

BUILDING CONTROL UK - AN HISTORICAL REVIEW

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ABSTRACT

Most countries in the world today have some form of system to control the construction of buildings in the interest of the health and safety of those who occupy them. The United Kingdom was and remains in the forefront of major industrial countries that have had a system to control building for over 300 years. The purpose of this paper is to review the development and evolution of that system, the approaches made to balance the system with the growth of technology, accommodating the interests of the construction industry with the benefits received by society and the political processes necessary to achieve the desired standards. The paper relates more to the system of control than the regulations within the system. It will be shown that professional application, simplicity of operation, enforcement are key components together with comprehensive research and consultation with those involved in the process. The review of the historical aspects of a building control system will enable Construction personnel, Architects, Surveyors and Government Officials to avoid the pitfalls of the past.

INTRODUCTION

The evolution, development, problems and achievements of the building control system in England and Wales has not been widely researched. My interests in this subject began when I was a student. Little information was available and what there was either incorrect or contradictory. As a practicing Building Surveyor involved with the control of the construction of buildings I began to research this topic which resulted in a paper to the Association of Architects and Surveyors in 1982 [1] and was the basis of a Masters Degree in 1990 [2] followed by a book published in 2000. In the early 1990's Roger Harper was undertaking research into the evolution of the English building regulations between 1840 and 1914 [3]. His work was primarily concerned with the technical requirements, how they grew and changed. Gaskell has taken the basis of this work in producing a book on Victorian building control [4]. There has not been other significant work in this subject

THE SYSTEM IN ENGLAND & WALES

The control of buildings is one of the oldest forms of Local Government responsibilities. In England it can be traced back to the 12th Century. The modern system evolved from the aftermath of the Great Fire of London in 1666. Prior to that tragedy serious fires had occurred in many other large towns in England that resulted in Local Acts being acquired to control the rebuilding. These Acts were mainly based on the Calais Paving Act of 1548 [5] which required the roofs of buildings to be covered with slate or tile rather than being thatched with straw or water reed. A patchwork of control emerged with towns only having such controls following a local disaster as to seek a private Act was very expensive. These local improvement Acts represented local action taken by local people to solve what was considered a local problem.

The devastation caused by the Great Fire of London was due to the congested nature of the buildings and the extensive use of combustible materials [6]. Never the less the extensive damage was still considered a local problem and a solution was sought by introducing more comprehensive legislation than existed in previous local improvement Acts. The rebuilding of London was controlled by the London Building Act of 1667 [7]. Local Acts had mostly failed because of the lack of enforcement. The London Act sought to overcome that problem by requiring the appointment of three Surveyors to oversee the working of the Act. It appears that these Surveyors were not replaced, for whatever reason, when they died or resigned their appointment. The 1667 Act was not as successful as originally intended and was replaced by the

Acts of 1772 and 1774 [8]. An early lesson gain from the implementation that for an Act to have any effect the ability to adequately enforce its provisions has to be made.

Bristol, a busy port in the west of England also harboured many narrow streets and timber framed buildings and secured a Building Act in 1788 [9]. This Act followed closely the provisions of the London Acts and was further improved in 1840 [10]. Liverpool, another port, another town that had expanded by 100% to accommodate Irish immigration between 1801 and 1830, also sought a Building Act but the motivation by the City Corporation was not one of fire but that of health. The congested residential development with poor infrastructure was considered to be the major cause of the high levels of such diseases as typhoid, typhus and tuberculosis. An Improvement Act was secured in 1825 but its contents had little effect on securing the improvements needed [11].

Previously the areas of concern that had emerged were structural stability and protection from fire. A third major issue was beginning to arise and that was restricting the spread of disease.

