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(Sent by Email)

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CC: Dean Hermitage – Strategic Director of Planning.

John Farnell - Head of Building Control.

Date 21/11/2025

OUR REF: **2024-INS01075F8H4**

Dear Mr Holt,

CONTRAVENTION LETTER – OPERATIONAL STANDARDS RULES

The Health and Safety Executive, as the Building Safety Regulator (BSR), is writing to you as the Chief Executive Officer for Uttlesford District Council. Between July and August 2025, BSR carried out an inspection of your building control functions under Section 58Z8 of the Building Act 1984.

The inspection was to assess compliance with your legal duties under the Building Act 1984 and ascertain the efficiency and effectiveness of your systems, controls and procedures in exercising your building control functions in relation to BSR's Operational Standards Rules (OSRs) defined in the inspection terms of reference at Appendix 2.

During the inspection BSR identified contraventions of relevant requirements, set out in Appendix 1 below. This letter explains what was wrong, why it was wrong and what you need to do to achieve compliance.

You must confirm you have acted on each of these matters, with supporting documents, by the due dates within Appendix 1. We will assess this information and may consider prioritising you for another inspection to ensure operational standards are being met.

If you do not respond demonstrating acceptable action has been taken by the deadline, BSR may take further enforcement measures, which may include the service of an Improvement Notice under Section 58Z4, or a Serious Contravention Notice under Section 58Z5 of the Building Act 1984 (as amended by Building Safety Act 2022). Any enforcement action will be considered in line with our enforcement policy statement www.hse.gov.uk/building-safety/enforcement-policy.htm.

If you would like to discuss the content of this letter or would like further information, please do not hesitate to contact me.

Yours sincerely,



Andy Webb.

Auditor, Building Safety Regulator, HSE.

| Risk | Relevant OSR | Non-Compliance | Improvement | Timeframe |
|------------|--|--|--|------------|
| Operations | <p>1. Systems and Controls</p> <p>1.3 You must keep persons supporting your building control functions fully informed of anything relevant to their engagement with your functions. This includes:</p> <ul style="list-style-type: none"> i) local and national policies ii) technical and procedural guidance iii) any other information that may affect the exercise of your building control functions. | <p>1. You have failed to demonstrate that your building control function’s policies, procedures and processes are documented and adequately reflect current relevant guidance, for the delivery of your building control function.</p> <ul style="list-style-type: none"> i) You did not have a documented procedure in place outlining how the workloads of RBIs are monitored and controlled. ii) You did not have a documented statutory consultation procedure in place. iii) You did not have a procedure detailing the CPD expectations for RBIs or how CPD records are kept up to date. iv) You did not have a documented procedure in place for reversions. v) You did not have a documented procedure in place for the issuing of completion certificates and part completion certificates. vi) You did not have a procedure in place for dealing with regularisations. | <p>1. You must carry out an assessment of your Operational Manual, to identify any gaps or deficiencies in coverage, revising and updating as required. In this activity, you must ensure that you set out your building control policies, procedures, and processes within the Operational Manual to reflect the requirements set out in the Operational Standards Rules (OSRs), Professional Conduct Rules (PCRs) and relevant regulations including the Building Act 1984, the Building (Restricted Activities and Functions) (England) Regulations 2023 and the Building (Restricted Activities and Functions) (Wales) Regulations 2024. You must establish a documented programme for reviews of the Operational Manual, with pre-defined criteria and timed intervals, to assure its adequacy and currency. You must provide details of the measures/arrangements that you will implement to ensure the operational manual (policies and processes), and any updates are communicated to relevant staff, understood and implemented.</p> | 28/02/2026 |

