1964 No. 712 (S. 43)

BUILDING AND BUILDINGS

The Building (Scotland) Act 1959 (Procedure) Regulations 1964

Made - - - -	*14th May* 1964
Laid before Parliament	*26th May* 1964
Coming into Operation	*15th June* 1964

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In exercise of the powers conferred on me by sections 2, 4, 6, 7, 9, 20 and 24 of, and Schedule 3 to, the Building (Scotland) Act 1959(a) and of all other powers enabling me in that behalf I hereby make the following regulations—

GENERAL

Citation and Commencement

1. These regulations, which may be cited as the Building (Scotland) Act 1959 (Procedure) Regulations 1964, shall come into operation on 15th June 1964.

Interpretation

2.—(1) In these regulations, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively—

" the Act " means the Building (Scotland) Act 1959 ;

" affected proprietor " has the meaning assigned to it by regulation 6 ;

" application for warrant " includes an application for warrant for minor works ;

" building " has the meaning assigned to it by section 29 of the Act ;

" buildings authority " has the meaning assigned to it by section 1 of the Act, and in relation to any function of the buildings authority which has been delegated to a committee, includes that committee ;

" Building Standards Regulations " means the Building Standards (Scotland) Regulations 1963(b) ;

" change of use " in relation to a building means such change in the use or occupation of the building as will bring it within a class of building to which the Building Standards Regulations apply, or, if it is already within such a class, within a class to which additional or more onerous provisions of the Building Standards Regulations apply ;

" certificate of completion " has the meaning assigned to it by section 9 of the Act ;

" master of works " means a master of works appointed under section 21 of the Act and, in relation to any building, means the master of works so appointed for the burgh or, as the case may be, the landward area of the county, in which the building is, or will be, situated ;

" minor works " means such construction of buildings as is prescribed under regulation 3 ;

" owner " in relation to any land or building includes any person who under the Lands Clauses Acts would be enabled to sell and convey the land to the promoters of an undertaking ;

(a) 7 & 8 Eliz. 2. c. 24. (b) S.I. 1963/1897 (1963 III, p. 3534).

" plan " includes section, elevation and drawing and any specification or other written or figured statement submitted to the buildings authority as relative to a plan, section, elevation or drawing;

" prescribed form " means a form prescribed by the Building (Forms) (Scotland) Regulations 1964(a);

" service copy " in relation to an application to the buildings authority means a copy of the application in the prescribed form for service on an affected proprietor;

" site " in relation to a building, means the area of ground covered or to be covered by the building, including its foundations;

" warrant " means a warrant under section 6 of the Act.

(2) Any reference in these regulations to a regulation or Schedule shall, unless the context otherwise requires, be construed as a reference to a regulation of, or a Schedule to, these regulations.

(3) Any reference in these regulations to an application or statement being lodged with the clerk to the buildings authority shall be taken to include a reference to the sending of the application or statement to the clerk by post.

(4) Any reference in these regulations to the provisions of any other regulation shall, unless the context otherwise requires, be construed as a reference to such provisions as amended, applied or extended by or under any other regulations including these regulations.

(5) Any provision in these regulations requiring service of an application on an owner of land or buildings as an affected proprietor shall be deemed to have been complied with if the application is served on all the persons appearing from the valuation roll or otherwise known to the applicant to be an owner of the land or buildings.

(6) The Interpretation Act 1889(b) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

Minor works

3.—(1) For the purposes of section 7 of the Act (which makes special provision in relation to such construction of buildings as may be prescribed, being construction of a minor character) there is prescribed any construction—

(*a*) the cubic capacity of which does not, in the case of the erection or extension of a building, exceed 4,000 cubic feet, and

(*b*) the estimated cost of which does not, in any case, exceed £500.

(2) The reference in the last foregoing paragraph to a cubic capacity shall be taken to be a reference to a cubic capacity calculated or measured in accordance with the provisions of Schedule 1 to the Building Standards Regulations.