Cholera spread rapidly over Britain in 1832. The disease did not limit its effect to one town or class of person. Such was the extent of death that it prompted calls for some form of remedial action. It was not considered to be a local problem. Cholera knew no boundaries. It had spread from the Far East and was ravaging major towns and rural areas alike. In the fifth annual report of the Poor Law Commissioners [12] was attached a report by Dr. Thomas Southwood - Smith* in which he considered that some causes of the disease could be removed by sanitary measures in the form of Building Regulations. This report was the basis for a Select Committee of Parliament [13] to enquire into the causes of discontent of the working classes in populous districts. One of the findings of this committee was that there was no National Building Act to enforce the proper construction of dwellings and no Act to enforce effective drainage of buildings. This was proposed in a Bill presented to Parliament in February 1841 for a Building Act. The basis of the Act would be taken from the provisions contained in the London and Bristol Building Acts. All Metropolitan Districts and large Towns would be able to adopt the provisions of the Act thus avoiding the costly application of a private Local Act. It was now seen that a national problem required a national solution, namely a national Building Act

DEVELOPMENT OF THE LOCAL AUTHORITY BYELAW SYSTEM

The Bill failed to make law partly due to resistance by the builders who saw it as a restriction on their profitability and by Local Authorities who saw it as limiting their right and function as a form of local control. Local authorities were fearful that national acts would impose financial implications that the limited number of local taxpayer and voters would have to meet. The use of local Acts enabled these persons to control expenditure to what they considered they could afford. This applied especially to London who did not want to see the demise of their Building Act. Compromises to meet such objections weakened the Bill to such an extent it was not worth proceeding with. The report of the Poor Law Commissioners in 1842, commonly known as the Chadwick Report [14] put an end to any further advances for a national Building Act, an Act which allowed the progress of local Improvement Acts, in turn these Acts becoming the mainstay of local improvements and minor but fragmented building controls. Chadwick's proposal for both a national and local Board of Health further antagonized local resistance to central control again local Councils feared additional expenditure and unwelcome political interference. Some towns were less fearful of Cholera than they were of Chadwick and his Board of Health. As a means of assisting Local Councils introduce improvements within their districts a Towns Improvement Clauses Act was passed in 1847 enabling Councils to adopt provisions of the act without the necessity of incurring expenditure to secure a private Act.

Following the demise of Chadwick and his Board of Health, local control was strengthened with the introduction of the Local Government Act of 1858. It was under this Act that Local Authorities had the power to make and adopt building byelaws as a means of controlling the

* Southwood-Smith, T. (b. 1788 d.1861), Presented reports to the Poor Law Commissioners 1835-39. Founder member of the Health of Towns Association 1840; Member of Board of Health 1848.

construction of building. The larger towns and cities eagerly took up these powers but not so in the rural areas. Control remained fragmented and of varying standards but it remained largely in the hands of Local Authorities for the next 126 years. The Public Health Act of 1875 was a milestone in the development and consolidation of Victorian public health legislation. It encouraged previously uncommitted Local authorities into adopting building byelaws. The Acts of 1890 and 1907 enhanced the byelaw making powers providing even greater control over building construction. Not all authorities adopted building byelaws and those that did were slow in updating to accommodate changes due mainly to technological changes. This produced a backlash. The By-Law Reform Association advocated for the removal of by-law control and this resulted in the establishment by the Government of a Departmental Committee to examine the complaints raised. The Committee was formed in 1914 but due to the First World War did not complete its deliberations until 1918 [15]. Apart from allowing Local authorities to be exempt for compliance with out dated byelaws in their need to build homes fit for heroes, the remainder of the recommendations had to wait to be incorporated into the Public Health Act of 1936. However the trend was for a uniformity of requirement throughout England and Wales and to achieve this a greater involvement by central government was needed. The Ministry of Health was playing a leading role in updating model byelaws to enable Local authorities to adopt and keep up to date, but this was not happening. By 1936 60 Local Authorities had not adopted a single building byelaw. Central control of the system was strengthened by the 1936 Act that required all Local Authorities to adopt building byelaws, based on the model series, by 1939. However in 1939 greater priorities existed for the British government. After the war rebuilding took priority and byelaws were seen as a restriction to the rehousing programme. The model series was revised in 1953 but the discretion remained with Local authorities to adopt. The continued lack of uniformity maintained demands for simpler administration and requirements. The Public Health Act of 1961 and the Health & Safety etc. Act of 1974 advance these principles with the introduction of national building regulations to replace local byelaws. The ability to relax onerous or irrelevant requirements and the provision of fees went some way to addressing the problem areas. Central control was now dominant but Local Authorities remained with the discretion as to how the regulations were enforced. It was not until the Thatcher led administration that these concerns were more radically addressed.

