
STATUTORY INSTRUMENTS

2015 No. 767

**BUILDING AND BUILDINGS,
ENGLAND AND WALES**

The Building Regulations &c. (Amendment) Regulations 2015

Made - - - - - *26th March 2015*

Laid before Parliament *27th March 2015*

Coming into force in accordance with regulation 1(4)

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 1, 2B(1), (3) and (6), 3, 16(9), 17(1) and (6), 34, 35, 47(1), (2) and (5), 50(1), (4) and (6), 51(1) and (2), 51A(2) and (3), 52(1), (3) and (5), and 54(1), (2), (5) and (6) of, and paragraphs 1, 4, 4A, 7, 8(1) and 10 of Schedule 1 to, and paragraphs 2(1) to (4) and 3(1) and (2) of Schedule 4 to, the Building Act 1984(1), having consulted the Building Regulations Advisory Committee for England and such other bodies as appear to the Secretary of State to be representative of the interests concerned in accordance with section 14(3)(2) of that Act.

Citation, extent, application and commencement

1.—(1) These Regulations may be cited as the Building Regulations &c. (Amendment) Regulations 2015.

(2) These Regulations extend to England and Wales.

(3) These Regulations do not apply in relation to any building in Wales other than an excepted energy building, and “excepted energy building” shall have the same meaning as in the Schedule to the Welsh Ministers (Transfer of Functions) (No.2) Order 2009(3).

(4) These Regulations come into force on the following dates—

- (a) this regulation and regulation 2(10)(a) and (12) on 18th April 2015;
- (b) all remaining regulations, except regulation 2(10)(b), on 1st October 2015; and
- (c) regulation 2(10)(b) on 31st December 2015.

(1) 1984 c.55. Section 1 was amended by section 1(1) to (3) of the Sustainable and Secure Buildings Act 2004 (c.22). Section 2B was inserted by section 42 of the Deregulation Act 2015 (c.20). Paragraph 4A of Schedule 1 was inserted by section 8(1), paragraph 7 was amended by section 3(1) to (5), and paragraph 8(1) amended by section 3(6) of the Sustainable and Secure Buildings Act 2004. Paragraph 7(a)(xxiie) of Schedule 1 was inserted by section 11 of the Climate Change and Sustainable Energy Act 2006 (c.19).

(2) Section 14(3) was amended by article 8(3) of S.I. 2009/3019.

(3) S.I. 2009/3019.

Amendments to the Building Regulations 2010

2.—(1) The Building Regulations 2010(4) are amended in accordance with the following paragraphs.

(2) In regulation 2(1) (interpretation)—

(a) after the definition “microgeneration” insert the following definitions—

““new dwelling” includes, except in Parts 6 and 7, a dwelling that is formed by a material change of use of a building within the meaning of regulation 5(a), (b) or (g);

“optional requirement” means an optional requirement as described in regulation 4(1A)(b) or in regulation 36(2)(b);” and

(b) after the definition “payment period” insert the following definition—

““planning permission” has the meaning given in section 336(1) (interpretation) of the Town and Country Planning Act 1990(5);”.

(3) In regulation 4 (requirements relating to building work)—

(a) in paragraph (1)(b) after “other such requirement” insert “, except as may be provided for in paragraphs (1C) and (1D)”; and

(b) after paragraph (1) insert the following paragraphs—

“(1A) The applicable requirements contained in Schedule 1 are—

(a) the applicable requirements contained in Schedule 1 that apply in all cases, subject to paragraph (1C); and

(b) any applicable requirement contained in Schedule 1, and described in the first column of that Schedule as an optional requirement, that applies in relation to the building work in question by virtue of paragraphs (1B), (1C) and (1D).

(1B) An optional requirement as described in paragraph (1A)(b) shall apply to building work in any case where the planning permission under which the building work is carried out—

(a) specifies that optional requirement by reference to these Regulations; and

(b) makes it a condition that the requirement must be complied with.

(1C) An optional requirement shall apply in substitution for a requirement of Schedule 1 to the extent that the terms of the optional requirement in the second column of Schedule 1 so provide.

(1D) An optional requirement shall apply, and another optional requirement shall not apply, to the extent that the terms of the first-mentioned optional requirement in the second column of Schedule 1 so provide.”.

(4) In regulation 6(6) (requirements relating to material change of use)—

(a) in subparagraph (1)(i) for “M1 (access and use)” substitute “M1 (access to and use of buildings other than dwellings)”; and

(b) after subparagraph (1)(i) insert a semicolon and the following subparagraph—

“(j) “(j) in the case of a material change of use described in regulation 5(a), (b) or (g), Q1 (security)”; and

(4) [S.I. 2010/2214](#), as amended as described in the footnotes on specific provisions below. There are other amendments, but they are not relevant.

