



## Request for Consideration of Alternative Means of Compliance

### Application Details

Application No:        /                                / BW/LBW/LCOMP -    Delete as appropriate (if application not yet submitted please see guidance notes)

Address of property: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### Contact Details

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

email: \_\_\_\_\_

tel: \_\_\_\_\_

Signed: \_\_\_\_\_

Date submitted: \_\_\_\_\_

Guidance clause(s)  
for which alternative  
compliance is proposed

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Once completed go to page 2

### Office use only

Date referred to  
Technical Support:    /    /

Date  
Registered:        /    /

### Technical Support Details

View Ref:        /                                / TSV

Surveyor: \_\_\_\_\_

To be completed by applicant/agent

**Alternative Means of Compliance Proposals**

- the matters can be listed below or in an attached document/report

Mandatory Standard(s) and Handbook clause(s) for which alternative compliance is proposed

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Alternative Proposals and Justification

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## Guidance for Applicants

### What is a Request for Consideration of Alternative Means of Compliance?

- This relates to circumstances where an applicant has chosen not to follow the Technical Handbook guidance clauses and wishes to propose an alternative way of meeting the Building Regulations. It is applicable on any building warrant application or late completion certificate submission.

### Who considers the alternative proposals?

- To aid consistency all submissions are dealt with by a Building Standards Surveyor (BSS) of the Technical Support Team of Building Standards & Public Safety.

### Do I need to have already made a building warrant or late completion certificate submission?

- For most circumstances, yes. However, it is recognised that on some major projects there are critical matters such as alternative fire strategies where it is appropriate to seek agreement on proposals in advance of an application. If it is thought that this may be necessary for your project, then a discussion can be arranged with Technical Support. **A request in advance of an application's submission will not be processed without prior agreement.**

### How is the request for alternative means of compliance submitted and processed?

- The request can be submitted either along with or during the processing of your warrant application or late completion certificate submission.
- Where your request is submitted during the processing of your application it should be sent to the BCS dealing with the application. **Please send this under separate cover from the response to any other matters on the application.**
- The request will be referred to the Technical Support Team by the BSS once they initially check that the matters requested for consideration are relevant to the application/design. It is therefore recommended that prior to submitting the request you discuss the matters with the BSS to establish the need for making this submission – there are some matters that may not require a request for alternative compliance.
- Once submitted to the Technical Support Team contact will be made with you to discuss the alternative proposals or request additional information if appropriate. All other matters on your application will continue to be dealt with by the BSS dealing with the application.
- Consultation with the Fire Service must take place if it is intended to accept an alternative solution that involves Section 2 Fire. Although discussions with the Service may already have taken place before a decision is reached a formal letter will be sent to the Fire Service outlining the intended conditions of acceptance. They have up to 21 days to respond to this before the final decision can be confirmed. You will be sent a copy of this Fire Service correspondence to allow you to see the proposed conditions of acceptance.
- Once the decision is finalised you and the BSS dealing with your application are given formal notification of the terms under which the alternative proposals can be accepted or alternatively a notification of rejection of the proposals. **Any relevant conditions or notes to meet the terms of an acceptance of alternative proposals must be added to the application drawings.**

### What should I submit with the request for alternative means of compliance?

- Firstly, identify the guidance clause(s) that you do not wish to follow and list them as requested.
- For each clause a justification must be made to support your alternative proposals. This justification should fully identify the relevant points of your case and other evidence in support of your proposals – including matters such as other compensatory features. The information can be included here on the form or set out in an attached document or report. Note – it is not acceptable to submit a basic statement with no technical appraisal e.g. that 'it is an existing building' and nothing more.
- As your request is processed separately from your warrant or late completion certificate application a basic set of plans of the relevant layouts (incl existing plans where appropriate) needs to accompany the form. An additional set may also be requested for forwarding to the Fire Service as part of any consultation with them.

## **Privacy Statement for Planning and Building Standards Statutory Functions under the Town and Country Planning (Scotland) Act 1997, Building (Scotland) Act 2003, Licensing (Scotland) Act 2005, Civic Government (Scotland) Act 1982 and related legislation.**

### **Who we are?**

Glasgow City Council is a local authority established under the Local Government etc. (Scotland) Act 1994. Its head office is located at City Chambers, George Square, Glasgow G2 1DU, United Kingdom. You can contact our Data Protection Officer by post at this address, by email at: [dataprotection@glasgow.gov.uk](mailto:dataprotection@glasgow.gov.uk), and by phone on 0141 287 1055.

### **Why do we need your personal information and what do we do with it?**

You are giving us your personal information to allow us to carry out our statutory functions under the Town and Country Planning (Scotland) Act 1997, Building (Scotland) Act 2003, Licensing (Scotland) Act 2005, Civic Government (Scotland) Act 1982 and related legislation. We also use your information to verify your identity where required, contact you by post, email or telephone and to maintain our records.

