



1 May 2009 TMR

# APPLICATION FOR BUILDING WARRANT

Building (Scotland) Act 2003

FORM A

Application under section 9 for a warrant to construct, demolish or convert a building, or to provide services, fittings or equipment in or in connection with a building

For Official use only	
Reference Number	

### 1. - Applicant

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_  
 Post code: \_\_\_\_\_  
 Tel No.: \_\_\_\_\_  
 Fax No.: \_\_\_\_\_  
 E-mail: \_\_\_\_\_

### 2. - Duly authorised agent (if any)

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_  
 Post code: \_\_\_\_\_  
 Tel No.: \_\_\_\_\_  
 Fax No.: \_\_\_\_\_  
 E-mail: \_\_\_\_\_

### 3. - Owner (If different from applicant) (see note 1)

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Post code: \_\_\_\_\_  
 E-Mail: \_\_\_\_\_  
 Tel No.: \_\_\_\_\_  
 Fax No.: \_\_\_\_\_

### 4. - Location of building or site to which the application relates

Address \_\_\_\_\_  
 Post code (if known) \_\_\_\_\_

### 5. - Proposed work

Please give brief description of work, and state whether it is to construct (erect, extend, or alter) and/or convert; provide services, fittings or equipment; or demolish –

\_\_\_\_\_  
 \_\_\_\_\_

### 6. – Staged applications

If the application is to be staged, the stage(s) applied for should be indicated (this should be agreed with the verifier) –

\_\_\_\_\_  
 \_\_\_\_\_

### 7. – Application for Demolition

If the application is for, or includes, the demolition of a building please state the period of time that the demolition works will be completed within- \_\_\_\_\_ weeks/months\*

### 8. - Estimated value of works

£

(Please note that the verifier may seek evidence for this figure, and make comparisons with established independent indices of building costs)

### 9. - Certificates of Design

Do any certificates from approved certifiers of design accompany this application?

YES/NO\*

(if YES, see annex 2)

### 10. - Certificates of Construction

Do you intend to use an approved certifier of construction and provide a certificate to accompany the completion certificate submission?

YES/NO\*

(if YES see Form L Jan09)

### 11. – Small buildings structural guidance

Have the proposals been designed using the small buildings structural guidance contained within Section 1 of the Technical Handbooks?

YES/NO\*

### 12. - State of work

Has the work which is the subject of this application already started?

YES/NO\*

(if YES, see note 2)

Has the work which is the subject of this application been completed?

YES/NO\*

(if YES, see note 3)

**Proposed work:** Please give a brief description of work, and state whether it is construction (erect, extend or alter) and/or convert; provide services, fittings or equipment; or demolish

### 13. - Use of building

[If new building or extension] Please state proposed use:

[If existing building] Please state:-

1. Current Use:

2. Proposed Use:

Is this a conversion in terms of the regulations? (see annex 1)

YES/NO\*

If YES Please state which description of conversion applies:

### 14. - Security matters

Do you consider any part of your proposals should not be open to public inspection on the building standards register? (see note 4)

YES/NO\*

(If YES, the verifier will decide with you the extent of the restrictions)

### 15. - Limited-life building

If the intended life of the building is to be five years or less from the date of completion,

Please State:- \_\_\_\_\_ Years.

(Less onerous requirements may apply. The warrant will include a condition requiring removal at the end of the intended life)

### 16. - Fire Authority

If the enforcing authority for the building (under Section 61(9) of the Fire (Scotland) Act 2005 as amended) is not the local Fire and Rescue Service please state the fire authority -

### 17. - Planning - Listed Buildings

If the application concerns buildings listed as being of special architectural or historic interest or in a conservation area,

Please state category :-

(if in doubt, the planning authority can advise)

Please state if the building has any other historical importance. :-

(e.g. association with significant historical person or event)

### 18. - Relaxation Direction

If the proposed work is the subject of a relaxation direction given by the Scottish Ministers

Please State, Reference Number:- \_\_\_\_\_

and date :- \_\_\_\_\_

### 19. - Notices

Please indicate if this application is as the result of any of the following notices, and if so give the reference number :-

Building Regulations compliance notice

Building warrant enforcement notice

Defective buildings notice

Dangerous building notice?

