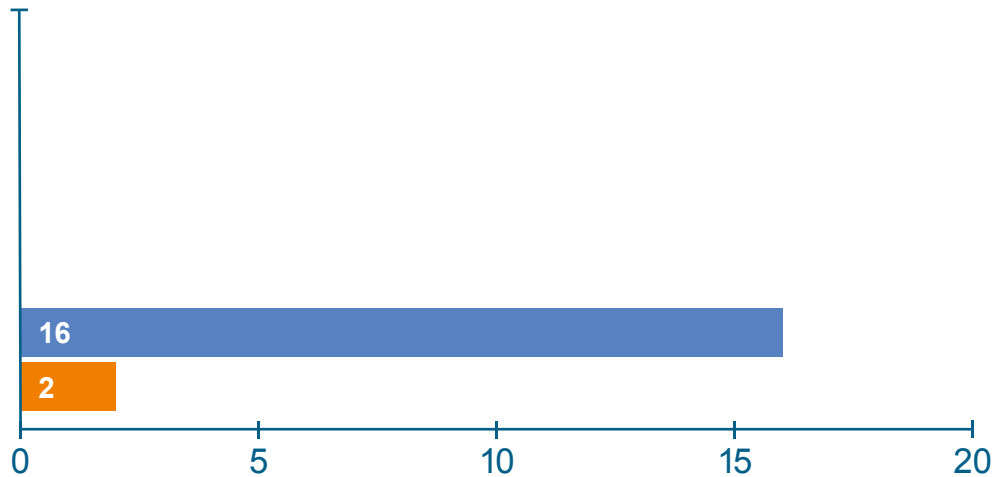
Yes, always	Only in particular cases	No, never
7	11	0
Cyprus, Estonia, France, Ireland, Israel, Netherlands, Spain	Denmark, Germany, Finland, Latvia, Lithuania, Norway, Poland, Romania, Scotland, Slovenia, England and Wales	-

Question 14: Are other authorities or bodies involved in conducting reviews, issuing pre-approvals, no-objection letters or similar?

Authorities or bodies involved: fire service authority, energy service authority, archaeology/heritage bodies, water supply authority, environment authority, land development authority, defence authority, aviation authority, railway authority, road authority.

Answer:

- Yes – please specify which authorities/bodies below
- No

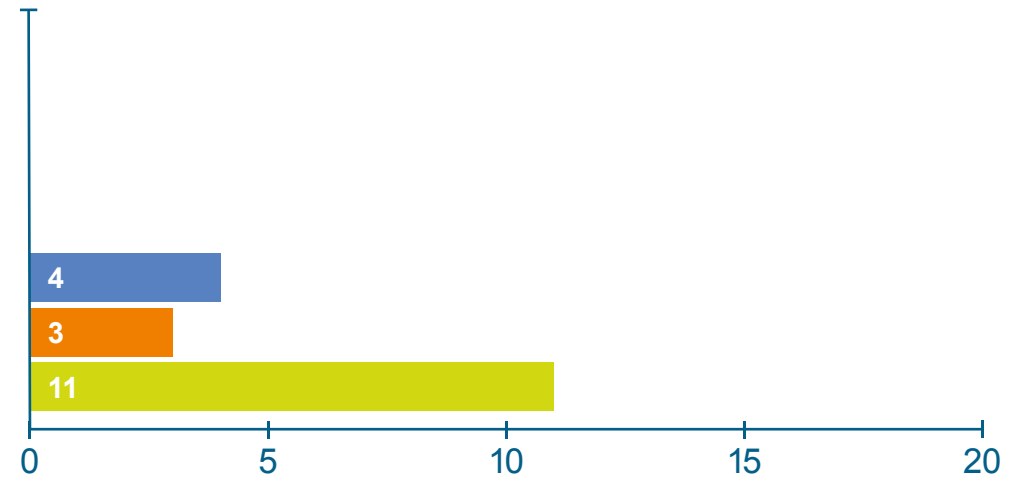


Yes – please specify which authorities/bodies below	No
16 Cyprus, Denmark, Germany, Estonia, Finland, France, Ireland, Israel, Latvia, Lithuania, Netherlands, Norway, Poland, Romania, Slovenia, England and Wales	2 Scotland, Spain

Question 15: Is the applicant required to obtain planning consents/ approvals from other authorities before commencement?

Answer:

- Yes
- No
- Only in specific cases



Yes	No	Only in specific cases
4 Estonia, Israel, Romania, Slovenia	3 Cyprus, Finland, Lithuania	11 Denmark, Germany, France, Ireland, Latvia, Netherlands, Norway, Poland, Scotland, Spain, England and Wales

Section 2 – Fees for construction permits/approvals

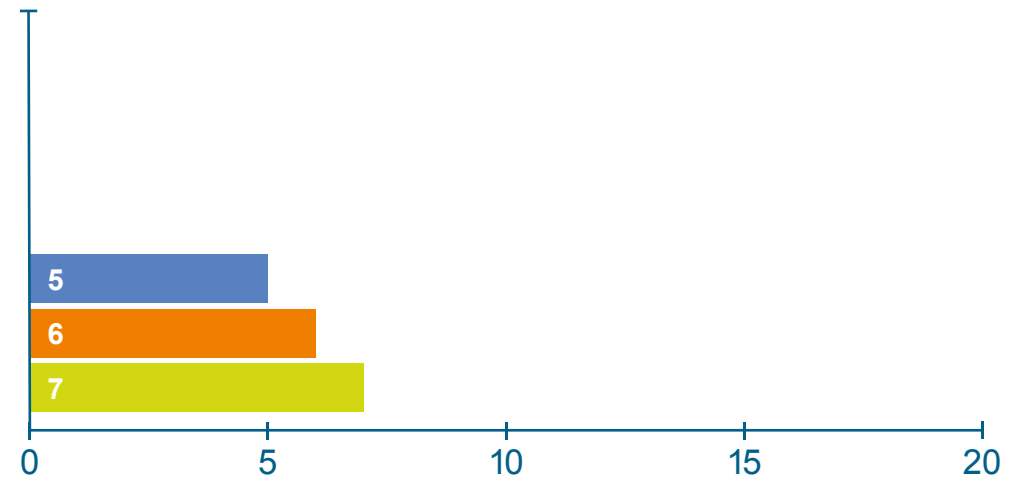
This section covers fee levels for construction permits (planning, building and completion certificates). Fees should include the costs associated with the review of plans and any inspections, along with any overhead costs.

Note: “Full Cost Recovery” refers to construction permits being set at a level to recover all expenditure applied to this function i.e., all staff, office costs, ICT etc.

Question 16: Are fees set to achieve full cost recovery of the building permit/approval process?

Answer:

- Yes – please clarify below what services achieve full recovery of costs
- Yes - depends upon size and use of project
- No

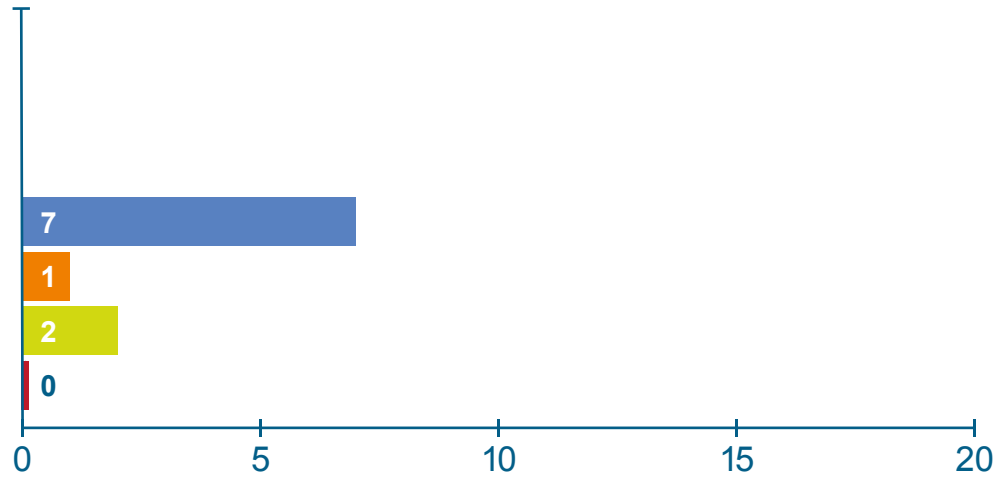


Yes – please clarify below what services achieve full recovery of costs	Yes - depends upon size and use of project	No
5	6	7
Finland, Norway, Romania, Spain, England and Wales	Cyprus, Denmark, Germany, Israel, Netherlands, Scotland	Estonia, France, Ireland, Latvia, Lithuania, Poland, Slovenia