Application for Warrant

Making application for warrant or amendment of warrant

4.—(1) Application for warrant shall be made by lodging with the clerk to the buildings authority—

(*a*) an application in writing in the prescribed form signed by the applicant or his duly authorised agent, and

(a) S.I. 1964/711 (1964 II, p. 1386). (b) 52 & 53 Vict. c. 63.

(*b*) the principal and a copy of each of the plans specified—

(i) in the case of a warrant to erect a building, in Part I of Schedule 1 ;

(ii) in the case of a warrant to alter a building, in Part II of Schedule 1 ;

(iii) in the case of a warrant for the extension of a building, in Part III of Schedule 1 ;

(iv) in the case of a warrant for the change of use of a building, in Part IV of Schedule 1, and

(v) in the case of a warrant to demolish a building, in Part V of Schedule 1, and

(*c*) where any direction has been given by the Secretary of State under section 4 of the Act in relation to the building which is the subject of the application, a certified copy of the direction.

(2) Application for the amendment of a warrant shall be made by lodging with the clerk to the buildings authority—

(*a*) an application in writing in the prescribed form signed by the applicant or his duly authorised agent ;

(*b*) the principal and a copy of each of the plans specified in Part VI of Schedule 1 :

Provided that nothing in this paragraph shall require the submission of plans, if the buildings authority are satisfied that the nature of the proposed amendment is sufficiently apparent from the application for amendment as read along with the warrant proposed to be amended.

(3) The applicant shall, if required by the buildings authority at any stage in the proceedings, submit to the authority—

(*a*) such further information or additional plans, or

(*b*) such further copies (not exceeding two) of the application or of the plans lodged with the application,

as the buildings authority may direct.

(4) The provisions of Part VII of Schedule 1 shall have effect for the purposes of this regulation.

Plans lodged with application

5.—(1) Every plan submitted along with an application to the buildings authority for a warrant or an amendment of a warrant shall—

(*a*) in every case, be drawn or reproduced in a clear and intelligible manner and in a permanent form and have indicated thereon the scale to which it is drawn, and

(*b*) (i) in the case of the principal, be on linen and be signed by the applicant or his duly authorised agent with reference to the application ;

(ii) in the case of a copy, be certified by the applicant or his duly authorised agent as a true copy of the principal.

(2) Every block plan or location plan so submitted, shall have indicated thereon the north point.

Service of application

6.—(1) An applicant for a warrant or an amendment of a warrant shall, before lodging the application with the clerk to the buildings authority, serve a service copy of the application on every other affected proprietor and on the master of works:

Provided that nothing in this paragraph shall require service of a service copy of the application on any person who has signed the form of application as dispensing with formal service thereof.

(2) The buildings authority may at any time require the applicant to serve a service copy of the application on such other person as they may direct.

(3) Any service of an application required by this regulation may be effected on behalf of an applicant by the clerk to the buildings authority, and where so effected shall, for the purposes of this regulation, be taken to have been effected prior to the lodging of the application.

(4) For the purposes of these regulations—

" affected proprietor ", in relation to a building, includes any person who is—

(*a*) an owner of the building or of the site thereof;

(*b*) an owner of the conterminous land, but only if any part of such land is within 100 yards of any part of the building or of the site thereof, and

(*c*) an owner of land part of which is within 15 feet of any part of the building or site thereof.

Opposed applications for warrant

7.—(1) At any time before the expiry of 14 days after the date of the making of the application for warrant or an amendment of a warrant—

(*a*) any affected proprietor, not being an affected proprietor who has signed the form of application as having no objection to the carrying out of the proposed operations,

(*b*) any other person claiming to have an interest in the subject matter of the application, or

(*c*) the master of works,

may by a statement in writing, lodged with the clerk to the buildings authority, object to the granting of the application and apply to be heard by the buildings authority (which statement is hereafter, in this regulation, referred to as an " objection ").

