

# Regularisation Certificate Application (England) Notes and Checklist

	Is a Regularisation Certificate Application suitable?	Regulation	Is this applicable? Yes or No
1	<b>Was the unauthorised building work before the 11th November 1985?</b> Any building work carried out before 11th November 1985 is not eligible to be regularised.	<a href="#">18(1)</a>	
2	<b>Is the building work etc., in relation to higher-risk building work?</b> A regularisation certificate application given to the local authority is not appropriate in these circumstances. Regularisation certificate applications for building work to higher-risk buildings can be made <a href="#">here</a> .	<a href="#">2B</a>	
3	<b>Has any part of the work described in an initial notice been carried out and the initial notice has ceased to be in force?</b> If so, <a href="#">Regulation 19 of the Building (Approved Inspectors etc) Regulations 2010</a> (local authority powers in relation to partly completed work) applies. Compliance should be with the requirements of that regulation and a building regularisation certificate application is not appropriate.	<a href="#">19 – Building (Approved Inspectors etc.) Regulations 2010</a>	
<p>If the response to all the questions above is 'no' then an application for a regularisation certificate is appropriate for the proposed work. Where the response is 'yes' for row 2, an application should be made to the Building Safety Regulator. Where the response is 'yes' to any other row, the application for a regularisation certificate is not appropriate.</p>			
	Is additional information required?	Regulation	Included or not applicable?
4	So far as is reasonably practicable, a plan of the unauthorised work is required.	<a href="#">18(2)(c)</a>	
5	So far as is reasonably practicable, provide a plan showing any additional work required to be carried out to secure that the unauthorised work complies with the requirements relating to building work in the building regulations which were applicable to that work when it was carried out.	<a href="#">12(2)(d)</a>	
Further Information			
6	<p>Unauthorised building work means building work, other than work in relation to which an initial notice, an amendment notice, a public body's notice or a regulator's notice has effect, which is done without:</p> <ul style="list-style-type: none"> <li>a building notice being given to the local authority</li> <li>an application for building control approval with full plans of the work being given to the local authority or:</li> </ul> <p>a notice of intention to start work being given to the local authority, in accordance with <a href="#">Regulation 16(1)</a>, where a building notice has been given or an application for building control approval with full plans of the work has been given.</p>		<a href="#">18(8)(a)</a>

This document provides information for some of the more common building work scenarios. Reference should always be made to the Building Regulations 2010 (as amended) for full details.

## PERSONAL INFORMATION POLICY

The Council will use your details, the information about your dealings with the Council and the information about you available to the Council ('your information') to:

- Deal with your requests and administer its departmental functions (e.g. to assist with the processing of your Building Regulations application)
- Meet its statutory obligations
- Prevent and detect fraud
- Conduct surveys and research
- Contact you with information about activities and events involving the Council or with offers which it thinks may be of interest to you.

**The Council may share your information (but only the minimum amount of information necessary to do the above and only where it is lawful to do so) with other departments within the Council (including the elected members), central government departments, law enforcement agencies, statutory and judicial bodies, community service providers and contractors that process data on its behalf.**

**The Council may also use and disclose information that does not identify individuals for research and strategic development purposes.**

**N.B.** All applications for planning matters and supporting documentation are a public record and you should be aware that these records are open to public inspection both in their paper version and in electronic media such as the council website.

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### General Data Protection Regulation (GDPR) notes for Building Regulations Applicant

The Building Control department is required by the Building Act and Building Regulations to use the information you provide for the following:

1. Statutory compliance and enforcement of the Building Act and related acts e.g. Regulatory Reform (fire safety) Order.
2. To enable provision of the building control process including plan assessments, consultations, approval processes and site inspections.
3. Processing documents, inspection records, related certificates including Competent Persons Schemes in accordance with statutory requirements and ministerial directives.
4. Property and owner address information is required to enable the service to be provided and may be shared with statutory consultees e.g. the fire and rescue service and water/waste utility organisations. Information is shared with other departments within the local authority to enable the invoicing of Building Control and other related statutory, service or enforcement processes e.g. Council Tax and Planning for extensions; Land Charges and Waste Management for new buildings.
5. We seek to minimise the personal data we hold to a functional minimum. This data can be seen on request by the data subject.
6. Records relating to building projects are archived. All data is kept secure and can be requested for view by data subjects and is subject to Freedom of Information Requests. The purpose of retaining records is to maintain historical building records and for insurance and legal records in the event of claims, construction failures, future developments and information to support public safety and protection in the event of 'disasters' and dangerous structure events.
7. Aggregated data (minus personal data) is produced to support departmental work management during projects and productivity records for management information only.

All the above is standard practice for processing applicant's projects, enabling compliance, processing payments and keeping archived historical records of construction work to ensure public protection, practical construction help and public safety. No information is used for commercial gain or shared or sold with third parties for commercial gain.

For further information, please view our full privacy policy

[https://richmond.gov.uk/data\\_protection](https://richmond.gov.uk/data_protection)