(5) [1990 c.8](#), as amended by section 84(6) of and Part 1 of Schedule 19 to the Planning and Compensation Act 1991, and article 5(d) of [S.I. 2006/1281](#).

(6) As amended by [S.I. 2011/1515](#).

- (c) in paragraph (2)—
 - (i) after subparagraph (c) omit “and”, and
 - (ii) after subparagraph (d) insert a semicolon and the following subparagraph —
 - “(e) “(e) in a case to which subparagraph (j) applies in respect of a material change of use described in regulation 5(b) or (g), that part complies with the requirement referred to in that subparagraph;”.
- (5) In regulation 13 (particulars and plans where a building notice is given)—
 - (a) in paragraph (1)—
 - (i) after subparagraph (b) omit “and”, and
 - (ii) after subparagraph (c) insert—
 - “; and
 - (d) in the case of a new dwelling—
 - (i) a statement whether or not any optional requirement applies to the building work, and if so which, or
 - (ii) a statement that planning permission has not yet been granted for the work, and that the information required by subparagraph (i) will be supplied before the end of a period of twenty eight days beginning on the day after that permission is granted”; and
 - (b) after paragraph (1) insert the following paragraph—
 - “(1A) In the case of a new dwelling, where a statement under paragraph (1)(d)(ii) has accompanied the building notice, a statement in the terms required by paragraph (1)(d)(i) must be provided to the local authority before the end of a period of twenty eight days beginning on the day after planning permission is granted for the building work, and the statement must state that it is supplementary to the information given in respect of the work pursuant to paragraph (1)(d).”.
- (6) In regulation 14(3)(a) (full plans) after “(1)” insert “, (1A)”.
- (7) In regulation 35(7)(interpretation of Part 6)—
 - (a) after the definition “major renovation” omit “and”; and
 - (b) after the definition “nearly zero-energy building” insert a semicolon and the following definition—
 - ““new dwelling” does not include a dwelling that is formed by a material change of use of a building”.
- (8) For the text of regulation 36 (water efficiency of new dwellings) substitute—
 - “(1) The potential consumption of wholesome water by persons occupying a new dwelling must not exceed the requirement in paragraph (2).
 - (2) The requirement referred to in paragraph (1) is either—
 - (a) 125 litres per person per day; or
 - (b) in a case to which paragraph (3) applies, the optional requirement of 110 litres per person per day,

as measured in either case in accordance with a methodology approved by the Secretary of State.

 - (3) This paragraph applies where the planning permission under which the building work is carried out—

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- (a) specifies the optional requirement in paragraph (2)(b); and
 - (b) makes it a condition that that requirement must be complied with.
- (4) In this Part, “new dwelling” does not include a dwelling that is formed by a material change of use of a building within the meaning of regulation 5(g).”.
- (9) For the text of regulation 37(1) (wholesome water consumption calculation) substitute—
- “(1) Where regulation 36 applies, the person carrying out the work must give the local authority a notice which specifies—
 - (a) which of the requirements in regulation 36(2)(a) or (b) applies to the dwelling; and
 - (b) the potential consumption of wholesome water per person per day in relation to the completed dwelling.”.
- (10) In regulation 43(4)(8)—
- (a) after “the British Institute of Non-Destructive Testing” add “, the Independent Air Tightness Testing Scheme Limited(9)”; and
 - (b) omit “the British Institute of Non-Destructive Testing.”.
- (11) In Schedule 1(10) (requirements)—
- (a) in part H (drainage and waste disposal), in subparagraph (a) of the second column of requirement H3(2) (rainwater drainage)—
 - (i) for “M1 (access and use), or” substitute “M1 (access to and use of buildings other than dwellings),”, and
 - (ii) at the end of the subparagraph insert “, or requirement M4(1), (2) or (3) (access to and use of dwellings)”.
 - (b) for Part M (access to and use of buildings) substitute the following Part—

“PART M ACCESS TO AND USE OF BUILDINGS

Access to and use of buildings other than dwellings	Requirement M1 does not apply to
M1. Reasonable provision must be made for people to—	any part of a building that is used solely to enable the building or any service or fitting in the building to be inspected, repaired or maintained.
(a) gain access to; and	
(b) use, the building and its facilities.	Requirement M2 does not apply where suitable access to the extension is provided through the building that is extended.
Access to extensions to buildings other than dwellings	
M2. Suitable independent access must be provided to the extension where reasonably practicable.	Requirement M3 does not apply where there is reasonable provision for sanitary conveniences elsewhere in the building, such that people occupied in, or otherwise having occasion to enter the extension, can gain access to and use those sanitary conveniences.
Sanitary conveniences in extensions to buildings other than dwellings	
	Requirement M4(1) does not apply to:

(8) As amended by [S.I. 2012/3119](#).