YES/NO

If YES, give reference number)

## 20. Declaration

I/We\* apply for a building warrant and declare -

1. that the work will be carried out in accordance with building regulations, and in accordance with the details supplied above and any necessary accompanying information (including annexes to this application, drawings and specifications). (See Note 6)
2. I am/We\* are the owner of the building/That the owner of the building is aware of this application\*
3. [Where the warrant involves a specified conversion] That after the conversion the building as converted will comply with building regulations.\*

Signed :- ..... applicant/duly authorised agent\* (See Note 7)

Dated :- ..... *\*Delete as appropriate*

## 21. - Address to which you should send this application

Building Standards	Telephone: 01343 563270
Environmental Services	Fax: 01343 563263
The Moray Council	E-Mail: buildingstandards@moray.gov.uk
Council Offices	
High Street	
Elgin	
IV30 1BX	

### Notes.

1. The name and address of the owner is required as the Act requires the owner to be informed if a building warrant is granted.
2. If work has started, the regulations which apply are those at the date of this application, and the fee to be paid will be 25% higher because the verifier will require to inspect the work. Disruptive surveys may be needed to establish what has been constructed.
3. If the works have been completed an application for warrant is not appropriate and a completion certificate under the terms of Section 17 (4) of the Building (Scotland) Act 2003 should be submitted.
4. Security matters. Subject to the exceptions below, details of applications are made public in accordance with the procedural regulations, with information on the application available on line, and drawings etc. available for copy or inspection at local authority premises. The local authority may remove documents from the register if they are satisfied there are genuine security concerns. For those documents on the register there are also restrictions on their copying. The first restriction relates to non-residential buildings, prisons, a building where a person may be legally detained or otherwise held in custody, the Scottish Parliament or the Royal Private Estate and applies where the applicant has confirmed the disclosure or copying would raise security concerns. Details agreed between the verifier and the applicant will be withheld unless the owner of the building gives written permission for them to be released. Thus parts of applications for buildings such as banks may only be available with the owners written permission. The second restriction relates to all other residential buildings and copying is restricted to owners, occupiers or tenants, or prospective owners, occupiers or tenants of the relevant building or an adjoining building. There will thus normally be no need to further restrict access to any details in relation to residential buildings.
5. Guidance on certificates from approved certifiers, and the drawings and other information that should accompany this application is given in the paragraphs at 3.2 in the Procedural Handbook issued by the Building Standards Division. This is available at [www.sbsa.gov.uk](http://www.sbsa.gov.uk)
6. Note that this includes a commitment to meet the requirements of regulations 13 to 15, which set requirements for how the public will be protected from the activities on site.
7. Even where signed by an agent, it is the applicant that is declaring that the work will be done in accordance with the regulations and details of application.
8. Where full information is not available, the verifier may decide to grant a warrant on condition that you provide further details before certain stages of work commence on site. The stages must be agreed with the verifier.
9. Any applicant aggrieved by the decision of a verifier to refuse a warrant may, within 21 days of the date of the decision, appeal to the sheriff by way of summary application.

### WARNING

**A building warrant does not exempt you from obtaining other types of permission that may be necessary, such as planning permission or listed building consent. Consult the local authority if in doubt.**

## ANNEX 1

### CONVERSION

Any change in the occupation or use of a building which falls into one of the following descriptions is considered a conversion to which the building regulations apply

Change in the occupation or use of -

1. a building to create a dwelling or dwellings or a part thereof
2. a building ancillary to a dwelling to increase the area of human occupation
3. a building which alters the number of dwellings in a building
4. a domestic building to any other type of building
5. a residential building to any other type of building
6. a residential building which involve a significant alteration of the characteristics of the persons who occupy, or will occupy, the building, or which significantly increase the number of people occupying, or expected to occupy, the building
7. a building so that it becomes a residential building
8. an exempt building (in terms of schedule 1) to a building which is not so exempt
9. a building to allow access by the public where previously there was none
10. a building to accommodate parts in different occupation where previously it was not so occupied

## ANNEX 2

### CERTIFICATES FROM APPROVED CERTIFIERS OF DESIGN

Please list reference numbers of any certificates from approved certifiers of design which relate to this application, and attach the original signed certificates to this application

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#### Important Note

The certificates must be original documents, signed by certifiers fully approved to issue certificates for the matters certified on the date the certificate was signed.

#### Data Protection

I agree to the information contained in this form being held by Moray Council and that this information will be held in a public register and available to the public.

Moray Council is committed to ensuring that all personal information is relevant, up-to-date, and processed in accordance with the principles of the Data Protection Act 1998.