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CONFIDENTIAL

The Rt Hon The Viscount Whitelaw CH MC
Lord President of the Council
Privy Council Office
Whitehall
LONDON
SW1A 0AA

W 10/17
7 July 1985

Dear Willie,

LEGISLATIVE PROGRAMME 1985-86

Your letter of 20 March 1985 to the Lord Chancellor confirmed Cabinet agreement to QL Committee's proposals for legislation in session 1985-86, which included the Scottish Housing Bill (No 50 on the Programme List), about which I wrote to you on 13 February.

The Scottish Housing Bill was intended largely as a "catching up" measure designed to match the provisions made for England and Wales in the Housing and Building Control Act 1984. QL approval was for a Bill of up to 35 clauses. In the light of further consideration of detailed possible provisions, however, I now seek QL agreement to extend the scope of the Bill, although not its overall length, to accommodate a group of 4 items dealing specifically with building control matters.

The Government are committed to improving the arrangements for building control. The necessary legislative changes were enacted for England and Wales in Patrick Jenkins' 1984 Housing and Building Control Act. In Scotland I issued a consultative paper on the future of the building control arrangements in August 1983. That document made recommendations and sought guidance from interested parties, following the first comprehensive review of the Scottish Building Control system since the passage of the Building (Scotland) Act 1959. On 29 November 1984, in response to an arranged Written Question, I gave an undertaking that "the Government will implement these changes as soon as provision can be made in the legislative timetable".

The changes I propose are not so extensive as those in Patrick Jenkins' 1984 Act and cover four areas: to permit a degree of self-certification of compliance with the building standards regulations; to allow exemptions from building control fees for alteration works to existing buildings for the benefit of the disabled; to introduce "type approvals"

enabling blanket approval to be given, for example, to standard house types; and to amend the legislation to allow part exemptions. I believe that these measures will be welcomed as improving efficiency and reducing costs and they are of course in line with our continuing commitment to reduce unnecessary bureaucracy. I regard the need to deal with the wholly unjustifiable difference in the treatment of building fees for certain works charged to disabled persons in Scotland compared to England and Wales as particularly pressing.

I see no prospect of any other legislative opportunity in this Parliament which could include these measures, and their state of preparedness is such that we can include them while still achieving introduction at the beginning of the new Session. I can accommodate the provisions within a Bill of not more than 35 clauses, as originally agreed. I therefore seek the approval of the Committee to extend the draft of the Bill in this way.

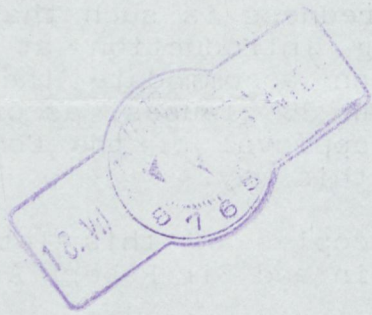
I am sending copies of this letter to the Members of QL, to Patrick Jenkin and Sir Robert Armstrong.

Yours truly,

George

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Wm. W. W.
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