Question 17: Please state the percentage of fees charged when compared against project construction costs

Answer:

- 0% to 5%
- 5% to 10%
- 10% to 20%
- Over 20%

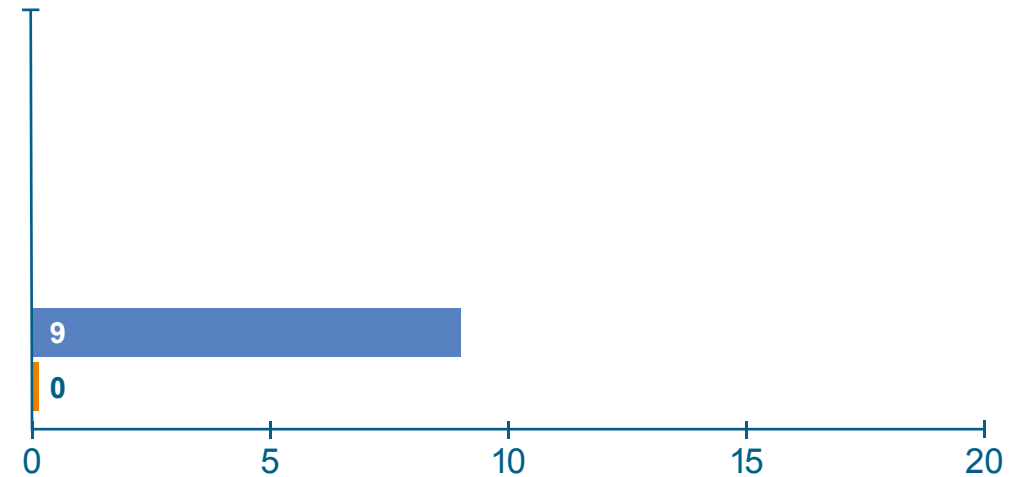


0% to 5%	5% to 10%	10% to 20%	Over 20%
7	1	2	0
Denmark, Germany, Finland, Netherlands, Norway, Scotland, Spain	Israel	Cyprus, Romania	-

Question 18: Do you publicise your fee schedules?

Answer:

- Yes
- No



Yes	No
9	0
Cyprus, Denmark, Germany, Finland, Israel, Netherlands, Norway, Scotland, Spain	-

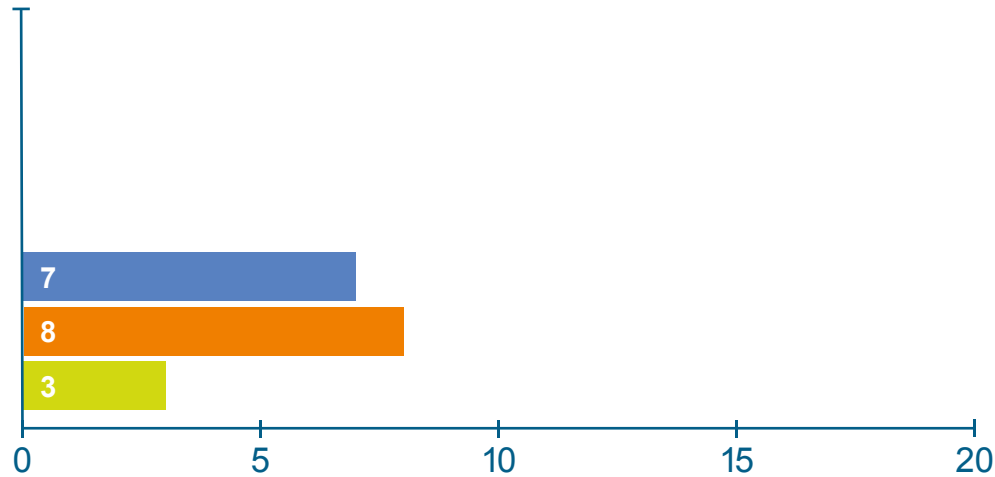
Section 3 – Substantive review of designs

This section covers designs being the subject of a substantive review of technical requirements (e.g., architectural, structural, mechanical etc.).

Question 19: Are construction projects subject to a detailed review of technical requirements?

Answer:

- Yes
- Yes – in specific cases
- No

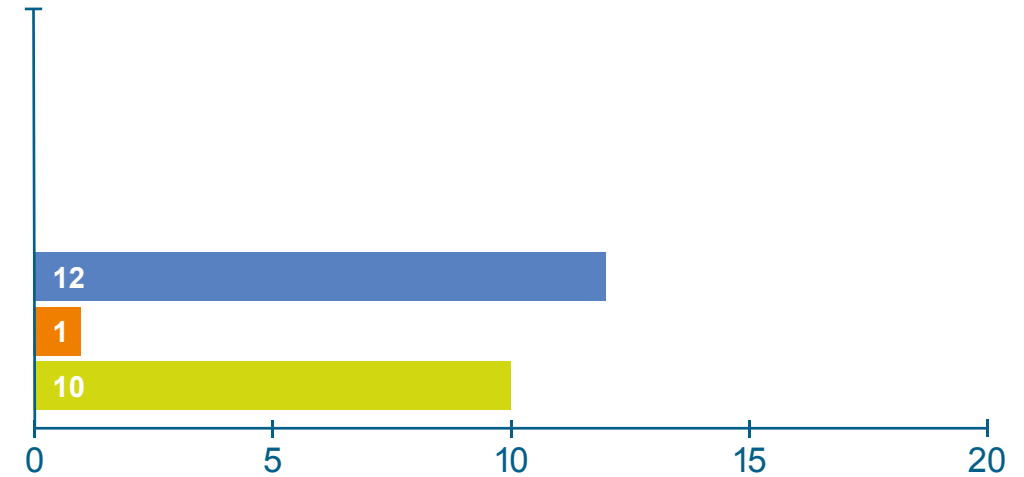


Yes	Yes – in specific cases	No
7	8	3
Estonia, Finland, Lithuania, Netherlands, Romania, Spain, England and Wales	Cyprus, Denmark, Germany, France, Ireland, Israel, Latvia, Scotland	Norway, Poland, Slovenia

Question 20: Please clarify who conducts the substantive review (more than one answer is possible)

Answer:

- Building Authority/Municipality
- Another dedicated authority
- Independent private third party