(2) Any objection shall state—

(*a*) the interest by reason of which the person objecting claims to be entitled to be heard in the application;

(*b*) the grounds of objection on which he intends to rely, and

(*c*) an address at which documents may be served upon him,

and a copy of the objection shall be served by the person making the objection on the applicant and (if the person objecting is not the master of works) on the master of works:

Provided that the buildings authority may, if they think fit, hear any person who has applied to be heard under this regulation notwithstanding that he has not complied with this paragraph.

(3) Subject to regulation 8(1), on receipt of an objection the application shall be put out for hearing at a meeting of the buildings authority occurring not less than 7 days after such receipt and the clerk to the buildings authority shall serve notice of the date, time and place of the meeting of the authority on the person objecting, on the applicant and (if the master of works is not the person objecting) on the master of works:

Provided that where more than one objection is lodged under this regulation the application shall not be put out for hearing earlier than 7 days after the date of the receipt of the later or latest objection.

(4) If any person who has lodged an objection to the granting of an application appears before the buildings authority at a hearing of the application, the buildings authority may require that person to lodge a further statement of objections in writing in supplement of any statement already lodged, at the same time serving a copy of such further statement on the applicant and (if the person objecting is not the master of works) on the master of works.

(5) Where at the hearing of an application any person who has lodged an objection under this regulation fails to attend, either in person or by a representative, the buildings authority may determine the application in his absence so, however, that they shall take into account any statement of the grounds of objection which has been lodged with the buildings authority and a copy of which has been served on the applicant.

(6) Where the applicant fails to attend or be represented at the hearing of an application of which notice has been given under paragraph (3) of this regulation the application shall be continued for hearing at the next following meeting of the buildings authority, and notice of the date, time and place of the meeting shall be served by the clerk to the buildings authority on the persons mentioned in paragraph (3) of this regulation; if the applicant fails then without good cause shown to attend or be represented the buildings authority may dismiss the application.

(7) Where in the case of an application for warrant for minor works the applicant is aggrieved by the refusal of the clerk to the buildings authority or the master of works to grant warrant, he may by lodging a motion in the prescribed form require his application to be referred to and dealt with by the buildings authority and the provisions of this regulation shall then apply to the application as if the refusal were an objection lodged under paragraph (1) of this regulation by the clerk or the master of works as the case may be.

(8) Any objection lodged under paragraph (1) of this regulation may be withdrawn by the person objecting, by intimating to the clerk to the buildings authority, the applicant and the master of works a written intimation to that effect; and the provisions of paragraphs (4) to (6) of this regulation shall not apply to such an objection.

Unopposed applications

8.—(1) If during the period mentioned in paragraph (1) of the last foregoing regulation no objection is lodged by any of the persons mentioned therein, or if before the determination of the application every objection so lodged has been withdrawn, the buildings authority may grant the application at any meeting of the authority after the expiry of the said period or after the date of withdrawal as the case may be, notwithstanding that the applicant is not present or represented before them:

Provided that the buildings authority shall not dismiss the application on any ground without giving the applicant an opportunity of being heard.

(2) If, in the case of an application for warrant for minor works—

(*a*) the affected proprietors, and

(*b*) where the delegation under section 7 of the Act has been made to the clerk to the buildings authority, the master of works,

have signed the form of application as having no objections to the granting of the application, the clerk to the buildings authority or, as the case may be, the master of works may grant the application after the expiry of the period mentioned in regulation 7(1).

Duration of warrant

9. A warrant granted by the buildings authority shall be valid only—

(*a*) for the period of three years from the date on which it is granted, or

(*b*) for such extended period or periods as may be approved by the buildings authority on application made to them at any time.

Conjoined proceedings

10. Where in the course of an application for warrant made to a buildings authority which is a dean of guild court any matters come before them under the Act and otherwise than under the Act, the authority may, on the motion of any party to the application or of their own motion, deal with the matters in conjunction.

