

Building Works without Statutory Consent ('Letter of Comfort')

Building works without statutory consent

The Building (Scotland) Act 2003 and its predecessor, The Building (Scotland) Act 1959, both contain a requirement that a Building Warrant be granted prior to any building or demolition work being undertaken. However, the Building Standards and Public Safety service often finds itself requested to assist owners who are having difficulty selling their property due to unauthorised alterations having been carried out, often by previous owners. The process for dealing with such circumstances is often known as a 'Letter of Comfort.'

Inspection of unauthorised works

The consideration of unauthorised works is categorised by date.

1. Works **completed** between 15th June 1964 and 30th April 2005 inclusive.
2. Works **completed** from 1st May 2005

Applications for 'Letters of Comfort'

- Only works falling into the first category above are eligible for a Letter of Comfort application.
- Applications will be accepted at our discretion as the Letter of Comfort process is not appropriate for all cases.

When accepted, a non-disruptive inspection of the work will be carried out with regard to the Health and Safety of people in and around the building. If appropriate, a letter will be issued stating that the Department does not intend to take statutory action in respect of the unauthorised works.

Please note that the inspection may result in you having to complete remedial work prior to the issue of the Letter of Comfort. Failure to do so may result in Glasgow City Council taking statutory action.

For works completed on or after 1st May 2005, or rejected as inappropriate for a Letter of Comfort, you should submit a **Completion Certificate Where no Building Warrant Obtained** through the Scottish Government's [eBuilding Standards](#) portal.

Who will accept a Letter of Comfort?

This letter normally satisfies the parties involved in conveyancing and re-mortgaging transactions etc.

Who can apply for an inspection?

Anyone with an interest in a property. This includes owners, prospective owners, conveyancing solicitors etc., provided that the owner has given their permission to allow access for inspection.

How do I apply for an inspection?

Application can be made by yourself or your agent on the appropriate **Form LC1**, available from our web site www.glasgow.gov.uk. The form requests the following information:

- Your name, address and daytime contact telephone number and the same details for agent (if applicable)
- Address of building where works have been completed.
- The nature of completed works (e.g., extension to rear of dwelling house to form an additional bedroom)
- The date when the works were completed (if unknown please estimate).
- Dependent on the extent of the works detailed, you may need to submit drawings at your expense.

You must sign the declaration agreeing to the inspection of works and acknowledging that you may have to expose elements of the work.

Please note that if we find that the information supplied is false any Letter of Comfort issued will be rendered void.

Are all building works covered by this inspection?

The majority of building works, whether it is to a domestic or commercial property, are covered by this procedure and examples include: internal alterations; extensions; loft-conversions; replacement windows; removal of walls etc.. Please note that an application relating to the sub-division of a dwelling house is an example where we will require the submission of drawings at the applicant's expense.

How long does the process take?

Building Standards recognise that, due to the nature of property sales/purchases, a Letter of Comfort application will often be submitted at the final stages of the process. To assist our customers the Service has performance targets for responding to a request for an Inspection of Works carried out without the Necessary Consent. These targets, and performance against targets, are available on request.

Any remedial works must be completed within a specified period, usually 28 days, after which time the application may be refused.

On completion of a satisfactory inspection, including where remedial works have been requested, a Letter of Comfort will be issued.

How much does this service cost?

The fee for Applications for Letters of Comfort is £350.00

- Please note that in exceptional circumstances additional visits may incur separate/additional fees.
- Cheques should be made payable to 'Glasgow City Council.'