THE EVOLUTION OF THE MODERN SYSTEM

1984 saw the introduction of a national Building Act, some 144 years after it was first proposed. With it came a major shift from local to central control and from public to private administration. Why such changes, what were the influences and how successful have these changes been? In a speech to the National House Building Council in December 1979, the Secretary of State for the Environment said "I want to speak to you about a field in which we can take constructive action. It is important for this industry, and it needs attention. I am speaking about the system of Building Control; does it serve us well enough, does it address itself to the right objectives, and if not, how can it be improved" [16]. The speech was somewhat provocative but that was the intention, to stir up opinion and get the debate moving. He indicated that the system must meet four objectives.

- i. Maximum self-regulation
- ii. Minimum Government interference
- iii. Total self-financing
- iv. Simplicity in operation

This approach implied a radical change. Most changes to public administrative systems fall within one of four ways.

- a. Incremental, small changes due to political, economic or technological implications or pressure
- b. Systematic, a systems approach based on first principals of aims, objectives and criteria
- c. Historical, in that the past determines or greatly influences the future
- d. Structural

The structure dominates the mode or extent of change. These actions led to the introduction of a Housing and Building Control Bill into Parliament and after much debate eventually the building control bit was consolidated with building control provisions in 42 other Acts and four statutory instruments to become the Building Act of 1984. There followed, in 1984, a Government Command Paper entitled "Lifting the Burden" [17] which indicated the areas of change in accordance with the four objectives set out in the Command paper in 1981 [18].

Maximum self-regulation

Society has found it increasingly important to introduce and increase legislative measures to obtain adequate protection from buildings that constitute a danger in the event of a fire, unhealthy conditions due to dampness, lack of space, ventilation, sanitation and drainage.

The development of the byelaw system administered by Local Authorities resulted in an extensive anti-byelaw campaign at the turn of the century. This movement succeeded in having an anti-byelaw Bill passed in the House of Lords in 1905 and 1906 but after some resistance by the Local Authorities Association and the failure of the Movement to agree a compromise the Bill proceeded no further. However the Movement raised much support, which continued under the umbrella of the British Constitutional Association, accepting that building byelaws were an intrusion into the freedoms of the Constitution. The Movement had its first success obtaining relaxation from byelaw control affecting working class housing and this was followed by obtaining exemption for educational buildings in 1911. The campaign continued under the philanthropic guise of the Housing of the Working Classes Bills and when the Bill of 1914 proposed virtual exemption for all building works without putting any form of self-regulation in its place, the whole matter of building byelaw control was referred to a Departmental Committee. The Departmental Committee reporting in 1918 did not consider the problem could be overcome by Industry having self-regulating powers but by strengthening the Local Authority system with regular updates for byelaws, better uniformity and introducing appeal system. These measures would increase the bureaucracy in the system, which in itself was a major cause of complaint. The recommendations of the Departmental Committee eventually were incorporated into the 1936 Public Health Act. Further complaint from the Industry resulted in national Building Regulations replacing the various forms of Local Authority building byelaws establishing better uniformity throughout England and Wales. Industry maintained the pressure for change and in 1972 a Building Act was proposed and the Bill envisaged consolidation of legislation, repeal of Local Acts, removal of exemptions, greater flexibility, improved appeals system and the provision of fees. This Act did not materialize but most of the proposals emerge as the Health and Safety at Work Act of 1974. The Act again increased the administrative bureaucracy and in many situations impeded the industry rather than being helpful. Further pressures were aimed at reducing the administrative difficulties and allowing the Developer and Builder the choice to use a less bureaucratic system, which would provide an independent certification. The Government accepted these principles and a Command Paper proposed the introduction of independent qualified professionals as Approved Inspectors and Approved Persons, Certification of building proposals and building work, Self Certifying Bodies such as Public Bodies and the continuance of the Local Authority system.