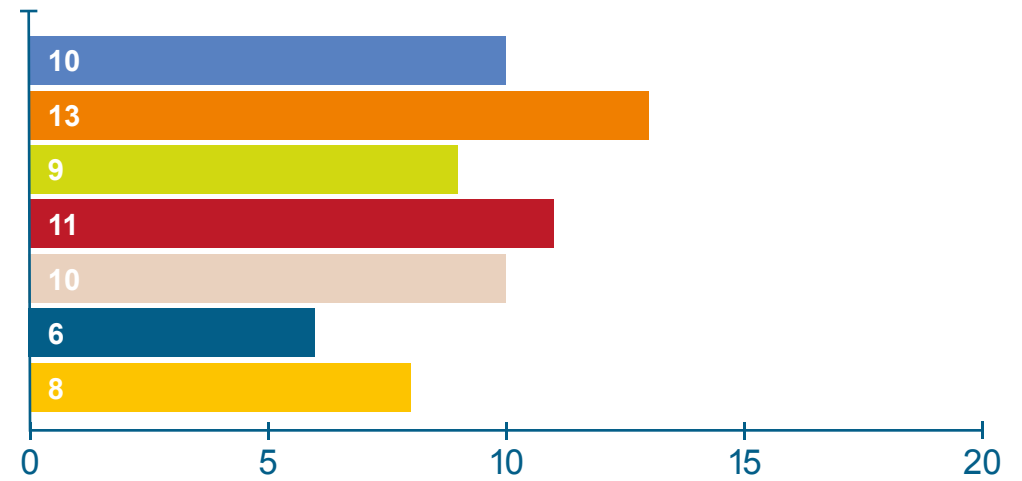
Building Authority/Municipality	Another dedicated authority	Independent private third party
12	1	10
Cyprus, Germany, Estonia, Finland, France, Ireland, Israel, Latvia, Netherlands, Scotland, Spain, England and Wales	Romania	Denmark, Germany, Estonia, France, Israel, Latvia, Lithuania, Netherlands, Romania, England and Wales



Question 21: Please specify the areas that are subject to a technical review (more than one answer is possible)

Answer:

- Architectural
- Structural
- Mechanical services
- Plumbing
- Electrical
- Geotechnical
- Other



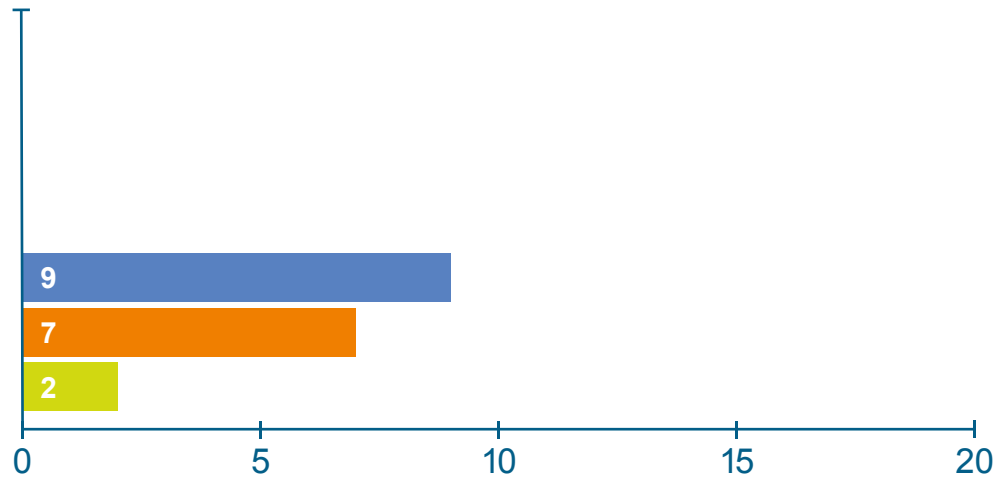
Architectural	Structural	Mechanical services	Plumbing	Electrical	Geotechnical	Other
10	13	9	11	10	6	8
Cyprus, Estonia, Finland, Israel, Latvia, Lithuania, Netherlands, Romania, Spain, England and Wales	Cyprus, Denmark, Germany, Estonia, Finland, France, Israel, Latvia, Lithuania, Netherlands, Romania, Scotland, England and Wales	Cyprus, Estonia, Finland, France, Lithuania, Netherlands, Scotland, Spain, England and Wales	Cyprus, Estonia, Finland, France, Israel, Lithuania, Netherlands, Romania, Scotland, Spain, England and Wales	Cyprus, Germany, Estonia, France, Lithuania, Netherlands, Romania, Scotland, Spain, England and Wales	Cyprus, Estonia, Lithuania, Netherlands, Romania, England and Wales	France, Ireland, Israel, Latvia, Netherlands, Romania, Scotland, England and Wales



Question 22: Is compliance of the designs with passive and active fire safety measures checked before a building permit is issued?

Answer:

- Yes
- Yes – in specific cases
- No

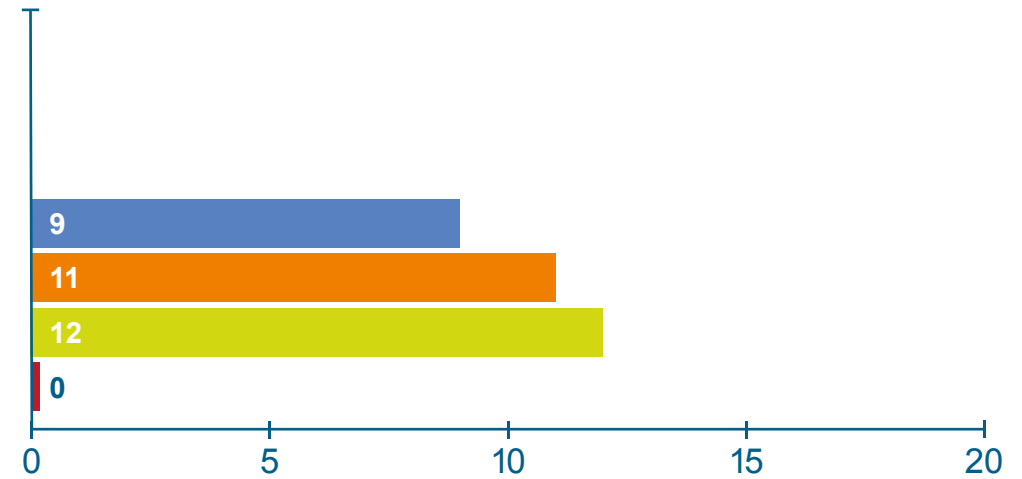


Yes	Yes – in specific cases	No
9	7	2
Cyprus, Estonia, Finland, Israel, Latvia, Lithuania, Scotland, Spain, England and Wales	Denmark, Germany, France, Ireland, Netherlands, Poland, Romania	Norway, Slovenia

Question 23: If the previous answer is YES, please clarify who reviews fire safety measures (more than one answer is possible).

Answer:

- Building Authority/Municipality
- Fire Department
- Independent private third party
- Other



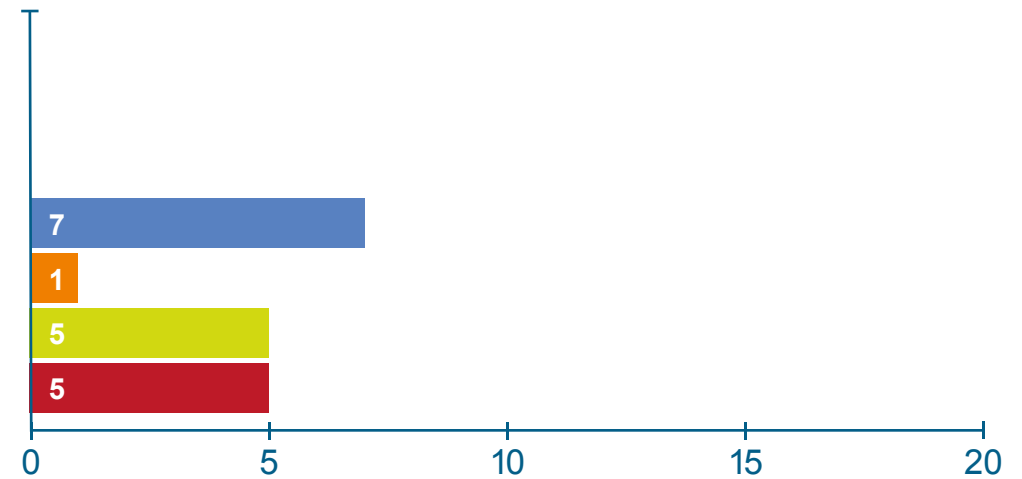
Building Authority/Municipality	Fire Department	Independent private third party	Other
9	11	12	0
Cyprus, Germany, Estonia, France, Ireland, Netherlands, Scotland, Spain, England and Wales	Cyprus, Germany, Estonia, Finland, France, Israel, Netherlands, Romania, Scotland, Spain, England and Wales	Denmark, Germany, Estonia, Finland, France, Israel, Latvia, Lithuania, Netherlands, Poland, Romania, England and Wales	-

Question 24: Is a risk-based approach applied to building control to assess applications for building permits and to the inspection of construction works on site?

