

Guidance Note: Discontinued service by an Approved Inspector

This advice is only relevant if instead of submitting your building regulation application to the local authority, you have chosen to appoint an Approved Inspector building regulations service provider.

If your project has started on site and you have since been informed by your appointed Approved Inspector that they are unable to continue to provide service (for example, because the company no longer holds professional indemnity insurance to operate as an Approved Inspector), then the person undertaking the work / building owner will need to take steps to ensure the development remains lawful.

If, as the person undertaking the building work you find yourself in this situation, the following advice is offered in relation to projects within the district of Middlesbrough Council.

1. Request your Approved Inspector to cancel their initial notice under Section 52(1) of the Building Act 1984. Your Approved Inspector will do this using Form 6 contained in The Building (Approved Inspectors etc.) Regulations 2010.
2. If your Approved Inspector does not act on your request, the local authority can accept notice of cancellation of the initial notice by the person undertaking the building work (as named on the initial notice) under Section 52(3) of the Building Act 1984. A cancellation from you needs to be set out as described by Form 7 of the Building (Approved Inspectors etc.) Regulations 2010. For your convenience, we have provided a template for your use so you do not have to research.
3. On receipt of the cancellation notice the local authority will check that it is valid and update the register of initial notices.
4. We will then send you an application form for you to revert the building regulations function to the council.
5. Your completed reversion application form should be returned to the local authority together with:
 - Plans, drawing, specifications and other relevant design documentation sufficient to show the extent of the building work being undertaken and to demonstrate compliance with relevant building regulations.
 - If you have a plan certificate from your Approved Inspector, please supply this with your submission.
 - Records of the site inspections undertaken by your Approved Inspector on the project so far, sufficient to confirm the dates of inspection, stage of work and observations recorded with respect to compliance with building regulations.
6. When the local authority receives the aforementioned information, we will validate your application, calculate the relevant charge and contact you to take payment. Please note that a Reversion Charge is more expensive than submitting a building regulation application direct to the local authority in the first instance.
7. Following receipt of the relevant Reversion Charge we will:

- Assess the plans etc. for compliance with building regulations and advise you of our observations.
- Assess the site inspection records to determine the site inspection regime that the local authority will adopt in monitoring the ongoing compliance with building regulations.

8. The local authority building control surveyor will undertake site inspections and keep you/your builder informed of any matters of building regulations compliance.

9. Taking account of the Approved Inspector's site inspection records, we may also require elements of covered building work to be opened up for our inspection. We will request this only when necessary.

10. On satisfactory completion of the project you will be provided with a Building Regulations Reversion Certificate for your records