OTHER APPLICATIONS

Other applications

11.—(1) An application under section 8 of the Act for permission to occupy temporarily, for the purpose of depositing materials or otherwise in connection with operations for the construction, repair, maintenance or demolition of any building, a portion of any road adjoining the building, may be made either—

(*a*) by conjoining it with an application for warrant under regulation 4, or

(*b*) by lodging with the clerk to the buildings authority—

(i) an application in the prescribed form, signed by the applicant or his duly authorised agent;

(ii) the principal and a copy of a block plan to a scale of not less than 1 to 500 to show the site of the building and the portion of the road proposed to be occupied.

(2) Subject to the provisions of section 9(3) of the Act and regulation 13, any other application to the buildings authority shall be made by lodging with the clerk to the buildings authority an application in the prescribed form or, if no form is prescribed, an application in writing signed by the applicant or his duly authorised agent.

(3) The provisions of regulations 4 to 8 and 10 shall, subject to any necessary modifications, apply to any application to the buildings authority other than an application for warrant or amendment of warrant as they apply to an application for warrant:

Provided that subject to the provisions of paragraph (1) of this regulation nothing in this paragraph shall require the submission of plans with such an application or the service of such application on an affected proprietor unless the buildings authority so direct.

(4) For the purposes of section 9(1) of the Act (which requires the buildings authority within such period as may be prescribed either to grant the certificate of completion or notify the applicant of their refusal to do so) there is prescribed a period of 14 days.

ORDERS

Orders in relation to buildings constructed without warrant or in contravention of conditions of warrant.

12.—(1) Any person on whom a notice has been served under section 10 of the Act, may within the period specified in the notice lodge with the clerk to the buildings authority a statement in writing (hereinafter in this regulation referred to as " the statement ") showing cause why he should not be required to execute such operations as are specified in the notice.

(2) The statement shall state the grounds on which the person making the statement intends to rely and the person lodging the statement shall serve a copy thereof on the master of works.

(3) On receipt of the statement the matter shall be put out for hearing at a meeting of the buildings authority occurring not less than 7 days after such receipt and the clerk to the buildings authority shall serve notice of the date, time and place of the meeting of the authority, on the person lodging the statement and on the master of works.

(4) The buildings authority may require the person lodging the statement to lodge a further statement in writing in supplement thereof.

(5) Where a person lodging a statement under paragraph (1) of this regulation fails to attend either in person or by a representative in response to a notice under paragraph (3) of this regulation, the buildings authority may determine the matter in his absence, so, however, that they shall take into account any grounds set forth in any statement so lodged.

(6) Where any person on whom notice has been served under section 10 of the Act fails within the period specified in the notice to submit to the buildings authority a statement under paragraph (1) of this regulation, the buildings authority may grant an order under the said section 10, forthwith.

Orders relating to dangerous buildings

13.—(1) The master of works shall, before lodging with the clerk to the buildings authority any application for an order under section 13(2) of the Act, serve a service copy of the application on—

(*a*) the owner of the building, and

(*b*) each of the other affected proprietors, and

(*c*) any other person appearing to the master of works to have an interest.

(2) At any time before the expiry of a period of 7 days after the date of lodging of the application any person on whom a service copy of the application has been served may by a statement in writing, lodged with the clerk to the buildings authority, object to the granting of the application and apply to be heard by the buildings authority (which statement is hereafter in this regulation referred to as an " objection ").

(3) Any objection shall state—

(*a*) the interest by reason of which the person objecting claims to be entitled to be heard in the application, and

(*b*) the grounds of objection on which he intends to rely, and

(*c*) an address at which documents may be served upon him,

and a copy of the objection shall be served by the person making the objection on the master of works and, where the objector is not the owner, on the owner:

Provided that the buildings authority may, if they think fit, hear any person who has applied to be heard under this regulation notwithstanding that he has not complied with this paragraph.

