

Introduction

The term Letter of Comfort has been adopted by the Legal profession when referring to a letter providing confirmation by a Local Authority that no enforcement action will take place in particular circumstances.

The issue of a Letter of Comfort will be considered where:

- a Certificate of Completion has not been obtained in respect of a Building Warrant granted under the previous Building (Scotland) Acts.
- a Certificate of Completion can only be issued during the lifetime of your Building Warrant (normally 3 years unless an extension to this period has been formally approved).

You may apply for a Letter of Comfort if a Certificate of Completion was not obtained within this validity period.

The issue of a Letter of Comfort will be considered where:

- work is in accordance with the plans which formed part of the Building Warrant approval and;
- Building Regulations have been complied with / to the Building Standards Officers satisfaction and;
- any deviations from the approved plans are of a relatively minor nature.

Dependent upon the nature of work involved, it may be necessary to expose areas of work for further inspection, where this is not the case no responsibility for the condition of any concealed elements of structure can be accepted.

Acceptance of Letters of Comfort

The issue of a Letter of Comfort by a Local Authority normally satisfies parties involved in conveyance and re-mortgaging transactions. Before applying for a Letter of Comfort however, you should check this with your Solicitor.

How do I apply for a Letter of Comfort?

A formal written request must be made giving details of the property in question and the exact nature of the work carried out.

A degree of priority is given to all applications for Letters of Comfort as the sale of a property is often dependent on the successful outcome.

Is there a fee for a Letter of Comfort?

A fee of £111.40 is payable when lodging your application in order to offset the cost of visiting the Site, carrying out a search of records and the preparation and issue of the letter.

The service is limited to a maximum of 2 inspections. Further inspections, if required, will be carried out at an additional cost per visit.

Are detailed drawings required?

Generally no drawings are required in regard to obtaining a Letter of Comfort, a record of the Building Warrant approval will be held by the Local Authority and this will be used in the assessment of the works carried out.

Further information

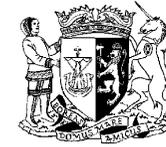
If you wish to discuss any of the matters raised in this leaflet, or require further information, you may contact the Building Standards Office at:

The One Stop Shop
Orkney Islands Council
Council Offices, School Place
KIRKWALL, Orkney
KW15 1NY
Telephone: **01856 873535** Ext: **2729**

Advice and guidance is provided free of charge by a Building Standards Officer at the One Stop Shop between the hours of 9am & 5pm weekdays.

Commitment

The Building Standards Function of the Orkney Islands Council is committed to Best Value in the services which it provides.



ORKNEY
ISLANDS COUNCIL

Building Standards

LETTER OF COMFORT
Applications Approved Prior
to 1st May 2005
(Regularisation of
Unauthorised Works and
works where no Certificate of
Completion has been granted)

Orkney Islands Council
Council Offices, School Place
Kirkwall, Orkney
KW15 1NY

Information Leaflet No - 2