Dear Sir/Madam

Building and Consultancy Services
Responsibilities in relation to Building Work

Building work can often be complex involving several areas of legislation and contractual matters. As often the only professional on site our surveyors and this organisation are frequently asked to intervene or comment on matters that are outside of our area of responsibility. This note aims to clarify the limitations of our responsibilities and detail some of the areas where, unfortunately we have no jurisdiction or powers with which to resolve matters.

Our responsibilities include:-

- Provision of a plan assessment and site advisory service to help achieve compliance with the relevant building standards.
- Assist with aspects of quality (workmanship and materials) or the wider public good where these have an impact upon compliance.

Our responsibilities do not include:-

- A legal obligation for the compliance of the work. The work would normally be undertaken on your behalf by a contractor and it is they or yourself as the owner who would be legally responsible and required to put matters right where they are found to be incorrect.
- Managing each stage of the project or the pace of construction. Both are contractual matters between the client and the builder.
- Issues of aesthetics or quality of finish where these matters do not directly effect compliance. Many of these aspects are matters for designers, developers or in some cases warranty providers.
- Contractual matters between the client and the builder as this is a matter of contract law.

Additional matters not embraced by The Building Regulations also include:-

Party Wall - work on or close to a party wall (under the Party Wall Act 1996). This legislation is a civil matter and does not fall within the scope of The City Council's responsibilities.
Boundary Matters - disputes, allegations of trespass or damage caused to adjoining properties. These are civil matters and legal advice would need to be sought if an acceptable solution can not be reached.
Garden Fences/walls etc - these do not fall within the scope of the Building Regulations and with the exception of height (Planning) are civil matters.
**Planning** - whilst our surveyors have an understanding of its requirements they are not responsible for its implementation or interpretation and these matters should be referred to Planning Management on 0121 303 1115.

**Exempt Structures** - there are a number of minor structures (detached garages, porches, covered ways under 30m²) which fall outside of the Building Regulations. Detailed exemption criteria is outlined on our web pages.

**Drainage** - Drainage inspections may have been made during the course of building work but this does not mean that we will investigate blockages. Compliance with drainage standards and applicable building regulations are the responsibility of the contractor. It is also the case that blockages can be caused by accidental damage, tree root infiltration or disposal of inappropriate material into the drainage system by the owner. If your drainage becomes blocked you should contract a suitable drainage contractor or where the drain involved is a public sewer your sewerage authority.

It should be noted that on 1 October 2011 the majority of drains became public sewers and hence the sewerage authority will be responsible for their maintenance and clearing any blockages for information please telephone 0800 7834444.