(4) (*a*) On receipt of an objection lodged under paragraph (2) of this regulation, or

(*b*) if no such objection has been lodged, on the expiry of the period of 7 days mentioned in the said paragraph (2),

the application shall be put out for hearing at a meeting of the buildings authority occurring not less than 7 days after such receipt or expiry as the case may be, and the clerk to the buildings authority shall give notice of the date, time and place of the meeting of the authority to the owner, the master of works and any other person appearing to the authority to have an interest.

(5) Where the owner or any other person fails to attend or be represented at a hearing of which he has had notice under paragraph (4) of this regulation, the buildings authority may determine the application in his absence, so, however, that they shall take into account any objection lodged by him under paragraph (2) of this regulation or otherwise.

GENERAL PROCEDURE

Meetings of the buildings authority

14. Every meeting of the buildings authority shall take place in public.

Procedure at hearing

15.—(1) At any hearing before the buildings authority any party may appear and be heard either in person or by counsel or solicitor or by any other representative.

(2) Subject to the provisions of the Act and of these regulations the procedure at any hearing before the buildings authority shall be such as they may determine.

Assessors

16. If it appears to the buildings authority that any case coming before them calls for special knowledge and that it would be desirable for the authority to sit with assessors the buildings authority shall hear the proceedings with the aid of such assessor or assessors as the buildings authority may, after consulting such persons, if any, as they may think fit, appoint.

Inspection of sites

17.—(1) Subject to the provisions of section 18 of the Act the buildings authority may, if they think fit, enter on and inspect the building or site thereof which is the subject of any proceedings before them and, so far as may be practicable, any comparable building or site to which the attention of the buildings authority may be directed.

(2) The buildings authority shall give notice to the parties to the proceedings of their intention to inspect any building or site and the parties and any witnesses shall be entitled to attend the inspection.

Decisions of buildings authority

18.—(1) The decision of a buildings authority on any application shall be stated at the meeting of the authority at which the application has been considered or at a subsequent meeting as soon as may be thereafter.

(2) Where—

(*a*) an application is dismissed,

(*b*) in the case of an opposed application, the application is granted,

the buildings authority shall at the same time as they state their decision state their reasons therefor.

(3) A copy of the decision of the buildings authority and the statement of their reasons therefor shall be served on—

(*a*) in the case of an application, the applicant, the master of works and any person who has lodged objections to the application, and

(*b*) in any other proceedings before the buildings authority, the parties to the proceedings:

Provided that nothing in this paragraph shall require the service of a copy of the decision and statement of reasons on any person who was present or represented at the meeting of the buildings authority at which the decision was given, unless he or his representative has at the meeting requested such service.

(4) Where the buildings authority have on an application for warrant decided to grant warrant, they shall along with the warrant send to the applicant the copy of the relative plans duly signed on behalf of the buildings authority with reference to the grant of warrant.

(5) Where the buildings authority have on an application for warrant decided to dismiss or refuse the application they may return to the applicant all or any of the plans lodged with reference to the application, as they think fit.

Maintenance of records

19.—(1) The buildings authority shall keep a register of applications in which they shall, as soon as received, record particulars of all applications and, as soon as may be, the manner in which such applications have been dealt with.

(2) Any application relating to buildings intended to have a limited life shall be specially designated in the register.

(3) Subject to the provisions of regulation 18(5), the buildings authority shall retain the principal plans lodged with reference to the application:

Provided that nothing in this paragraph shall prohibit the borrowing of the principal plans by the master of works for use in course of his duties.

Inspection of records and applications

20.—(1) Any register maintained by the buildings authority under the last foregoing regulation shall be available for inspection by the public at all reasonable hours.

(2) Where an application has been lodged with the buildings authority but no decision has yet been taken thereon, any person claiming to have an interest may at any reasonable hour inspect the application and any plans lodged with reference thereto.

(3) Where a decision has been taken on any application lodged with the buildings authority, any person showing reasonable cause may at any reasonable hour inspect the application and any plans lodged with reference thereto.