| Risk | Relevant OSR | Non-Compliance | Improvement | Timeframe |
|--------------------------|---|--|--|-------------------|
| <p><i>Operations</i></p> | <p>1 Systems and Controls</p> <p>1.4 Your system and controls must identify, manage and mitigate risks to:</p> <ul style="list-style-type: none"> i) the delivery of your building control functions ii) the reputation of building control compliance with the act, including building regulations made under it, for buildings and any work you oversee. | <p>2. You have failed to demonstrate there were effective arrangements in place to adequately monitor and manage the progress of building control projects. You failed to demonstrate that you were operating a managed, prioritised and timely follow up approach with applicants/agents if they have not requested inspections as set out in inspection plans or otherwise required.</p> <ul style="list-style-type: none"> i) You confirmed there were an estimated 3,604 active projects on your system (some legacy) where a completion certificate is yet to be issued. | <p>2. You must develop and implement effective procedures and processes for the adequate monitoring and management of building control projects. This includes the criteria for prioritisation, timing, scope of inspections and related follow-up/ engagement with client and/or principal contractor, to be documented within procedures.</p> <p>The objective of this must be to assure that there is adequate building control oversight for each project and effective monitoring and reporting systems are in place.</p> | <p>28/02/2026</p> |
| <p><i>Operations</i></p> | <p>3 Building Control Functions.</p> <p>3.9 Building control inspection reports must be supported by appropriate evidence of:</p> <ul style="list-style-type: none"> i) the work inspected and how it was inspected ii) any identified contravention iii) planned and completed interventions and/or enforcement action iv) observations | <p>3. You have failed to demonstrate that inspection reports are supported by appropriate evidence of the work inspected and how it was inspected.</p> <ul style="list-style-type: none"> i) Sample UBR/24/0525/DOM evidenced site inspection reports with inadequate evidence of the work inspected and how it was inspected. | <p>3. To further support your documented Site Inspection Process for Non HRBs, you must develop processes outlining how building control site reports are to be detailed and communicated appropriately to the building owner and building control applicant. Share update with relevant staff and implement.</p> | <p>28/02/2026</p> |

| Risk | Relevant OSR | Non-Compliance | Improvement | Timeframe |
|-------------------|--|--|---|------------|
| <i>Operations</i> | 3 Building Control Functions. 3.11 You must provide building control inspection reports in an easily accessible format. You must provide these to the current building owner on request, and to the building control applicant as soon as possible following inspection. | 4. You acknowledged that site inspection reports are not routinely sent to the building control applicant. It was confirmed site inspection reports are only sent out upon request. i) Sample UBR/25/0210/DOM evidenced that site inspection reports were not sent to the building control applicant as soon as possible following inspection. | 4. See improvement 3 above. | |
| <i>People</i> | 2 Persons 2.3 You must, as soon as you become aware, stop any person from working on any building control function for which they have no valid and relevant competence, supervision, authorisation or registration. | 5. You have failed to put in place adequate, documented supervision arrangements for the Registered Building Inspectors (RBIs), working on behalf of your building control function, on any restricted activities beyond what they have been assessed as competent, and are registered, to undertake. i) You did not have a documented procedure concerning the supervision of RBIs undertaking work outside of their class of registration. Sample UBR/25/1062/OTHBN evidenced a Class 2A RBI undertaking site inspections at a commercial premises without evidence of supervision. | 5. You must develop and implement adequate and effective policies, processes and procedures for supervision of Registered Building Inspectors (RBIs) working on behalf of your building control function on any restricted activities beyond what they have been assessed as competent, and are registered, to undertake. There must be effective arrangements for supervisees working alongside their supervisors for inspections. In-person, accompanied site inspections to be the substantive activity to achieve this. | 28/02/2025 |
| <i>People</i> | 2.4 You must make appropriate continuous professional | 6. You were unable to demonstrate a clear expectation concerning the CPD | 6. See improvement 1. You must develop and implement | 28/2/2025 |

| Risk | Relevant OSR | Non-Compliance | Improvement | Timeframe |
|------|--|--|---|-----------|
| | <p>development available to persons delivering your building control functions. This must include development relevant to technical expertise.</p> <p>2.5 You must keep up-to-date records relevant to the competence of persons delivering your building control functions.</p> | <p>requirements of RBIs within your function. CPD records were held by RBIs on external electronic platforms, you as an LA Building Control Body must keep up to date records relevant to the competence of RBI.</p> | <p>adequate and effective procedures to ensure you are satisfied that RBIs are undertaking the required CPD set by your function. You must ensure RBI CPD is relevant to their area of expertise and that up-to-date CPD records are held by the LA in preparation for re registration.</p> | |

Building Safety Regulator (BSR) Inspection Terms of Reference

Background

The Building Safety Regulator (BSR) undertakes inspections to ensure that Building Control Bodies (BCBs) i.e., Local Authorities (LA's) and Registered Building Control Approver's ('RBCAs') are complying with the Building Act 1984 and associated legislation. BCBs must comply with the published Operational Standards Rules (OSRs), which set out the minimum performance standards expected. All BCBs will be subject to ongoing monitoring and at least one inspection over a five year period.