(9) A company formed and registered under the Companies Acts with the registration number 09309058.

(10) As amended by [S.I. 2012/3119](#).

M3. If sanitary conveniences are provided in any building that is to be extended, reasonable provision shall be made within the extension for sanitary conveniences.

(a) an extension to a dwelling; or
(b) any part of a building that is used solely to enable the building or any service or fitting in the building to be inspected, repaired or maintained.

Access to and use of dwellings

Category 1- visitable dwelling

Optional requirement M4(2)—

M4(1). Reasonable provision must be made for people to—

(a) may apply only in relation to a dwelling that is erected;

(a) gain access to; and

(b) will apply in substitution for requirement M4(1);

(b) use, the dwelling and its facilities

(c) does not apply where optional requirement M4(3) applies;

Category 2- accessible and adaptable dwellings

M4(2) optional requirement

(d) does not apply to any part of a building that is used solely to enable the building or any service or fitting in the building to be inspected, repaired or maintained.

(1) Reasonable provision must be made for people to—

Optional requirement M4(3)—

(a) gain access to; and

(a) may apply only in relation to a dwelling that is erected;

(b) use, the dwelling and its facilities.

(2) The provision made must be sufficient to —

(b) will apply in substitution for requirement M4(1);

(a) meet the needs of occupants with differing needs, including some older or disabled people; and

(c) does not apply where optional requirement M4(2) applies;

(b) to allow adaptation of the dwelling to meet the changing needs of occupants over time.

(d) does not apply to any part of a building that is used solely to enable the building or any service or fitting in the building to be inspected, repaired or maintained.

Category 3- wheelchair user dwellings

Optional requirement M4(3)(2)(b) applies only where the planning permission under which the building work is carried out specifies that it shall be complied with.”

M4(3) optional requirement

(1) Reasonable provision must be made for people to—

(a) gain access to; and

(b) use, the dwelling and its facilities.

(2) The provision made must be sufficient to —

(a) allow simple adaptation of the dwelling to meet the needs of occupants who use wheelchairs; or

(b) meet the needs of occupants who use wheelchairs.

(c) after Part P (electrical safety) add the following Part—

“PART Q SECURITY

Requirement Q1 applies only in relation to new dwellings.”

Unauthorised access

Q1

Reasonable provision must be made to resist unauthorised access to—

(a) any dwelling; and

(b) any part of a building from which access can be gained to a flat within the building.

(12) For the table in Schedule 3(11) (self-certification schemes and exemptions from requirement to give building notice or deposit full plans) substitute the table in Schedule 1 to these Regulations.

Amendments to the Building (Approved Inspectors etc.) Regulations 2010

3.—(1) The Building (Approved Inspectors etc.) Regulations 2010(12) are amended in accordance with the following paragraphs.

(2) In regulation 2(1) (interpretation) after the definition “material change of use” insert the following definitions—

““new dwelling” includes a dwelling that is formed by a material change of use of a building within the meaning of regulation 5(a), (b) or (g) of the Principal Regulations;

“optional requirement” has the meaning given in regulation 2(1) of the Principal Regulations;”.

(3) In Schedule 1(13) (forms) for forms 1 to 12 substitute in each case the form with the same number in Schedule 2 to these Regulations.

(4) In Schedule 2(14) (grounds for rejecting an initial notice, an amendment notice, or a plans certificate combined with an initial notice) after the text of paragraph 4(b) (information about the proposed work) insert a semicolon and the following subparagraphs—

“(c) “(c) information whether or not the work concerns a new dwelling;

(d) in the case of an initial notice or an amendment notice in relation to a new dwelling, either—

(i) a statement whether or not one or more, and if so which, of the following optional requirements applies to the building work—

(11) As amended by [S.I. 2014/579](#).

(12) [S.I. 2010/2215](#), as amended as described in the footnotes on specific provisions below. There are other amendments, but they are not relevant.

(13) As amended by [S.I. 2012/3119](#) and [S.I. 2013/181](#).

(14) As amended by [S.I. 2012/3119](#).

