

All Party Parliamentary Group for Excellence in the Built Environment Inquiry into Sustainable Construction and the Green Deal

1. I am submitting this evidence on behalf of LABC – the representative body for building control teams working in local authorities in England, Wales and Northern Ireland. We have over 3000 individual members working in over 300 local authorities.
2. LABC fully supports the move towards more sustainable construction. We believe that this is best achieved through having robust and effective building regulations, policed by competent and efficient building control bodies.

The system of building control

3. Although some member local authorities would prefer to have a system where councils are the only building control bodies – for this service is the only one administered by local authorities where there is potential competition from the private sector on every job – LABC recognizes that the introduction of approved inspectors has led to efficiencies in the way the service is provided. We also recognize that politically it would be difficult to revert to the old system.
4. However, the biggest weakness in the system is that competition can drive down standards, with building control bodies undercutting each other on price and doing less site inspections as a result. There is therefore more risk of important defects being missed. The Government and the building control bodies have recognized this through the introduction of minimum performance standards, and the requirement for annual performance indicators – but the system is vulnerable to rogue approved inspectors seeking to win work at all costs.
5. The register of approved inspectors is maintained by the CIC, and there has been criticism in the past that the CIC has not done enough to discipline poor-performing inspectors. LABC therefore welcomes the current review of how well the CIC is performing, and looks forward to improvements being implemented.
6. LABC is also concerned about the way competent person scheme members are monitored. Whilst we accept that building control bodies might have been overwhelmed by building notices when replacement glazing was brought into the building regulations had not a competent persons scheme been introduced, the rapid expansion of schemes since then concerns us. Installers operating under the scheme have their work inspected only a couple of times each year, whereas if the work goes through building control every job is inspected. Although competent person schemes are monitored now by UKAS, there is still a significantly greater risk of poor work going unnoticed under these schemes.

New construction

7. LABC fully supports the desire to reduce carbon emissions from buildings significantly, and believes that the continuing strengthening of Part L of the Building Regulations in England and Wales is an effective way of delivering this. We accepted the targets of zero carbon by 2016 for houses and 2019 for non-domestic buildings. However, as those targets are approached, measuring whether performance does or not comply poses great challenges for building control bodies, and we are encouraging the Technology Strategy Board and others to develop better tools to help us in this task.

8. We also recognize that there is a significant gap in the energy performance of completed buildings compared with what the designers intended. We are working with the Zero Carbon Hub and others to try and find the reasons for this, and what solutions can be adopted.
9. In January this year, the Government consulted on proposed changes to the Building Regulations in 2013, including proposals to strengthen significantly Part L. We are disappointed that at the end of November there has still not been any announcement about what the Government intends to change next year, or even a summary of what those responding to the consultation said. Although we fully recognize that the construction industry, including house building, has suffered a great deal in the recession, we do believe that there should be some improvements to Part L next year if the zero carbon targets are to be met – and a further contribution made to the goal of reducing all carbon emissions by 80% by 2050.

The Housing Standards Review

10. We accept the conclusions of the review undertaken by Sir John Harman that house builders are faced with too many standards over and above what is in the building regulations, and supported the proposal to carry out a further study of these additional standards. However, we were disturbed when the Government published the terms of reference to find that there was to be “a radical and fundamental review of the entire framework of Building Regulations and voluntary housing standards”. We believe that house builders are looking for regulatory certainty at a time of recession, and to have the whole system exposed to yet another review seems unnecessary. We hope that our fears are unfounded, and that the review focuses on ensuring that unnecessary housing standards are removed.

The Green Deal

11. LABC fully supports the principle of the Green Deal, whereby house owners and others can have valuable energy efficiencies made to their properties at no upfront cost, the loan charge being added to the electricity bill. Total energy charges will be less owing to the improvements. However, the Government has clearly found it difficult in practice to develop a workable scheme, the operational date having been put back by some 4 months. I have been a member of one of the Government’s Advisory Fora on the Green Deal, and LABC will do all it can to promote the scheme through its member authorities.
12. Our principal concern relates to how to ensure that all of the work carried out is competent and meets the requirements of the Building Regulations. It is intended that all of the installations listed as acceptable under the Green Deal will be undertaken by competent persons – but our concerns about the weaknesses of these schemes are noted above (Para 6). Notwithstanding that installers will also have to be licensed, we believe that it would be better if major installations such as external wall insulation were also subject to building control – and hence potentially damaging works inspected by professionals. It will be disastrous to the success of the scheme if there are early examples hitting the headlines of seriously defective workmanship.
13. The January consultation referred to above (Para 9) also floated the concept of consequential energy improvements being required when certain types of work were carried out on a property. LABC supported this in the case of house extensions and loft conversions but not with work such as boiler replacements. Again, we have been disappointed that there has been no Government statement, even though the Green Deal, to which it was linked, officially began in October. We hope that the negative and misleading articles in the press during the summer have not torpedoed this plan. If the Government’s 2050 carbon target is to be met, it is essential that we do more to improve the existing stock.

The Green Construction Board

14. I am honored to have been chosen to sit on the Buildings Working Group of the Board, and fully support their priority projects to review whether an Existing Buildings Hub (to parallel that dealing with zero carbon in new housing) is desirable and feasible, and to see what can be done to close the performance gap (see also Para 8 above). My concern is that the Board has now been in operation for a year, and there is little as yet to show for its efforts – but hopefully that will change.



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