A risk-based approach to both plan reviews and/or inspections will take into account the usage, height, floor area of a building together with materials used and experience/qualifications of the designer or builder and is based on a risk classification provided by law/regulation or guidance.

Answer:

- Yes, for both building permit applications and inspections
- Yes, for building permit applications only
- Yes for inspections only
- No



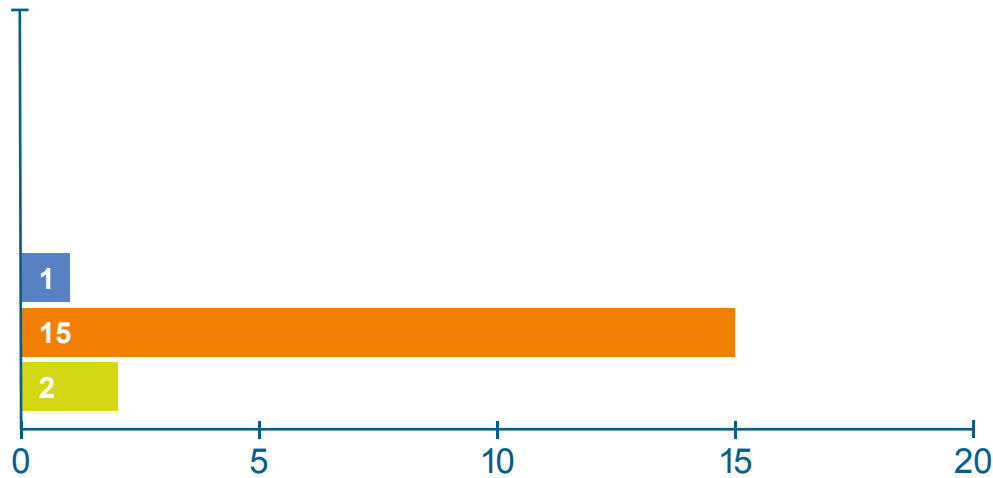
Yes, for both building permit applications and inspections	Yes, for building permit applications only	Yes for inspections only	No
7	1	5	5
Germany, Finland, France, Ireland, Israel, Netherlands, Scotland	Cyprus	Estonia, Latvia, Lithuania, Romania, England and Wales	Denmark, Norway, Poland, Slovenia, Spain



Question 25: Is a building permit required for all building work?

Answer:

- Yes, always
- Yes, except for small constructions and/or small conversions
- No

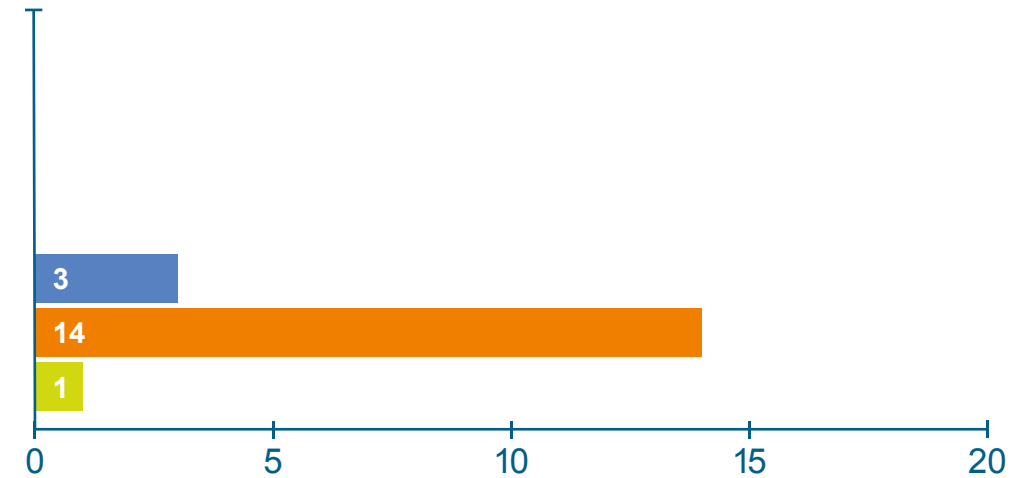


Yes, always	Yes, except for small constructions and/or small conversions	No
1	15	2
Israel	Cyprus, Denmark, Germany, Estonia, Finland, France, Ireland, Lithuania, Netherlands, Norway, Poland, Romania, Scotland, Slovenia, Spain	Latvia, England and Wales

Question 26: Issue of completion, commissioning or use certificate?

Answer:

- Yes, always
- Yes, except for small constructions and/or small conversions
- No



Yes, always	Yes, except for small constructions and/or small conversions	No
3	14	1
Israel, Spain, England and Wales	Cyprus, Denmark, Germany, Estonia, Finland, France, Ireland, Lithuania, Netherlands, Norway, Poland, Romania, Scotland, Slovenia	Latvia

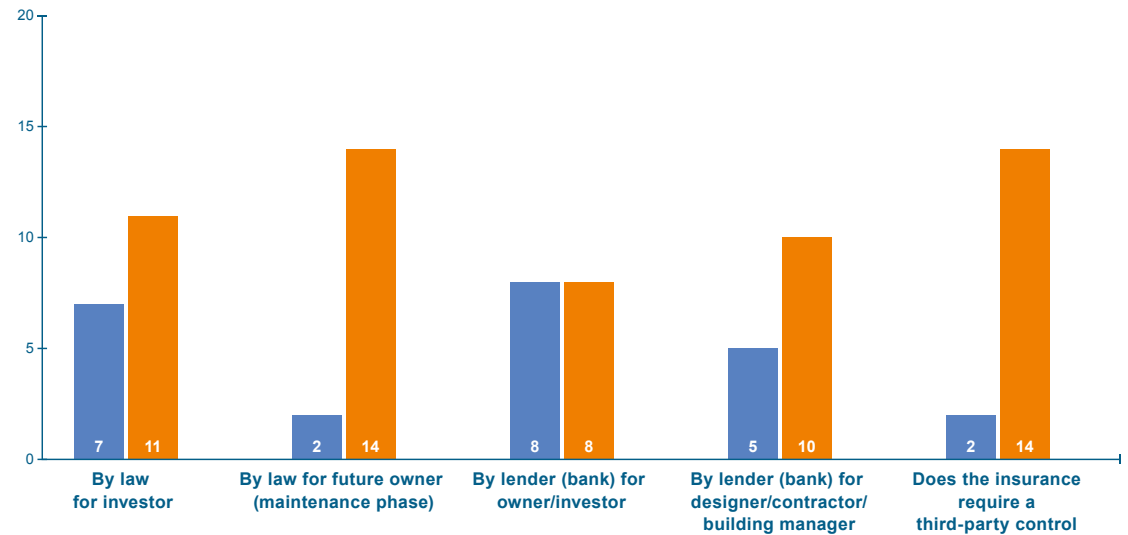
Section 4 – Provision of Insurance and Liability

This section covers provision of insurance and if it is required by law.