Notices to buildings authority

21. Any person carrying out operations in pursuance of a warrant granted under the Act shall give written notice to the clerk to the buildings authority—

(*a*) of the date on which work is commenced ;

(*b*) when any drain has been laid and is ready for inspection or test under regulation 142(6)(*a*) of the Building Standards Regulations ;

(*c*) when a drain track has been in-filled and the drain is ready for a second inspection or test in accordance with regulation 142(6)(*b*) of the Building Standards Regulations, and

(*d*) of the date on which the operations are completed :

Provided that nothing in this regulation shall require the giving of notice of the date on which operations are completed where application to the buildings authority for a certificate of completion has been made in the prescribed form.

Relaxation of Building Standards Regulations

22.—(1) Any application for a direction by the Secretary of State under section 4 of the Act shall be in writing in the prescribed form and shall be accompanied where appropriate by such of the plans as are specified in paragraphs 1 and 2 of Schedule 1, but only so far as necessary to show the modification subject to which it is proposed the Building Standards Regulations should apply and the relationship of the modification to the building as a whole.

(2) The Secretary of State may at any stage require the applicant to submit such further information relating to the application as the Secretary of State may direct.

(3) Where the building to which the application for a direction relates is the subject of an application for warrant, the Secretary of State may require the buildings authority to furnish to him for inspection the application for warrant and the plans lodged therewith, or a copy thereof.

Failure to comply with regulations

23. Any failure on the part of any person to comply with the provisions of these regulations shall not render the proceedings or anything done in pursuance thereof invalid unless the buildings authority or in the case of an application under section 4 of the Act, the Secretary of State, so directs.

FEES

Scale of fees

24. A buildings authority may in respect of such of the business as is set forth in Schedule 2 charge such fees as are specified in that Schedule in relation thereto.

Michael Noble,
One of Her Majesty's Principal Secretaries of State.

St. Andrews House,
Edinburgh.
14th May 1964.

Regulation 4

SCHEDULE 1

PLANS TO BE SUBMITTED WITH APPLICATION FOR WARRANT

PART I

APPLICATION FOR WARRANT TO ERECT A BUILDING

1. (*a*) A plan of the foundations of the building, each floor and the roof ;

(*b*) sections through building, longitudinal and transverse ;

(*c*) an elevation of each face of the building, and

(*d*) detailed drawings

which plan, section, elevation and drawings shall be to a scale of $\frac{1}{8}$ inch to 1 foot ($\frac{1}{4}$ inch to 1 foot in the case of drawings showing particulars under heads (viii) and (xii) of the aftermentioned Table) and shall show such of the following particulars set out in the following Table as are relevant to the application for warrant:—

TABLE OF PARTICULARS TO BE SHOWN IN RELATION TO AN APPLICATION FOR WARRANT

Head	Buildings to which applicable	Particulars
(i)	All	The level of the site of the building, the level of the lowest floor of the building and the level of the adjacent ground (including any road) in relation to one another and to some known datum.
(ii)	All	The position, materials and dimensions of the foundations, walls, windows (distinguishing the opening area thereof and showing the direction of opening), doors (showing the direction of opening), floors, roofs, chimneys, flues, ventilators, ventilation ducts, stairways, balconies and the other parts of the building (whether above or below ground level).
(iii)	All	Details of construction and in particular details of any framework and the sizes and position of any reinforcing material.
(iv)	All	Details of calculation of loading and strength.
(v)	All	Which walls are fire division walls or separating walls and which floors are compartment floors or separating floors.
(vi)	Buildings mentioned in regulations 61 or 182 of the Building Standards Regulations.	The position and dimensions of the lift well, the lift car and the machine room.
(vii)	Buildings to which Part V of the Building Standards Regulations applies.	The exits available as a means of escape from fire, and the dimensions thereof.
(viii)	All	The position, materials and dimensions (or weight) of any damp-proof course or other barrier to moisture.