- (aa) regulation 36(2)(b) (optional water efficiency requirement of 110 litres per person per day),
 - (bb) Schedule 1 Part M optional requirement M4(2) (category 2- accessible and adaptable dwellings),
 - (cc) Schedule 1 Part M optional requirement M4(3) (category 3- wheelchair user dwellings), or
 - (ii) a statement that planning permission has not yet been granted for the work, and that the information required by subparagraph (i) will be supplied as soon as is reasonably practicable after that permission is granted;
 - (e) in the case of a plans certificate combined with an initial notice, a statement in accordance with subparagraph (d)(i)”.
- (5) In Schedule 3(15) (grounds for rejecting a plans certificate, or a plans certificate combined with an initial notice), after paragraph 2 (work) insert the following paragraph—

“Optional requirements

2A. The certificate does not contain—

- (a) information whether or not the work concerns a new dwelling; or
 - (b) in the case of a new dwelling, information whether or not one or more, and if so which, of the following optional requirements applies to the building work—
 - (i) regulation 36(2)(b) (optional water efficiency requirement of 110 litres per person per day),
 - (ii) Schedule 1 Part M optional requirement M4(2) (category 2- accessible and adaptable dwellings),
 - (iii) Schedule 1 Part M optional requirement M4(3) (category 3- wheelchair user dwellings); or
 - (c) in the case of a plans certificate relating to a new dwelling, a statement that it relates only to such part of the work to which no requirement under regulation 36 of, or requirements M4(1), (2) or (3) of Schedule 1 to, the Building Regulations 2010 may apply.”.
- (6) In Schedule 4(16) (grounds for rejecting a final certificate), after paragraph 2 (work) insert the following paragraph—

“Optional requirements

2A. The certificate does not contain information—

- (a) whether or not the work concerns a new dwelling; or
- (b) in the case of a new dwelling, information whether or not one or more, and if so which, of the following optional requirements applies to the building work—
 - (i) regulation 36(2)(b) (optional water efficiency requirement of 110 litres per person per day),
 - (ii) Schedule 1 Part M optional requirement M4(2) (category 2- accessible and adaptable dwellings),

(15) As amended by [S.I. 2012/3119](#).

(16) As amended by [S.I. 2012/3119](#).

(iii) Schedule 1 Part M optional requirement M4(3) (category 3- wheelchair user dwellings).”.

(7) In Schedule 5 (grounds for rejecting a public body’s notice, or a combined public body’s notice and plans certificate) after the text of paragraph 4(b) (information about the proposed work) insert a semicolon and the following subparagraphs—

- “(c) “(c) information whether or not the work concerns a new dwelling;
- (d) in the case of a public body’s notice in relation to a new dwelling, either—
- (i) a statement whether or not one or more, and if so which, of the following optional requirements applies to the building work—
- (aa) regulation 36(2)(b) (optional water efficiency requirement of 110 litres per person per day),
- (bb) Schedule 1 Part M optional requirement M4(2) (category 2- accessible and adaptable dwellings),
- (cc) Schedule 1 Part M optional requirement M4(3) (category 3- wheelchair user dwellings), or
- (ii) a statement that planning permission has not yet been granted for the work, and that the information required by subparagraph (i) will be supplied as soon as is reasonably practicable after that permission is granted;
- (e) in the case of a combined public body’s notice and plans certificate, a statement in accordance with subparagraph (d)(i) ”.

(8) In Schedule 6 (grounds for rejecting a public body’s plans certificate, or a combined public body’s notice and plans certificate) after paragraph 2 (work) insert the following paragraph—

“Optional requirements

2A. The certificate does not contain—

- (a) information whether or not the work concerns a new dwelling; or
- (b) in the case of a new dwelling, information whether or not one or more, and if so which, of the following optional requirements applies to the building work—
- (i) regulation 36(2)(b) (optional water efficiency requirement of 110 litres per person per day),
- (ii) Schedule 1 Part M optional requirement M4(2) (category 2- accessible and adaptable dwellings),
- (iii) Schedule 1 Part M optional requirement M4(3) (category 3- wheelchair user dwellings); or
- (c) in the case of a public body’s plans certificate relating to a new dwelling, a statement that it relates only to such part of the work to which no requirement under regulation 36 of, or requirements M4(1), (2) or (3) of Schedule 1 to, the Building Regulations 2010 may apply.”.

(9) In Schedule 7 (grounds for rejecting a public body’s final certificate) after paragraph 2 insert the following paragraph—

“Optional requirements

2A. The certificate does not contain information—

- (a) whether or not the work concerns a new dwelling; or

- (b) in the case of a new dwelling, information whether or not one or more, and if so which, of the following optional requirements applies to the building work—
 - (i) regulation 36(2)(b) (optional water efficiency requirement of 110 litres per person per day),
 - (ii) Schedule 1 Part M optional requirement M4(2) (category 2- accessible and adaptable dwellings),
 - (iii) Schedule 1 Part M optional requirement M4(3) (category 3- wheelchair user dwellings).”.