Question 27: Please define the insurance required in your country (more than one answer is possible)

Answer:

- Yes
- No

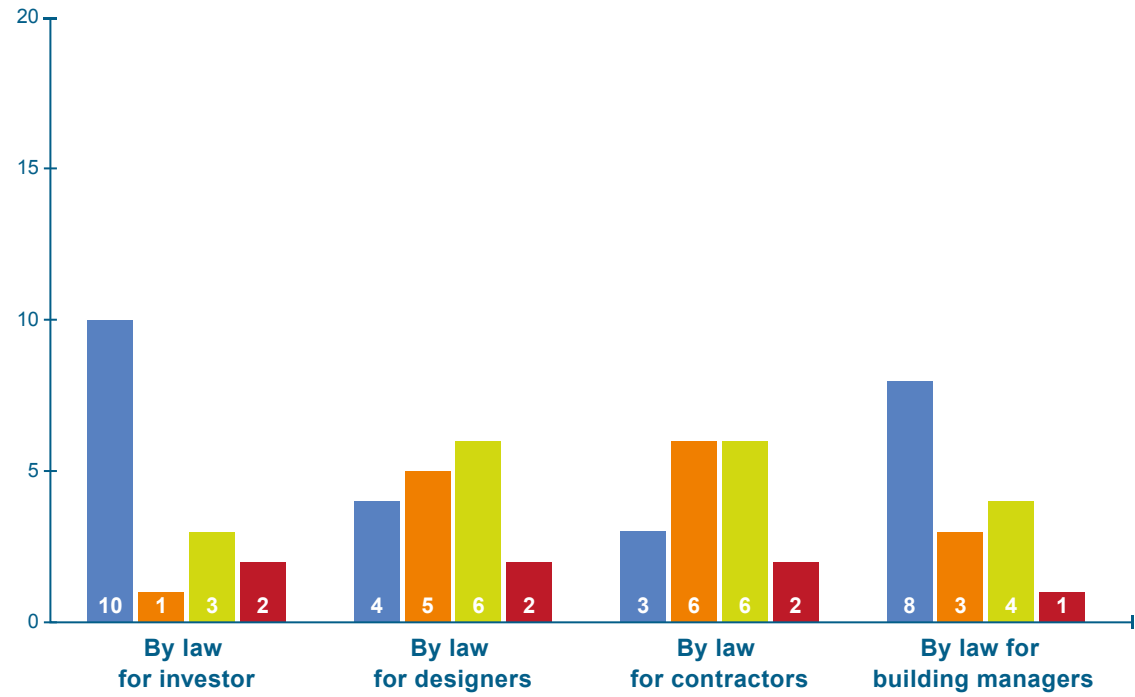


Yes/No	By law for investor	By law for future owner (maintenance phase)	By lender (bank) for owner/investor	By lender (bank) for designer/contractor/building manager	Does the insurance require a third-party control
Yes	7 Denmark, France, Lithuania, Norway, Romania, Spain, England and Wales	2 Denmark, England and Wales	8 Estonia, Finland, Ireland, Israel, Lithuania, Poland, Romania, Spain	5 Estonia, Finland, Lithuania, Poland, Spain	2 Spain, England and Wales
No	11 Cyprus, Germany, Estonia, Finland, Ireland, Israel, Latvia, Netherlands, Poland, Scotland, Slovenia	14 Cyprus, Germany, Estonia, Finland, Ireland, Israel, Latvia, Lithuania, Netherlands, Norway, Poland, Scotland, Slovenia, Spain	8 Cyprus, Denmark, Germany, Latvia, Netherlands, Norway, Slovenia, England and Wales	10 Cyprus, Denmark, Germany, Ireland, Israel, Latvia, Netherlands, Norway, Slovenia, England and Wales	14 Cyprus, Denmark, Germany, Estonia, Finland, France, Ireland, Israel, Latvia, Lithuania, Netherlands, Norway, Poland, Slovenia

Question 28: Please define the liability scheme in your country (more than one answer is possible)

Answer:

- No liability requested
- ≤ 5 years
- ≤ 10 years
- > 10 years



	By law for investors	By law for designers	By law for contractors	By law for building managers
No liability requested	10 Cyprus, Estonia, France, Ireland, Latvia, Netherlands, Poland, Scotland, Slovenia, England and Wales	4 Cyprus, Ireland, Poland, Scotland	3 Cyprus, Poland, Scotland	8 Cyprus, Estonia, France, Ireland, Norway, Poland, Scotland, Slovenia
≤ 5 years	1 Norway	5 Germany, Estonia, Finland, Norway, England and Wales	6 Germany, Estonia, Ireland, Norway, Spain, England and Wales	3 Germany, Finland, England and Wales
≤ 10 years	3 Denmark, Finland, Spain	6 Denmark, France, Ireland, Latvia, Netherlands, Spain	6 Denmark, Finland, France, Latvia, Netherlands, Slovenia	4 Denmark, Latvia, Netherlands, Spain
> 10 years	2 Lithuania, Romania	2 Lithuania, Slovenia	2 Lithuania, Romania	1 Lithuania

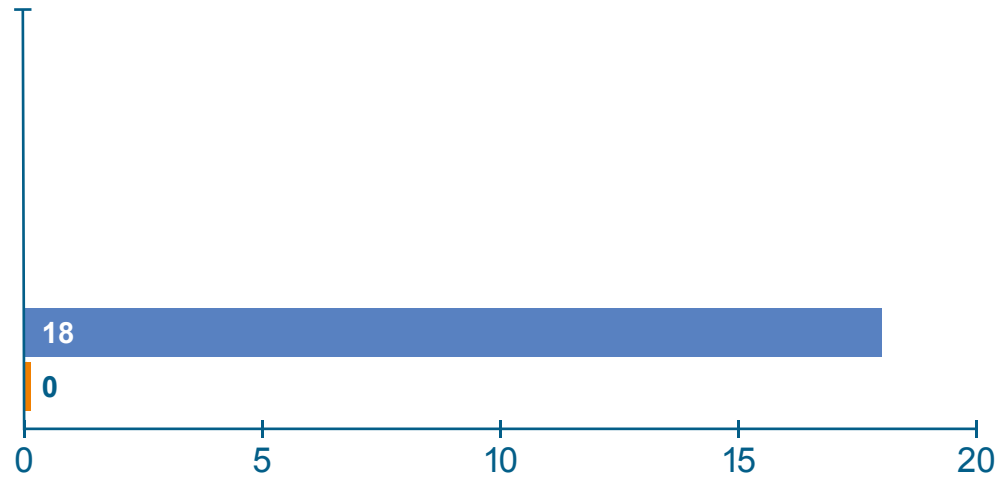


Section 5 – Legal requirements and enforcement

Question 29: Can legal enforcement action be taken against a building constructed without a building permit?

Answer:

- Yes
- No

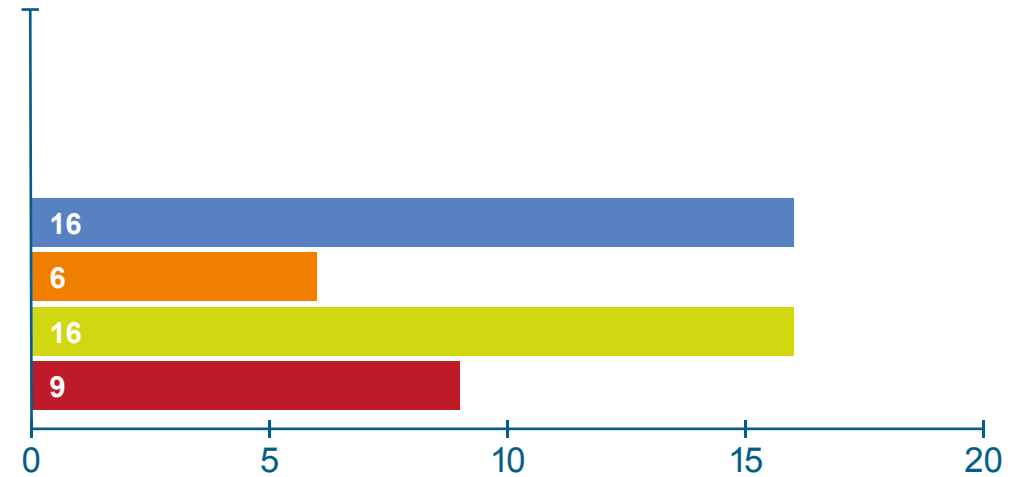


Yes	No
18	0
Cyprus, Denmark, Germany, Estonia, Finland, France, Ireland, Israel, Latvia, Lithuania, Netherlands, Norway, Poland, Romania, Scotland, Slovenia, Spain, England and Wales	-