Minimum Government Interference

Whatever changes any Government wishes to make it must get involved and "interfere". Prior to 1858 Local Authorities were the controlling force and resented Government interference into areas in which they felt they had the responsibility. Certainly very good for democracy but the discretionary nature of control produced an uneven system which resulted in considerable objection. Byelaws introduced in the early 1860's were limited to [a] structure of walls for securing stability and prevention of fires, [b] space about buildings for air circulation and ventilation, [c] drainage [d] administrative provisions. The overall structure was far from satisfactory, Local Acts, Local byelaws, No Acts, No byelaws. Eventually this situation was reviewed by the Royal Sanitary Commission who in 1870 recommended improvements which formed the basis of the consolidating Act the Public Health Act 1875. This set the framework until the Public Health Act of 1936. The Public Health Act of 1961, the Health & Safety at Work Act 1974 and lastly the Building Act of 1984 followed this. All as a result of Government interference. The system proposed by the 1984 Act would be to minimize further interference by having the legislative framework to enable

regulations to be easily updated, administrative procedures less cumbersome, disputes more easily resolved and greater involvement from the professions and industry.

Total Self-Financing

Financing of a building control system independent of public funds is not new. A fees system has been operating in London since the Act of 1667, followed by Bristol in 1788. The Building Bill of 1841 proposed a fee system similar to that existing of London. The Bill envisaged that the Surveyors income would be solely by fees generated from the work they would supervise. Chadwick dismissed fee payment in the Poor Law Commissioners Report [14*] in which he considered the proposed scale of fees which could be received in one day would pay for a whole Board of Royal Engineer Officers but this may have reflected not on the system of fees but on the poor salaries paid to Army Officers. Fees were excluded from any of the Public Health Acts but emerged once again following the Health and Safety at Work Act of 1974. Fees were brought into the Local Government system in 1980 but the Government stated the scale of fees. The proposal was now to free Local Authorities into charging an amount that would cover their expenditure and not expect the taxpayer to support the cost of the administration. Approved Inspectors would be able to negotiate the level of fees for their service but being a private concern had to be aware of the commercial aspects.

Simplicity

A definition of simplicity is "Consisting of one element, not divided into parts". Local Authority control was one system but the introduction of Approved Inspectors introduced another system. Not exactly simple but what was envisaged was that one was able to choose the system that suited the needs of the Developer / Builder and not that of the Government or Local Authority. Those that chose the Local Authority system would be subject to the bureaucracy of that system whilst those that chose to use the service provided by an Approved Inspector would avoid the administrative regulations and negotiate the nature and level of service they wanted.

THE APPROVED INSPECTOR

The debate that occurred during the consideration of the Building Bill both inside and outside of Parliament was very varied. The trade union in which Local Authority Surveyors were members were totally opposed to outsourcing the service aspects of the system with the resultant fear of job losses and income to the union. The professions differed. Those with Local Authority connections were opposed but those whose members were mainly in the private sector were supportive of the changes. The main support came from the National House Builders Council, [NHBC] who was the original instigators to the legislative changes. It was not surprising to find that the NHBC were the first Approved Inspector appointed by the Government Department responsible for such matters [19]. The NHBC protected its share of the building control market and it was not until 1997 that other Approved Inspectors were allowed to practice.