### **Legal basis for using your information:**

We provide these services to you as part of our statutory function as your local authority. You can find more details of our role on our website at [www.glasgow.gov.uk/privacy](http://www.glasgow.gov.uk/privacy). Processing your personal information is necessary for the performance of a task carried out in the public interest by the council and necessary for compliance with a legal obligation to which the council is subject.

If you do not provide us with the information we have asked for then we will not be able to provide this service to you.

We also in some cases need to process more sensitive personal information about you for reasons of substantial public interest as set out in the Data Protection Act 2018. It is necessary for us to process it to carry out key functions as set out in law.

### **Who do we share your information with?**

We are legally obliged to safeguard public funds so we are required to verify and check your details internally for fraud prevention. We may share this information with other public bodies (and also receive information from these other bodies) for fraud checking purposes.

We are also legally obliged to share certain data with other public bodies, such as HMRC and will do so where the law requires this. We will also generally comply with requests for specific information from other regulatory and law enforcement bodies where this is necessary and appropriate. Your information is also analysed internally to help us improve our services.

This data sharing is in accordance with our Information Use and Privacy Policy and covered in our full privacy statement on our website. It also forms part of our requirements in line with our Records Management Plan approved in terms of the Public Records (Scotland) Act 2011.

Personal data you have provided will also be made available online as required to allow us to carry out our statutory functions under the Town and Country Planning (Scotland) Act 1997, Building (Scotland) Act 2003, Licensing (Scotland) Act 2005, Civic Government (Scotland) Act 1982 and related legislation. We may also share your personal data which you have provided with other statutory bodies and consultees.

### **How long do we keep your information for?**

We only keep your personal information for the minimum period amount of time necessary. Sometimes this time period is set out in the law, but in most cases it is based on the business need. We maintain a records retention and disposal schedule which sets out how long we hold different types of information for.

You can view this on our website at [www.glasgow.gov.uk/rrds](http://www.glasgow.gov.uk/rrds) or you can request a hard copy from the contact address stated above.

### **Your rights under data protection law:**

- **Access to your information** – you have the right to request a copy of the personal information that we hold about you.
- **Correcting your information** – we want to make sure that your personal information is accurate, complete and up to date. Therefore you may ask us to correct any personal information about you that you believe does not meet these standards.
- **Deletion of your information** – you have the right to ask us to delete personal information about you where:
  - you think that we no longer need to hold the information for the purposes for which it was originally obtained
  - you have a genuine objection to our use of your personal information – see *Objecting to how we may use your information* below
  - our use of your personal information is contrary to law or our other legal obligations.
- **Objecting to how we may use your information** – You have the right at any time to tell us to stop using your personal information for direct marketing purposes.
- **Restricting how we may use your information** – in some cases, you may ask us to restrict how we use your personal information. This right might apply, for example, where we are checking the accuracy of personal information that we hold about you or we are assessing the objection you have made to our use of your information.

This right might also apply if we no longer have a basis for using your personal information but you don't want us to delete the data. Where this right is realistically applied will mean that we may only use the relevant personal information with your consent, for legal claims or where there are other public interest grounds to do so.

Please contact us as stated above if you wish to exercise any of these rights.

### **Information you have given us about other people:**

If you have provided anyone else's details on this form, please make sure that you have told them that you have given their information to Glasgow City Council. We will only use this information to contact them in relation to the application you have made or in carrying out the related planning or building standards function. If they want any more information on how we will use their information they can visit our web site at [www.glasgow.gov.uk/privacy](http://www.glasgow.gov.uk/privacy) or email [dataprotection@glasgow.gov.uk](mailto:dataprotection@glasgow.gov.uk).

### **Complaints**

We aim to directly resolve all complaints about how we handle personal information. If your complaint is about how we have handled your personal information, you can contact the Council's Data Protection Officer by email at [dataprotection@glasgow.gov.uk](mailto:dataprotection@glasgow.gov.uk) or by phone on 0141 287 1055.

However, you also have the right to lodge a complaint with the Information Commissioner's Office, who can be contacted by post at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF. By phone on 0303 123 1113 (local rate) or 01625 545 745 or Visit their website for more information at <https://ico.org.uk/concerns>.

Please note if your complaint is not about a data protection matter or concerns the handling of personal information please contact us using the complaints procedures in place at <https://www.glasgow.gov.uk/complaints>.

### **More information**

For more details on how we process your personal information visit [www.glasgow.gov.uk/privacy](http://www.glasgow.gov.uk/privacy)

If you do not have access to the internet you can contact us via telephone to request hard copies of our documents.