Question 30: Please state below the types of penalties that apply (more than one answer is possible)

Answer:

- Fines
- Fixed penalty notices
- Stop notices
- Other



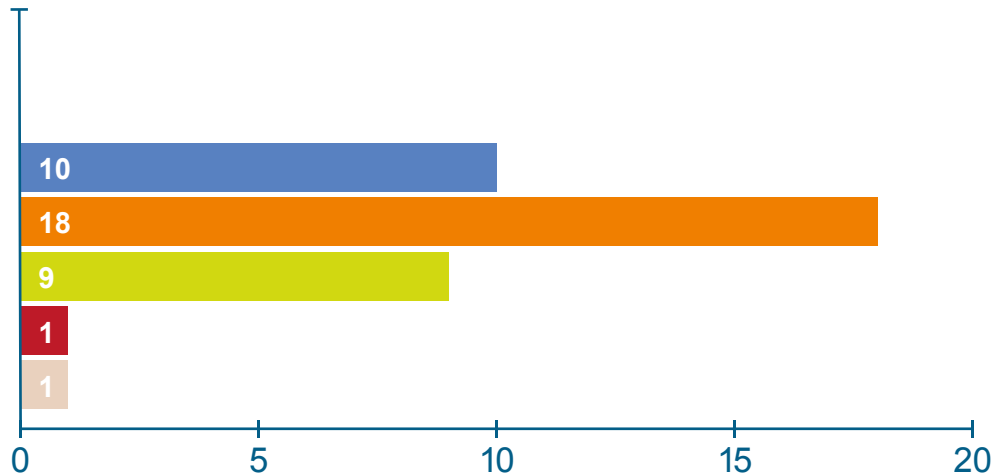
Fines	Fixed penalty notices	Stop notices	Other
16	6	16	9
Cyprus, Denmark, Germany, Estonia, Ireland, Israel, Latvia, Lithuania, Netherlands, Norway, Poland, Romania, Scotland, Slovenia, Spain, England and Wales	Germany, Estonia, Finland, Israel, Netherlands, Norway	Cyprus, Denmark, Germany, Estonia, Finland, France, Ireland, Israel, Latvia, Lithuania, Netherlands, Norway, Poland, Scotland, Slovenia, England and Wales	Estonia, France, Ireland, Israel, Lithuania, Poland, Romania, Slovenia, England and Wales



Question 31: Please state relevant enforcement bodies/agencies (more than one answer is possible)

Answer:

- Fire Safety Authority
- Building Authority
- Another dedicated authority
- Independent private third party
- Other

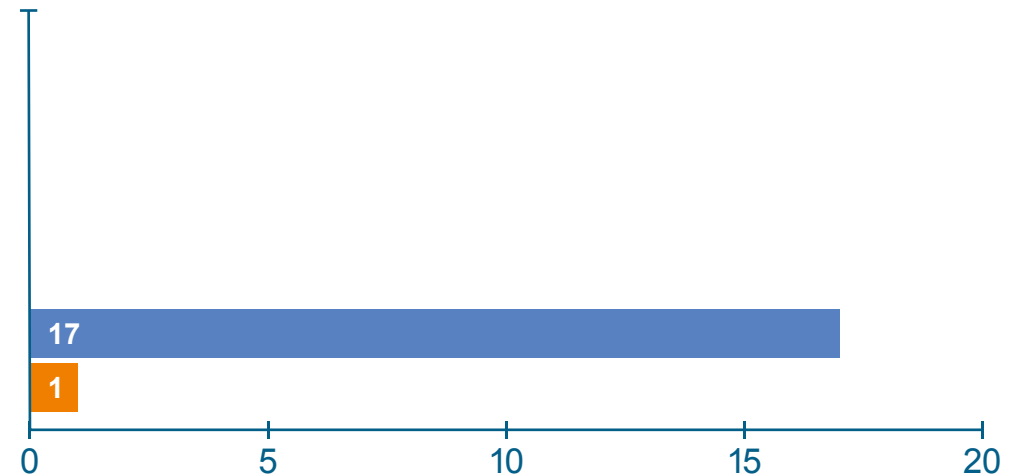


Fire safety Authority	Building Authority	Another dedicated authority	Independent private third party	Other
10	18	9	1	1
Estonia, France, Ireland, Latvia, Netherlands, Poland, Romania, Slovenia, Spain, England and Wales	Cyprus, Denmark, Germany, Estonia, Finland, France, Ireland, Israel, Latvia, Lithuania, Netherlands, Norway, Poland, Romania, Scotland, Slovenia, Spain, England and Wales	Denmark, Estonia, France, Ireland, Israel, Netherlands, Slovenia, England and Wales	France	England and Wales

Question 32: Can legal enforcement action be taken against non-compliance during the construction phase?

Answer:

- Yes
- No



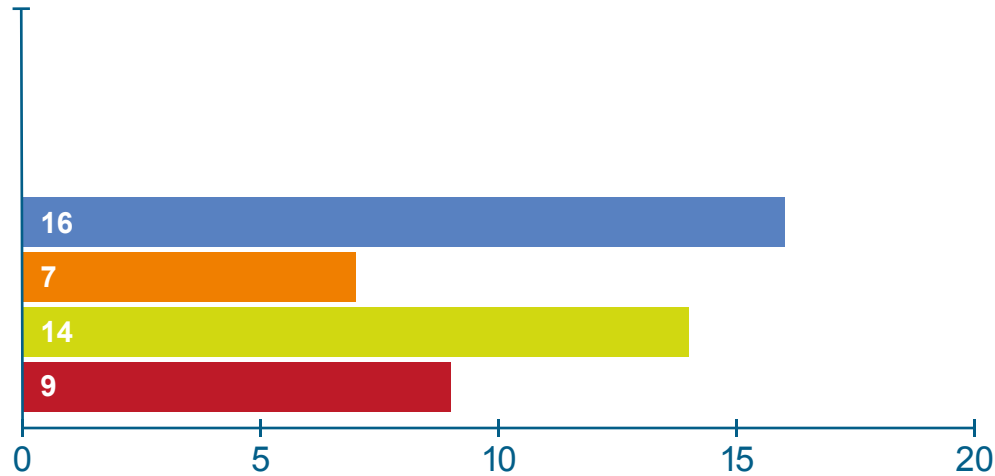
Yes	No
17	1
Cyprus, Denmark, Germany, Estonia, Finland, Ireland, Israel, Latvia, Lithuania, Netherlands, Norway, Poland, Romania, Scotland, Slovenia, Spain, England and Wales	France



Question 33: Please state below the types of penalties i.e., fines, fixed penalty notices or others (more than one answer is possible)

Answer:

- Fines
- Fixed penalty notices
- Stop notices
- Other

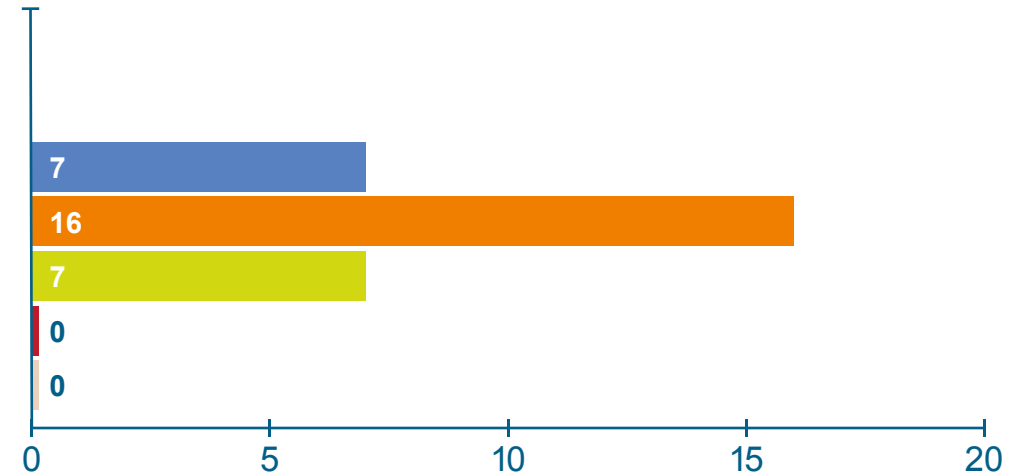


Fines	Fixed penalty notices	Stop notices	Other
16	7	14	9
Cyprus, Denmark, Germany, Estonia, Ireland, Israel, Latvia, Lithuania, Netherlands, Norway, Poland, Romania, Scotland, Slovenia, Spain, England and Wales	Germany, Estonia, Finland, Israel, Lithuania, Netherlands, Norway	Cyprus, Denmark, Germany, Estonia, Finland, Ireland, Israel, Latvia, Netherlands, Norway, Poland, Scotland, Slovenia, England and Wales	Estonia, Ireland, Israel, Lithuania, Netherlands, Poland, Romania, Slovenia, England and Wales