Approved Inspectors are placed into two categories, Corporate and Individual. Corporate are those who are Companies, either private or public, whilst Individuals are as the title indicates. Both Corporate and Individuals must be professionally qualified both by examination and experience. In the first instance the Department of the Environment examined applications from Corporate Bodies whilst the Construction Industry Council examined, on behalf of the Government, applications from Individuals. The lack of prescribed qualifications for surveyors appointed by Local Authorities had been one of the weaknesses of that system. There was no statutory requirement for Local Authorities to appoint staff for this area of public service. Local Authorities had the discretion to appoint what ever staff if considered necessary and at what skill or professional level they could afford. In the 1870's the city of Sheffield appointed a Surveyor who could not read or write as a deliberate ploy to ensure the byelaws could not be enforced but objections from the City organizations soon had this changed. At the height of the anti-building byelaws campaign the Surveyor of South Stoneham District Council was described as a person who had the qualifications of a coster with the authority of a censor. It was advocated that the surveyor should be a qualified person. The surveyors who administered the London Building Act

* *op. cit.* [14] p. 333

of 1855 had to be qualified. It was a requirement of that Act. The Royal Institution of British Architects conducted an examination of suitably experienced candidates for the office of Building Surveyor to Local Authorities and this led on to the examination for District Surveyors of London.

The Institution of Municipal Engineers, founded in 1873 conducted examinations in 1886 which included the subjects of building construction, law and building byelaws. However persons holding this examination did not undertake building control work but appointed junior staff to do so. It was not until, the Public Health Act of 1936, which required all Local Authorities to adopt building byelaws that the Institution conducted an examination especially for Building Inspectors. The Royal Institution of Chartered Surveyors, formed in 1868, introduced examinations in 1881 that was compulsory by 1891 [20] but the subject of building regulations did not appear in the examinations until 1972. The Association of Architects and Surveyors, now the Association of Building Engineers examined in the subject of municipal Building Surveying in 1952. The Institution of Building Control Officers, a spin off from the associated status it had with the Institution of Municipal Engineers also examined in this subject until its merger with the Royal Institution of Chartered Surveyors in 2001. With the development of specific examinations for persons engaged in the professional administration of building control responsibilities it was relatively easy to prescribe such a qualification as a basic requirement to become an Approved Inspector. In addition to holding such a qualification an applicant wishing to become an Approved Inspector has also had to have a minimum of five years relevant experience and to be examined by the Construction Industry Council who is appointed by the Government for the purpose of appointment and regulating the activities of Approved Inspectors. An approval has to be renewed every five years when a further examination of experience and continuous professional development. Approved Inspectors have to carry out their responsibilities according to the Building Act of 1984 and The Building [Approved Inspectors etc.] Regulations 2000.

THE LOCAL AUTHORITY

The responsibilities of the Local Authority remain virtually untouched by the Building Act. Section 91 of the Building Act 1984 defines the “duty” of a Local Authority to enforce the building regulations in their area. This responsibility does not exist whilst the building work is subject to control by an Approved Inspector. However if an Approved Inspector cannot certify the building work the Local Authority has to be informed and control reverts back to the Local Authority who have the legal powers set out in the Building Act 1984 to fulfill their enforcement responsibility.

Local Authorities have always had the discretion as to how they undertake their responsibilities. It is a long held principle frequently fought political battles to retain this discretion in all areas of responsibilities. As we have seen the early battles to establish a national Building Act in 1840 resulted in Local Authorities enhancing their own Improvements Acts and establishing the building byelaw system in 1858. Local Authorities had the discretion whether to adopt building byelaws or not and if so the number and experience of those persons employed to administer the byelaws. In 1930 some 60 Local authorities had not adopted a single building byelaw. This aggravated central government who, by the Public Health Act of 1936 required all Authorities to adopt building byelaws, as set out in the government’s model building byelaws by 1939. The Second World War prevented a proper application of such byelaws and it was not until 1953 when new model byelaws came into being that Authorities established some form of national control with basically the same standards.

