



the **moray** council

THE MORAY COUNCIL

BUILDING STANDARDS

**THE BUILDING
(SCOTLAND) ACT 2003**

**Works carried out
without a
Building Warrant**

**THE MORAY COUNCIL
ENVIRONMENTAL SERVICES
COUNCIL OFFICE
HIGH STREET
EIGIN
IV30 IBX**

Information Leaflet No. - 7

Introduction

It is a requirement of the Building (Scotland) Act 2003 that you have a Building Warrant before carrying out any building work. It is an offence in terms of the Act if such a Warrant is not obtained. Some minor building proposals however are exempt from this requirement and it is important that you consult with the Building Standards Section to confirm that this is the case.

If you have already carried out work, or are in the process of doing some building, this leaflet will provide guidance on how to rectify the situation.

Work started but not finished

If you are in the process of carrying out building work but do not have a Building Warrant, you must make a late application for a Building Warrant. You should not carry on with the building work until the warrant has been granted.

The application is made in exactly the same way as a normal application. Please see Information Leaflet No.1 – How to apply for a Building Warrant. Architectural plans must be provided in support of your application. These must be drawn to a recognised metric scale and show sufficient information to allow a full check of the proposals to be carried out. It is important to note that the proposals will be checked against the Building Standards in force at the time of submitting your application, not when the building started, so changes may be required even to completed work if it does not meet the relevant standards.

If the works are well advanced when the application is made, we may ask you to expose certain parts of the building so that adequate checks can be carried out to ensure that it meets Building Regulations.

The fee for a late application is 25% higher than a normal application to take account of the additional duties involved.

Completed Work

If you have completed any work without a Building Warrant when there should have been a warrant applied for, you must submit a Completion Certificate to the Building Standards Section. The Certificate will only be accepted however if this confirms that the work carried out meets the Building Standards in force at the time of submitting the Completion Certificate. You should note that in certain circumstances it may be necessary that further works are required in order to meet these Standards.

In addition, it will be necessary to include architectural plans and specifications equivalent to those normally required when making application for Building Warrant, in order that an accurate assessment of the proposals can be made.

You may also require to submit an application for Building Warrant, in addition to the Completion Certificate, to take account of any new or additional work which may be necessary in order to meet the Building Regulations.

The fee for a late Completion Certificate is also 25% higher than the normal warrant application to take account of the additional duties involved.

In cases where work was completed more than 10 years ago it may be appropriate to apply for a Letter of Comfort. Please see Information Leaflet No. 2 – Letter of Comfort.

Building Standards in Moray

The Building Standards Service in Moray is part of the Development Services Division of the Environmental Services Department of The Moray Council.

Should you wish additional information or wish to discuss any particular aspect of the works carried out, you may contact a member of the Building Standards team at any of the following locations:-

Council Office, Elgin

Tel. 01343-563243

13 Cluny Square, Buckie

Tel. 01542-837200

The Institute, Mid Street, Keith

Tel. 01542-885500

Auchernach, High Street, Forres

Tel. 01309-694000

Additional information is also available by accessing The Moray Council Website on [www.moray.org/building control](http://www.moray.org/building%20control).