Head	Buildings to which applicable	Particulars
(ix)	Buildings to which Part XI of the Building Standards Regulations applies.	The position, dimensions and level (in relation to some known datum) of external obstructions in relation to daylighting windows.
(x)	All	The position and dimensions of any bath, wash-hand basin, sink, tub or other built-in equipment or sanitary appliance for which standards are prescribed by the Building Standards Regulations.
(xi)	All	The position, materials, dimensions and form of any soil, soil-waste, waste, or rainwater and ventilating pipes.
(xii)	All	The position, materials, line, depth, inclination and dimensions of every drain, and means of ventilation thereof, the position, form and dimensions of traps and manholes or access openings, and the relative position and level of any sewer, sewage treatment works or other outlet into which the drains are to discharge.
(xiii)	Buildings to which Part XIII of the Building Standards Regulations applies.	A schematic diagram of electrical wiring showing the main distribution system, the controls and the proposed rating.
(xiv)	House	The position and dimensions of any larder or other storage accommodation, laundry facilities or drying facilities.
(xv)	House	The number of power points as required by regulation 195 of the Building Standards Regulations, and the rooms in which they are to be fitted.
(xvi)	All	Such particulars as are necessary to show that the operations involved will be conducted in accordance with the Building Operations (Scotland) Regulations 1963(a).

2. Block plan (to a scale not less than 1 to 1250) which shall show—

(*a*) the size and position of the building;

(*b*) the size and position of any adjoining building;

(*c*) the position, width and level (in relation to such known datum) of any road, court or footway adjoining the building or from which there is access to the building;

(*d*) the boundaries with land in different occupation showing in the case of each boundary the name of any affected proprietor;

(*e*) the portion of any road in respect of which—

(i) permission is sought under section 8 of the Act to occupy temporarily for the purpose of depositing materials or otherwise in connection with building operations, or

(ii) authority is applied for under the said section 8 to erect staging or scaffolding so as to project over that portion of the road.

(a) S.I. 1963/1959 (1963 III, p. 3824).

3. Where the site is not identifiable from the block plan referred to in the last foregoing paragraph, a location plan showing the position of the site to a scale of not less than—

(*a*) if the site is in the landward area of a county, 6 inches to a mile;

(*b*) in any other case, 25 inches to a mile.

PART II

APPLICATION FOR WARRANT TO ALTER A BUILDING

4. Plans, sections, elevations, drawings and block plan as set forth in paragraphs 1 and 2 of this Schedule but only so far as necessary to show that the proposed alteration or fixture will comply with the Building Standards Regulations.

5. Where the site of the building is not identifiable from the block plan referred to in paragraph 2 of this Schedule, a location plan as set forth in paragraph 3 of this Schedule.

PART III

APPLICATION FOR WARRANT FOR THE EXTENSION OF A BUILDING

6. Plans, sections, elevations and drawings of the building as set forth in paragraphs 1 and 2 of this Schedule—

(*a*) of the building so far as affected by the extension;

(*b*) of the extension, as if the extension were itself a building.

7. Where the site is not identifiable from the block plan referred to in paragraph 2 of this Schedule a location plan as set forth in paragraph 3 of this Schedule.

PART IV

APPLICATION FOR WARRANT FOR THE CHANGE OF USE OF A BUILDING

8. Block plan (to a scale of not less than 1 to 1250) showing the size and position of the building whose use is to be changed and the relationship of the building to adjoining buildings.

9. Plans, sections, elevations and drawings as set forth in paragraph 1 of this Schedule, but only if, and so far as, necessary to show that the building after the proposed change of use will comply with the additional or more onerous provisions of the Building Standards Regulations which will apply following such change of use.

PART V

APPLICATION FOR WARRANT TO DEMOLISH A BUILDING

10. Block plan (to a scale of not less than 1 to 500) showing—

(*a*) the size and position of the building proposed to be demolished and its relationship to adjoining buildings;

(*b*) the boundaries with land in different occupation and in the case of each boundary the name of any affected proprietor;

(*c*) particulars appropriate to show that the operations involved will be conducted in accordance with the Building Operations (Scotland) Regulations 1963.