How the byelaws, and from 1962, building regulations, were administered remained at the discretion of each Local Authority. How many staff, what experience, and what qualification, if any, was solely within their powers and remains so today. Local Authorities are not subject to the rigours of examination as are Approved Inspectors, neither can their responsibilities be taken away from them, unless by Act of Parliament. It has been accepted by the Government that Local Authorities are responsible organizations that fulfill their obligations and they are best suited to adapt their financial and human resources according to their needs. Lord Wilberforce when giving judgment of the *Anns v Merton* appeal “public authorities have to strike a balance between efficiency and thrift, whether they get the balance right can only be decided through the ballot box and not in the Courts.” [21].

Local Authorities have been prompted on occasions to review their performance. In the late Victorian period legislative changes restricted the ability to enforce where mal administration had occurred. In more recent times the legal ramifications of liability following the *Sadie Dutton v Bognor Regis District Council* [22] resulted in Local Authorities taking stern measures in ensuring their staff were suitably trained and qualified and at the same time recruiting trainees to ensure a continuation of trained personnel. The matter of liability for faults due to inadequate inspections was reinforced by the *Anns v Merton London Borough* with similar response by Local Authorities. The pressure of facing claims for negligence was reduced in 1989 when the judgment given in the *Murphy v Brentwood District Council* overturned the previous judgment [23]. This limited liability to injury or impairment of health of a person or persons affected. This did not result in Local Authorities drastically reviewing their policies or staffing arrangements as at that time the effects of competing with Approved Inspectors meant that an efficient service had to be provided.

PERFORMANCE REVIEW

Like most organizations that enjoyed a monopoly the loss can provoke reactions that are not always considered to be proper. The Trade Union to which Local Authority staff belonged quite naturally opposed any move, part or whole, of what was seen to be a public service being opened to the private sector. This opposition continues to this day. Local Authorities had the statutory duty to enforce but they also had the discretion to provide a complete service. This double role placed them in a position where by if they could frustrate Approved Inspectors from their clients they had a commercial advantage. As a result some uncompetitive practices occurred which resulted in the Government issuing a Circular describing these practices and calling for a discontinuation [24]. These practices included the requirement to use the Council services when the Council allocated land for building, in issuing planning consents by unnecessary delays or even refusal, improper use of other public health powers, improper rejection of Initial Notices and the mixing of public advice and promotion of a competitive service. This Circular has been withdrawn as a result of the agreement of the Government departments, Construction Council, Local Authorities and Association of Corporate Approved Inspectors as to the standards of performance in the delivery of a building control service [25]. This document was produced as much to unify the approach by some 440 Local Authorities, as it was to ensure a balance of service between public and private sources. However the principle that each Local Authority has the discretion to delivery its responsibilities and services in the manner they feel best remains and consequently differences of service delivery remains. This equally applies to Approved Inspectors but the penalty of imprisonment and loss of consent to practice are deterrents that are not faced by the public sector.

Local Authorities have, in the main, responded well to the changes. There has been improved cooperation between Authorities, exchange of information, assistance with service delivery, involvement with housing and commercial warranty schemes, a linkage of services to try and provide a national service so as to overcome the limitations of area boundary restrictions. The recent cases of *Butler & Young v Carrick District Council* and *Butler & Young v Bedford Borough Council*, both cases revolving around the acceptance of Initial Notices, show that there is some difficulties remain in the general acceptance of Approved Inspectors.

CONCLUSIONS

The incremental evolution of the building control system has enabled and been effective in ensuring a satisfactory improvement in the quality of building in the interests of public health and safety, welfare and convenience.

