

Memorandum for Executive Council

SUBJECT

Building Regulations 2019

Memorandum by Chairman of the Environmental and Natural
Resources Committee

ADVICE SOUGHT

1. **Executive Council is asked to consider and approve the draft Building Regulations 2019 (Annex A) for implementation under the Building Control Ordinance 2013.**

**BACKGROUND &
CONSIDERATIONS**

2. St Helena's Building Regulations were last revised in 2001. Construction standards have developed over the past years, making it necessary to develop revised Regulations which reflect developments in the building industry.
3. The proposed Building Regulations aim to improve the quality of buildings on the island. New Sections have been added to regulate for example on Glass Safety and Septic Tanks and other Sections have been revised and updated. A copy of the revised Regulations can be found at (Annex A).
4. The revised Regulations enable construction methods other than traditional block work to be regulated. This is essential as St Helena develops and adopts alternative building technology.
5. The Proposed Building Regulations have been written to be more user-friendly to enable the document to be read and understood by all. They contain more diagrams and the revised text is intended to improve the clarity of the document.
6. The proposed Regulations are clearer and fill gaps that are missing in the current Regulations.
7. It is proposed that the fees chargeable for the provision of the services are increased by 20%, rounded down to the nearest £5.00, as below. This will contribute towards the cost of operating the Planning & Building Control Section but is still a long way from full cost recovery of the service.
8. If this proposal is approved, building fees under the schedule of the Land Planning & Development Control Ordinance Regulations 2013 would have to be subsequently repealed.

New Floor Area Created	Current Fee	Proposed Fee
New Dwellings		
Up to 90m ²	£105.00	£125.00
90m ² up to 120m ²	£155.00	£185.00
120m ² up to 200m ²	£250.00	£300.00
Exceeding 200m ²	£250.00 plus £45.00 for every 45m ² over 200m ²	£300.00 plus £50.00 for every 45m ² over 200m ²
Domestic extensions, domestic alterations and ancillary buildings		
Up to 12m ²	£65.00	£75.00
12m ² up to 30m ²	£100.00	£120.00
30m ² up to 90m ²	£135.00	£160.00
Exceeding 90m ²	£180.00	£215.00
Non-domestic Developments		
Up to 90m ²	£105.00	£125.00
90m ² up to 120m ²	£155.00	£185.00
120m ² up to 250m ²	£250.00	£300.00
250m ² up to 500m ²	£500.00	£600.00
Exceeding 500m ²	£500.00 plus £50.00 for every 100m ² over 500m ²	£600.00 plus £50.00 for every 100m ² over 500m ²

New Roof Structure	N/A	£65.00
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Application for Exemption	N/A	£10.00
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Appeals		
Up to 120m ²	£150.00 (refundable if appeal tribunal allows the appeal)	£180.00 (refundable if appeal tribunal allows the appeal)
Exceeding 120m ²	Twice the application fee but limited to £1000.00 (non-refundable)	Twice the application fee but limited to £1200.00 (non-refundable)

FINANCIAL IMPLICATIONS

ECONOMIC IMPLICATIONS

9. The cost of constructing a building will rise slightly because of the proposed increase in fees. It should be noted that fees have remained static since 12th April 2013.
10. The long term benefit of using fit for purpose materials, designing and developing buildings to stated standards is likely to outweigh the cost, as the building is able to perform its function safely for a longer period without damage or collapse.
11. The Building Regulations set out to ensure that materials used in development shall be 'fit for purpose in the conditions in which they are to be used, adequately prepared, applied and fixed so as to

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perform the functions for which they were designed and made'. Whilst there may be a differentiation in cost in using fit for purpose materials relative to substandard materials, it is expected that bona fide builders are already using fit for purpose materials and therefore these Building Regulations would incur no additional cost where fit for purpose materials are concerned.

12. The Sustainable Economic Development Plan encourages the use of local building materials and as 'nothing in these regulations shall prohibit the use of locally sourced materials' the regulations align with the Sustainable Economic Development Plan.

CONSISTENCY WITH INVESTMENT POLICY PRINCIPLES PUBLIC / SOCIAL IMPACT

13. N/A

14. The standard of buildings should increase thus providing a better standard of living on-island.

ENVIRONMENTAL IMPACT

15. The implementation of these amended Building Regulations should have a positive environmental impact, contributing to improved environmental management within the building industry and improving the environmental quality of new buildings.

16. The provisions included in the Parts on Site contaminants; Resistance to the passage of sound; Rainwater, foul and waste water drainage and disposal; Flue pipes and chimneys and Gas storage will help to minimise and or prevent pollution incidents.

PREVIOUS CONSULTATION / COMMITTEE INPUT

17. Endorsed by the Land Development Control Authority on 3rd October 2018

18. Endorsed by the Environment and Natural Resources Committee on 18th October 2018

PUBLIC REACTION

19. The St Helena public responded favourably to the revised Regulations during the consultation period and it is likely that a similar response will be received when the Regulations are enforced. People will welcome the document being more user-friendly with diagrams as well as the additional content which takes into account, among others, improved quality of buildings on the Island and regulation of alternative construction methods.

PUBLICITY

20. It is recommended that publicity is given in the ExCo report and associated broadcast. If the revised Regulations are approved separate publicity should also follow explaining that the new Regulations are now in force and advising the public on what they can expect with the new Building Regulations and outlining some of the benefits i.e. improved standard of buildings etc.

**SUPPORT TO
STRATEGIC
OBJECTIVES**

This paper supports the Altogether Safer, Altogether Wealthier, Altogether Greener goals in the 10 Year Plan.

**OPEN AGENDA
ITEM**

21. Recommended for discussion in open session.

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Corporate Support
Corporate Services

22nd May 2019

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