PART VI

APPLICATION FOR AMENDMENT OF WARRANT

11. Plans, sections, elevations and drawings, of the building as set forth in paragraphs 1 and 2 of this Schedule but only so far as necessary to show the proposed deviation.

PART VII

SUPPLEMENTAL

12.—(1) Where appropriate, any particulars required by the foregoing provisions of this Schedule may be submitted in the form of a specification or other written or figured statement signed by the applicant as relative to a plan, section, elevation or drawing as the case may be.

(2) Notwithstanding the provisions of regulation 5 only one copy of such a statement need be submitted unless the buildings authority otherwise direct under regulation 4(3).

13.—(1) Any requirement in this Schedule to show a dimension shall be construed as a requirement to show a figured dimension.

(2) Except in so far as the context otherwise requires expressions used in this Schedule and in the Building Standards Regulations shall have the same meanings in this Schedule as in those regulations.

14. Nothing in any of the Parts II to VI of this Schedule shall require the submission of any particular plan required by that Part in relation to a building if an identical plan is already held by a buildings authority in connection with a prior application for warrant relating to that building.

15. Where in relation to any application under the Act, the buildings authority are satisfied that there are special circumstances which would make it onerous to require a plan of the scale specified in this Schedule, they may direct that, in relation to that plan, for the scale so specified for that plan there shall be substituted such lesser scale as they may specify in their direction.

SCHEDULE 2

TABLE OF FEES

	£ s. d.
1. Application for warrant (including issue of warrant) for—	
(*a*) erection, alteration or extension of a building (whether or not combined with application for warrant for change of use)—	
(i) where the estimated cost of the operations does not exceed £500	1 11 6
(ii) where the estimated cost of the operations exceeds £500 but does not exceed £1,000	2 2 0
(iii) where the estimated cost of the operations exceeds £1,000 but does not exceed £2,500	2 12 6
(iv) where the estimated cost of the operations exceeds £2,500 but does not exceed £5,000	4 10 0
(v) where the estimated cost of the operations exceeds £5,000	4 10 0 (plus £2 for each succeeding £5,000 of estimated cost or part thereof up to a maximum of £20)
(*b*) change of use only	1 0 0
(*c*) demolition of a building	1 0 0
2. Application for amendment of warrant—	
(*a*) where additional operations are involved...	(as for paragraph 1(*a*) of this Schedule)
(*b*) where no additional operations are involved	10 0

	s.	d.
3. Application for extension of a period of a warrant for a building intended to have a limited life	15	0
4. Application for permission to occupy streets where not combined with an application for warrant	10	0
5. Lodging objections to granting warrant	10	0
6. Search fee for plans—per year	1	0
7. Inspection of application for warrant or amendment of warrant (not being an inspection prior to the decision on the application by a person having an interest)	5	0
(NOTE: This fee includes inspection of the plans lodged with the application, the warrant following thereon and any application for amendment of the warrant and plans relative thereto).		
8. Extracts of decisions from records—per sheet	2	6
9. Service by clerk to the buildings authority—		
for first copy	5	0
for second and subsequent copies	2	6
Mileage charge—		
for officer	1	6
for witness	1	0
10. Forms of application, if supplied by buildings authority—		
Principal	1	0
Service Copy		6

EXPLANATORY NOTE

(This Note is not part of the regulations, but is intended to indicate their general purport.)

These regulations, made under the Building (Scotland) Act 1959, prescribe the procedures to be followed in connection with the business of the buildings authorities established under Part I of that Act, particularly as regards applications for warrant for the construction, demolition or change of use of a building (regulations 4–10), orders made or to be made for enforcement or in connection with dangerous buildings (regulations 12 and 13), and the general procedure of buildings authorities (regulations 14–20). A scale of fees is also prescribed (regulation 24 and Schedule 2).

The regulations also prescribe the procedure to be followed in the making of an application to the Secretary of State for a direction under section 4 of the Act relaxing the requirements of the Building Standards (Scotland) Regulations 1963.