It has taken 144 years for England and Wales to obtain a Building Act from when it was first proposed in 1840. The Act was a consolidating Act but absorbed the long running debate regarding system bureaucracy, professional standards and choice whilst retaining the tried and tested Local Authority role of enforcement. The Act enables the regulation requirements to be altered and improved without further parliamentary involvement thus improving time scales and reducing its associated bureaucracy. The consultative arrangements with the Building Regulation Advisory Committee and with relevant professional bodies ensure an acceptable standard of regulation requirement. It is not expected that there will be any further legislative action to remove

the principles on which the 1984 Act was structured. Most Governments are concerned about the effectiveness of their Public Services and no more so than the British Government. Where it can be established that a contribution from the private sector actually improves the service given to the public can only be good. However one has to continually face political ideology of service delivery that to some is more important than the service itself. It appears to me that the role of the Approved Inspector is here to stay. After all the administration of the London Building acts was based on such a system although they were called District Surveyors. Such persons were not taken fully into the public system until 1936. The ability to control the professional standards of approved Inspectors and the way they practice, including penal and professional punishment is not undesirable and differs immensely from the Local Authority system. The dual role performed by Local Authorities of enforcement and competitive service delivery is a difficult to effectively manage as the same Local Authority personnel undertake both elements. As the dichotomy between these elements due to the advancement of commercialism at the expense of public enforcement there is a resulting imbalance, which does not favour the important role of public protection, namely enforcement that the Act sets out to achieve. To ensure that this does not occur it is important for these two elements to be separated either transparently within the Local Authority or retaining enforcement within Local Authorities and widening the role of Approved Inspectors.

REFERENCES

- [1] Ley, A.J. (1982), Historical Aspects of Building Control. The Incorporated Association of Architects and Surveyors, Municipal Building Surveyors Conference, Bournemouth
- [2] Ley, A.J. (1989), "Building Control- Its development and application 1840-1936", M.Phil Thesis. Open University
- [3] Harper, R.A. (1985), Evolution of the English Building Regulations, Unpublished PhD Thesis, University of Sheffield 1978 , number 4316
- [4] Gaskill, S. M. (1983), Building Control – National Legislation and the introduction of local byelaws in Victorian England, Bedford Press, London.
- [5] Calais Paving Act 1548, 2 & 3 Edw VI, c 38
- [6] Porter, S. (1998), The Great Fire of London, Godalming, Surrey, Bramley Books
- [7] The London Building Act (1667), 9 Car II, c 3
- [8] The London Building Act (1772), 12 Geo.III c 73 & 1774, Geo.III, c78
- [9] An Act for regulating Buildings and Party Walls within the City of Bristol (1778), 28 Geo III, c 66
- [10] An Act for regulating Buildings and Party walls within the City of Bristol and the widening and Improvement of Streets within the same (1840), 3 Vict, c77
- [11] An Act for the better regulation of Buildings in the Town of Liverpool (1825), 6 Geo. IV, c 25
- [12] House of Commons Papers (1838), Report as to the removal of some causes of disease by sanitary regulations. Poor Law Commissioners 4th Annual Report. Appendix A No.1 P.P., Vol. 20 pp. 62-96
- [13] Health of Towns Select Committee
- [14] Chadwick, E. (1842), Report on the Sanitary Conditions of the Labouring Population of Great Britain, by the Poor Law Commissioners, Edwin Chadwick, Secretary, 14th July 1842
- [15] The Departmental Committee on Building Byelaws (1918), Cmnd 9213
- [16] Heseltine, M. (1979), Secretary of State for the Environment, Speech at the Annual Dinner of the National House Building Council, December 1979
- [17] Government Command Paper (1984), "Lifting the Burden", Cmnd 9571, July, London HMSO.

- [18] Government Command Paper (1981), The Future of Building Control in England and Wales, Cmnd 8179, London, HMSO.
- [19] Hansard (1985), 6th Series, Vol. 86 p. 26, 11 November.
- [20] Thompson, F.L. (1968), Chartered Surveyors – The growth of a Profession, London, p. 181
- [21] Anns v Merton London Borough (1977), 2 W.L.R. 1024 and 2 All E.R. 492
- [22] Dutton v Bognor Regis District Council (1972), 1 All E.R. 462
- [23] Murphy v Brentwood District Council (1989)
- [24] Department of the Environment Circular (1996), Local Authority Building Control and Related Services, Uncompetitive Practices 26, March, London, HMSO
- [25] Building Control Performance Standards (1999), D.E.T.R., London, HMSO, July.

