

Exploding the myth of Part L enforcement

Guess what? Politicians, gurus and pundits sometimes talk rubbish. One big problem in the building control sector is the constant recycling of old news. I'm sad to say that I still see comments published in the media, given by people who I know and respect, that are based on old and out-of-date information. It's nearly always local authorities don't enforce Part L. Twaddle!

By Paul Overall CBE
LABC Chief Executive



This comment was widely used just a few months after Part L was introduced and it was based on an MP asking a question in the House as to why local authorities had failed to make any prosecutions.

Anyone in the industry understood the reasons for this. Part L's implementation was botched and hurried. Neither local authorities nor businesses had been given any time to understand or prepare. Training lagged behind the launch. Given the inevitable misunderstandings, the whole industry was allowed an unofficial 'honeymoon' period to adjust. So, of course, non-compliance and eventual prosecutions took much longer to come through the system.

However, the problem goes beyond the Part L cock-up.

The constant equating of 'prosecutions' with 'enforcement' is blatantly wrong. In fact, it is so wrong that one wonders if politicians and industry gurus understand anything about the current system of building control.

The current building control system has been adapted to take into account of feedback from industry. The vast majority of tradespeople, small businesses, contractors and developers take huge professional pride in their work. They may need help and advice on complicated issues, but they aren't constantly looking to fiddle the system. Therefore, building control takes a co-operative approach based on early feedback on plans and practical advice during the build.

Instead of formalising contraventions and threatening customers, we provide

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'enforcement' through advice. Every day local authority building control surveyors ask for plans to be modified or point out problems on site. They expect this advice to be followed and make notes to check that modifications are made, but they don't threaten customers or start proceedings.

This way of working is extremely successful. Building control surveyors make a minimum of three pre-contravention interventions every working day – that's around 12,000 interventions every week in England and Wales. And I'm reliably informed that a large proportion of these relate to Part L (possibly as many as a third). This would mean at least 4,000 Part L enforcements every week are performed in exactly the way that Government and Industry asked of us.

What more do we have to do? Obviously, the answer is to tell the real truth to the people who should know better.

This is where customers can help. If you speak with local councillors, MPs or other people in the industry from trade or professional bodies, tell them how we work and that LABC's partnership approach works. We'll make sure that serial incompetent traders and fraudsters get punished for obdurate or criminal defiance of the regulations, but we wouldn't want to make good businesses suffer at the same time.

If you have any comments and wish to support or disagree, you can email me at paul.overall@labc.uk.com. I welcome your views.

Berkeley Homes' award-winning Holborough development in Kent, where a co-operative approach with building control was crucial to success