Question 34: Please state relevant enforcement bodies/agencies (more than one answer is possible)

Answer:

- Fines
- Fixed penalty notices
- Stop notices
- Other



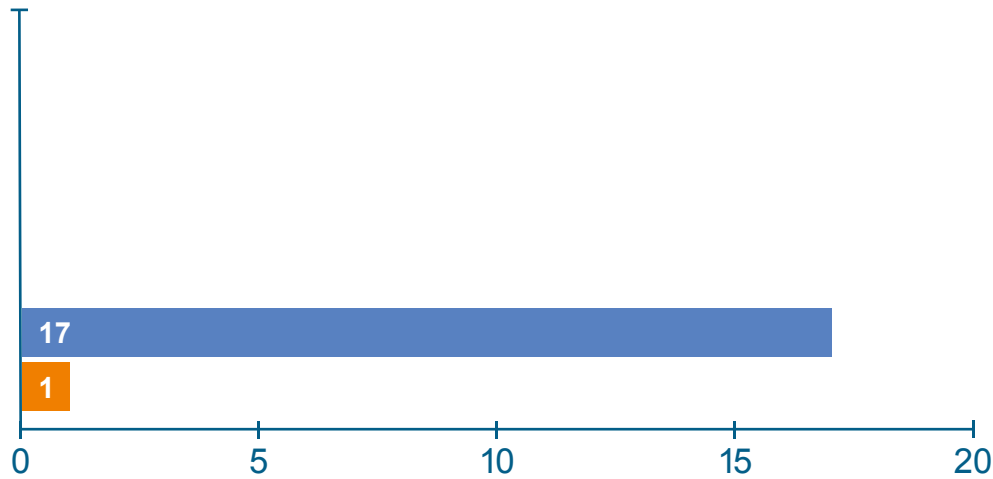
Fire safety Authority	Building Authority	Another dedicated authority	Independent private third party	Other
7	16	7	0	0
Estonia, Ireland, Netherlands, Poland, Slovenia, Spain, England and Wales	Cyprus, Denmark, Germany, Estonia, Finland, Ireland, Israel, Latvia, Lithuania, Netherlands, Norway, Poland, Scotland, Slovenia, Spain, England and Wales	Denmark, Estonia, Ireland, Israel, Netherlands, Slovenia, England and Wales	-	-



Question 35: Following the completion of work, can enforcement action be taken during the maintenance phase?

Answer:

- Yes
- No

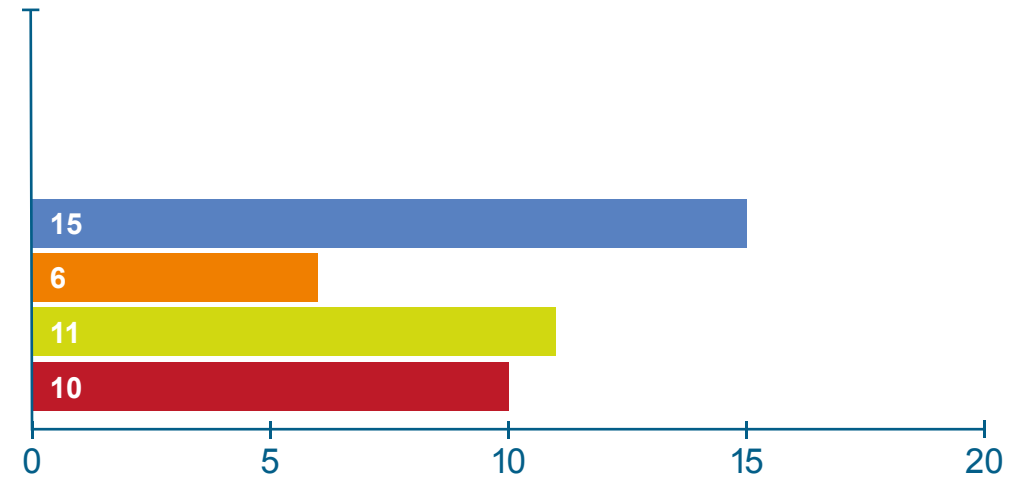


Yes	No
17	1
Cyprus, Germany, Estonia, Finland, France, Ireland, Israel, Latvia, Lithuania, Netherlands, Norway, Poland, Romania, Scotland, Slovenia, Spain, England and Wales	Denmark

Question 36: Please state below the types of penalties i.e., fines, fixed penalty notices or others (more than one answer is possible)

Answer:

- Fines
- Fixed penalty notices
- Stop notices
- Other



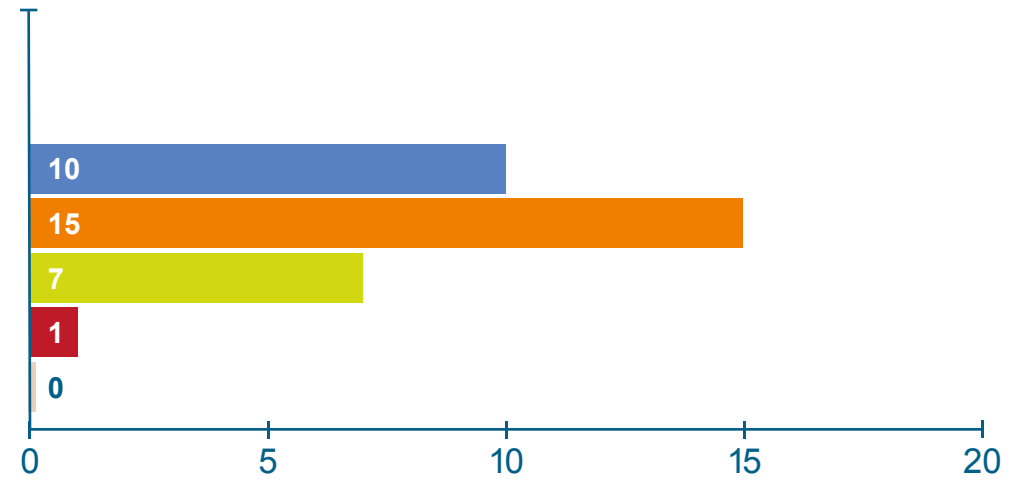
Fines	Fixed penalty notices	Stop notices	Other
15	6	11	10
Cyprus, Germany, Estonia, France, Ireland, Israel, Latvia, Lithuania, Netherlands, Norway, Poland, Romania, Scotland, Spain, England and Wales	Germany, Estonia, Finland, Israel, Netherlands, Norway	Germany, Estonia, France, Ireland, Israel, Latvia, Lithuania, Norway, Poland, Slovenia, England and Wales	Estonia, Ireland, Israel, Lithuania, Netherlands, Poland, Romania, Scotland, Slovenia, England and Wales



Question 37: Please state relevant enforcement bodies/agencies (more than one answer is possible)

Answer:

- Fire Safety Authority
- Building Authority
- Another dedicated authority
- Independent private third party
- Other