The Building Safety Act and subsequent secondary legislation provides that inspections of all building control bodies must be on a full cost recovery basis. Further details are available in the BSR charging Scheme. It is not possible to provide a fixed cost at the start of the inspection. Invoices are issued monthly throughout the duration of the inspection.

Objective

The objective of an inspection is to verify that BCBs are complying with the OSRs, as well as identifying opportunities for improvement within the Building Control profession. Where non-compliances are identified then BSR as the regulatory authority have a series of escalating sanctions and enforcement measures to maintain standards and deal with poor performance.

Risks

The BSR uses a risk-based and intelligence-led approach to assess the performance of BCBs. Our approach to monitoring and assurance is:

- Proportionate
- Targeted
- Transparent
- Consistent

We have identified the following risks, which will form a key focus of the review:

Risk 1 – Governance

Relevant OSRs: Systems and controls 1.1, 1.2,1.4, 1.10,1.12; Enforcement & Intervention 3.1

- Unclear authorities and/or accountabilities results in poor building control regulatory decision making.
- Inadequate performance and risk management arrangements undermines the organisations ability to implement robust regulatory controls.

This may lead to ineffective discharge of statutory building control functions/activities and enforcement action.

Risk 2 - People - Capacity and Capability (Competence).

Relevant OSRs: Persons 2.1 to 2.6

- Insufficient resources and a lack of competent RBIs, results in ineffective and inefficient delivery of building control functions and activities.
- Inadequate L&D strategy, training, ongoing CPD and management of Class 1 RBI supervisory arrangements results in regulatory skills gaps.

This may lead to ineffective discharge of statutory building control functions/activities and enforcement action.

Risk 3 – Operations

Relevant OSRs: Systems and controls 1.4, 1.5, 1.6, 1.11, 1.14, 1.15; Building control functions 3.1 to 3.12; Enforcement and Intervention 4.1,4.5.

- Operational policies and processes are not adequately implemented or monitored in line with the LA Quality Management System (QMS) resulting in ineffective and inefficient delivery of building control functions and activities.
- Inspection plans are not targeted or risk based resulting in ineffective regulation and weak assurance.
- Statutory consultations are not appropriately conducted, documented or advice acted on.

This may lead to ineffective discharge of statutory building control requirements and enforcement action.

Scope

The scope of inspections will include (this is not an exhaustive list):

- assessing your governance, risk management and control arrangements to determine if your building control statutory obligations are being met aligned to the Operational Standards Rules (OSR's). This will include assessing assurance activities in place as the LA remains accountable for effective and efficient delivery of its statutory building control function and activities.
- assessing compliance with your building control systems, policies and processes as set out in your Quality Management System.
- assessing how you are prioritising and delivering your building control functions/activities aligned to 'The strategic context for the regulated framework'.
- establishing if you have:
 - sufficient, experienced and qualified staff with competencies appropriate to the type of building control work undertaken;
 - workforce and succession plans in place to enable ongoing effective and efficient discharge of your statutory BC functions and activities; and
 - robust arrangements for continuing professional development and training to maintain competence.
- evaluating the robustness of the building control inspection regime through sample testing. For example, seeking evidence to support appropriate decision making aligned to the OSR requirements through review of completed statutory consultation reports, initial plans, project inspection plans, site inspection reports, issue of completion certificates, competence records etc.

Approach

We will require you to provide supporting documentation requested in a timely manner. Some of this information may be requested up front to ensure we can complete the inspection as efficiently as possible. Any call for documentation in advance of the inspection must be provided in digital format within 10 working days from the date of the inspection notification letter.

Inspection methods typically include a combination of:

- examination of systems of work, procedures and relevant documents.
- discussions with people, including, directors, managers, and building Inspectors.
- observation of work activities, practices and conditions.

We will be looking for:

- risks that prevent the achievement of the system or process objectives;
- events in the system and processes where we would expect controls;
- the controls we would expect to be in place to mitigate the risks; and
- the actual controls that are in place to manage the risks.
- periodic updates on the implementation of agreed actions after the inspection completes.

Timings

1. BSR will provide 14 days' notice of an upcoming inspection.
2. BCBs must respond to requests for information and meetings in a timely manner, and no later than 10 working days.
3. BCBs must respond to inspection report findings within 10 working days. This response time may be reduced if serious contraventions are identified.

Distribution

In planning our inspection, we will discuss with you the name of any persons within your organisation that are best placed to provide the information required, which may also include interviewing staff engaged by your organisation, including Registered Building Inspectors (RBIs) engaged by the organisation.