BIBLIOGRAPHY

A. PRIMARY SOURCES

(1) Acts of Parliament

Calais Paving Act. 2&3 Edw.c.38
 London Building Act 1667 9 Car II c3
 London Building Act 1772 12 Geo III c 73
 London Building Act 1774 Geo III c 78
 Bristol, Building Act 1788 28 Geo III.c.66
 Liverpool Building Act 1825 6 Geo IV.c.75
 Municipal Corporation Act 1835 6 & 6 Will. C.76
 Bristol Building Act 1840 3.Vict.c.77
 Liverpool Building Act 1842 5 Vict.c.44
 Bristol Building Act. 1847 10 & 11 Vict c.34
 Local Government Act 1858. 21 & 22 Vict c.98
 Public Health Act 1875. 38.& 39 Vict c.55
 Public Health Amendment Act 1890 53 & 54 Vict c. 59
 Public Health Amendment Act 1907 7 Edw 7 .c. 30
 Public Health Act 1936 26.Geo 5 & Edw 8 c.49
 Public Health Act 1961 9 & 10 Eliz 2 c.64
 Health & Safety at Work Act 1974 c.37
 Housing and Building Control Act 1984 c. 39
 Building Act 1984 c. 55

(2) Building Byelaws

Model Building Byelaws 1st Series 25 July 1877
 Model Building Byelaws 1890 – 1899 - Urban Series 1912 – Intermediate Series 1V c
 1928 – Rural Model 1Va 1928 – 1935 – 1953

(3) Building Regulations

Building regulations 1965 – 72 – 76 – 85 – 91 – 2000.
 Building [Approved Inspector etc] Regulations 1985 - 2000

(4) Reports

PP Poor Law Commissioners 4th annual Report 1838 5th Annual report 1839
 PP Poor Law Commissioners Report on the sanitary conditions of the Labouring
 Population 1842
 Proposals for a Building Bill 1972
 Hansard Parliamentary Reports 1840 –2000.

(5) Command Papers

The Future of Building Control in England and Wales Cmnd 8179 HMSO 1981

(6) Circulars

Department of the Environment No. 1/96 March 1996

(7) Committees

PP Report of the select Committee on Health of Towns 1840
PP Departmental Committee on Building Byelaws 1918 Cd 9213
PP Housing [Building Construction] Committee Report 1918 Cd 9191

B. Secondary Sources

Brunskill R.W 1982 Houses London.
Burnett J. 1978 A Social History of Housing 1815-1970 Cambridge Cambridge University
Chance W. 1914 Building Bylaws in Rural Districts . London .King & Son
Daunton M 1983 House and Home in the Victorian City London.
Dyos H.J. 1908 The Speculative Builders and Developers in Victorian London. Victorian
Studies X1
Fraser D. 1979 Power and Authority in the Victorian City. Oxford
Fraser W.M. 1950 A History of Public Health 1834-1939 London
Garnham-Wright 1983 Building Control by Legislation – The UK Experience. Chichester.
J.Wiley & Sons
Gaskill S.M. 1983 Building Control- National legislation and the introduction of Building
Byelaws. London Bedford Press
Knowles C.C & Pitt P.H. 1972 The History of Building Regulation in London 1830-1970.
London Architectural Press.
Lewis R.A. 1952 Sir Edwin Chadwick and the Public Health Movement. London.
Lucas R.M. 1906 Anti Building Byelaws. London
Najarajan R. 1976 Standards in Building London.
Porter S. 1998 The Great Fire of London Godalming Bramley Books.
Simon J. 1893 English Sanitary Insitutions. London
Thompson F.L. 1968 Chartered Surveyors-The Growth of a Profession. London Routledge
& Kegan Paul
Toumlin – Smith J. 1851 Local Self Government and Centralisation London

Journals

The Builder
Building design
Building Today
Building trades Journal
Municipal Journal