Fire safety Authority	Building Authority	Another dedicated authority	Independent private third party	Other
10	15	7	1	0
Estonia, France, Ireland, Israel, Latvia, Netherlands, Poland, Romania, Spain, England and Wales	Cyprus, Germany, Estonia, Finland, Ireland, Israel, Latvia, Lithuania, Netherlands, Norway, Poland, Romania, Scotland, Slovenia, Spain	Estonia, France, Ireland, Israel, Netherlands, England and Wales	Lithuania	-



Annex: Questionnaire

BC Systems Project

Questionnaire - May 2023

General questions

1. Full name:

2. Name of organisation:

3. Country:

4. Email address:

5. Planning and permitting phase - performed control.

Please define the requirements and the responsible body in your country (more than one answer is possible)

	Mechanical resistance and stability	Safety in case of fire	Safety and accessibility in use	Energy efficiency	Architectural quality (building's integration into the landscape and urban environment)	Territorial planning, local plans	Third party interests (neighbours)
Performed by municipality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Performed by state institution	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Performed by certified private professional	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
No control performed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Third party interests (neighbours)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



6. Construction phase – performed control. Please define the requirements and the responsible body in your country (more than one answer is possible)

	Mechanical resistance and stability	Safety in case of fire	Safety and accessibility in use	Energy efficiency	Architectural quality (building's integration into the landscape and urban environment)	Territorial planning, local plans	Construction work compliance with technical project and the requirements of regulatory acts	Compliance of construction products	Qualification of participants of construction process	Internal control system on construction site	Third party interests (neighbours)
Performed by municipality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Performed by state institution	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Performed by certified private professional	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
No control performed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

7. Commissioning/completion of construction – performed control. Please define the requirements and the responsible body in your country (more than one answer is possible):

	Mechanical resistance and stability	Safety in case of fire	Safety and accessibility in use	Energy efficiency	Unauthorised construction	Positive conclusion if required by regulation	Documentation required in the construction regulation
Performed by municipality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Performed by state institution	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Performed by certified private professional	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
No control performed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



**8. Use and maintenance – performed control. Please define the requirements and the responsible body in your country
(more than one answer is possible)**

	Mechanical resistance and stability	Safety in case of fire	Safety and accessibility in use	Energy efficiency	Unauthorised construction
Performed by municipality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Performed by state institution	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Performed by certified private professional	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
No control performed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Section 1 – Planning and Zoning requirements

9. Are Zoning Plans or specified land-use conditions

- Available and not regularly updated
- Available and regularly updated
- Partly available and regularly updated
- Partly available and not regularly updated
- Not available
- Not known

10. Where Zoning Plans or specified land-use are available, please indicate the approximate coverage of built-up areas (%)

- 0 to 20%
- 21% to 40%
- 41% to 60%
- 61% to 80%
- 81% to 100%
- Not known



11. If zoning requirements are available, can end users access these through GIS-based maps?

- Yes, zoning regulations are available through GIS based maps for nearly the whole country
- Yes, zoning regulations are available through GIS based maps for one or two major cities
- Yes, zoning regulations are available through GIS based maps for most developed areas
- No, zoning regulations are not available through GIS based maps
- Not known

12. If zoning maps are available but not in GIS format, please specify in what format they are available?

13. Is a planning permit or equivalent (e.g., zoning certificate) required?

- Yes, always
- Only in particular cases
- No, never

14. Are other authorities or bodies involved in conducting reviews, issuing pre-approvals, no-objection letters or similar?

- Yes – please specify which authorities/bodies below
- No
- Other (please specify)

15. Is the applicant required to obtain planning consents/approvals from other authorities before commencement?

- Yes
- No
- Only in specific cases

Section 2 – Fees for construction permits/approvals

This section covers fee levels for construction permits (planning, building and completion certificates). Fees should include the costs associated with the review of plans and any inspections, along with any overhead costs.

Note: “Full Cost Recovery” refers to construction permits being set at a level to recover all expenditure applied to this function i.e., all staff, office costs, ICT etc.

16. Are fees set to achieve full cost recovery of the building permit/ approval process?

- Yes – please clarify below what services achieve full recovery of costs
- Yes - depends upon size and use of project
- No
- Other (please specify)

17. Please state the percentage of fees charged when compared against project construction costs

- 0% to 5%
- 5% to 10%
- 10% to 20%
- Over 20%

18. Do you publicise your fee schedules?

- Yes
- No

Section 3 – Substantive review of designs

This section covers designs being the subject of a substantive review of technical requirements (e.g. architectural, structural, mechanical etc.)

19. Are construction projects subject to a detailed review of technical requirements?

- Yes
- Yes – in specific cases
- No

20. Please clarify who conducts the substantive review (more than one answer is possible)

- Building Authority/Municipality
- Another dedicated authority
- Independent private third party

21. Please specify the areas that are subject to a technical review (more than one answer is possible)

- Architectural
- Structural
- Mechanical Services
- Plumbing
- Electrical
- Geotechnical
- Other

22. Is compliance of the designs with passive and active fire safety measures checked before a building permit is issued?

- Yes
- Yes – in specific cases
- No



23. If the previous answer is YES, please clarify who reviews fire safety measures (more than one answer is possible)

- Building Authority/Municipality
- Fire Department
- Independent private third party
- Other

24. Is a risk-based approach applied to building control to assess applications for building permits and to the inspection of construction works on site?

A risk-based approach to both plan reviews and/or inspections will take into account the usage, height, floor area of a building together with materials used and experience/qualifications of the designer or builder and is based on a risk classification provided by law/regulation or guidance.

- Yes, for both building permit applications and inspections
- Yes, for building permit applications only
- Yes for inspections only
- No

25. Is a building permit required for all building work?

- Yes, always
- Yes, except for small constructions and/or small conversions
- No

26. Issue of completion, commissioning or use certificate?

- Yes, always
- Yes, except for small constructions and/or small conversions
- No

Section 4 – Provision of Insurance and Liability

This section covers provision of insurance and if it is required by law.

27. Please define the insurance required in your country (more than one answer is possible)

	Yes	No
By law for investor	<input type="checkbox"/>	<input type="checkbox"/>
By law for future owner (maintenance phase)	<input type="checkbox"/>	<input type="checkbox"/>
By lender (bank) for owner/investor	<input type="checkbox"/>	<input type="checkbox"/>
By lender (bank) for designer/contractor/building manager	<input type="checkbox"/>	<input type="checkbox"/>
Does the insurance require a third-party control	<input type="checkbox"/>	<input type="checkbox"/>

28. Please define the liability scheme in your country (more than one answer is possible)

	No liability requested	≤ 5 years	≤ 10 years	> 10 years
By law for investors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
By law for designers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
By law for contractors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
By law for building managers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Section 5 – Legal requirements and enforcement

29. Can legal enforcement action be taken against a building constructed without a building permit?

- Yes
- No

30. Please state below the types of penalties that apply (more than one answer is possible)

- Fines
- Fixed penalty notices
- Stop notices
- Other

31. Please state relevant enforcement bodies/agencies (more than one answer is possible)

- Fire Safety Authority
- Building Authority
- Another dedicated authority
- Independent private third party
- Other

32. Can legal enforcement action be taken against non-compliance during the construction phase?

- Yes
- No

33. Please state below the types of penalties i.e., fines, fixed penalty notices or others (more than one answer is possible)

- Fines
- Fixed penalty notices
- Stop notices
- Other

34. Please state relevant enforcement bodies/agencies (more than one answer is possible)

- Fire Safety Authority
- Building Authority
- Another dedicated authority
- Independent private third party
- Other

35. Following the completion of work, can enforcement action be taken during the maintenance phase?

- Yes
- No

36. Please state below the types of penalties i.e., fines, fixed penalty notices or others (more than one answer is possible)

- Fines
- Fixed penalty notices
- Stop notices
- Other

37. Please state relevant enforcement bodies/agencies (more than one answer is possible)

- Fire Safety Authority
- Building Authority
- Another dedicated authority
- Independent private third party
- Other



Author of report

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