Transitional provisions

4. Regulations 2(3), (5), (6), (8), (9), and (11)(a) and (b), and 3(3) to (9) shall not apply in relation to building work in respect of which a building notice, an initial notice, a plans certificate, an amendment notice or a public body’s notice has been given to, or full plans deposited with, a local authority before 1st October 2015.

5. Regulation 2(4) and (11)(c) shall not apply in relation to building work that is started before 1st October 2016 in respect of which a building notice, an initial notice, a plans certificate, an amendment notice or a public body’s notice has been given to, or full plans deposited with, a local authority before 1st October 2015.

Signed by authority of the Secretary of State for Communities and Local Government

26th March 2015

Ahmad
Parliamentary Under Secretary of State
Department for Communities and Local
Government

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SCHEDULE 1

Regulation 2(12)

<i>“Column 1</i>	<i>Column 2</i>
<i>Type of work</i>	<i>Person carrying out work</i>
1. Installation of a heat-producing gas appliance. This paragraph does not apply to the provision of a masonry chimney.	A person, or an employee of a person, who is a member of a class of persons approved in accordance with regulation 3 of the Gas Safety (Installation and Use) Regulations 1998 (17) .
2. Installation of— (a) an oil-fired combustion appliance; or (b) oil storage tanks and the pipes connecting them to combustion appliances. This paragraph does not apply to the provision of a masonry chimney.	A person registered in respect of that type of work by Association of Plumbing and Heating Contractors (Certification) Limited (18) , Blue Flame Certification Limited (19) , Building Engineering Services Competence Assessment Limited (20) , Certsure LLP (21) , HETAS Limited (22) , NAPIT Registration Limited (23) , Oil Firing Technical Association Limited (24) , or Stroma Certification Limited (25) .
3. Installation of a solid fuel-burning combustion appliance other than a biomass appliance. This paragraph does not apply to the provision of a masonry chimney.	A person registered in respect of that type of work by Association of Plumbing and Heating Contractors (Certification) Limited, Building Engineering Services Competence Assessment Limited, Certsure LLP, HETAS Limited, NAPIT Registration Limited, Oil Firing Technical Association Limited, or Stroma Certification Limited.
4. Installation of a heating or hot water system, or its associated controls.	A person, or an employee of a person, who is a member of a class of persons approved in accordance with regulation 3 of the Gas Safety (Installation and Use) Regulations 1998, or a person registered in respect of that type of work by Association of Plumbing and Heating Contractors (Certification) Limited, Benchmark Certification Limited, Blue Flame Certification Limited, Building Engineering Services Competence Assessment Limited, Certsure LLP, HETAS Limited, NAPIT Registration Limited, Oil Firing Technical Association Limited, or Stroma Certification Limited.

(17) S.I. 1998/2451.

(18) A company formed and registered under the Companies Acts (as defined in section 2 of the Companies Act 2006, c.46) with the registration number 02876277.

(19) A company formed and registered under the Companies Acts with the registration number 05182566.

(20) A company formed and registered under the Companies Acts with the registration number 03712932.

(21) A limited liability partnership formed and registered under the Limited Liability Partnerships Act 2000 (c.12) with the registration number OC379918.

(22) A company formed and registered under the Companies Acts with the registration number 02117828.

(23) A company formed and registered under the Companies Acts with the registration number 05190452.

(24) A company formed and registered under the Companies Acts with the registration number 02739706.

(25) A company formed and registered under the Companies Acts with the registration number 06429016.

<p>5. Installation of a mechanical ventilation or air conditioning system or associated controls, in a building other than a dwelling, that does not involve work on a system shared with parts of the building occupied separately.</p>	<p>A person registered in respect of that type of work by Blue Flame Certification Limited, Building Engineering Services Competence Assessment Limited, Certsure LLP, NAPIT Registration Limited, or Stroma Certification Limited.</p>
<p>6. Installation of an air conditioning or ventilation system in a dwelling, that does not involve work on a system shared with other dwellings.</p>	<p>A person registered in respect of that type of work by Blue Flame Certification Limited, Building Engineering Services Competence Assessment Limited, Certsure LLP, NAPIT Registration Limited, or Stroma Certification Limited.</p>
<p>7. Installation of an energy efficient lighting system or electric heating system, or associated electrical controls, in buildings other than dwellings.</p>	<p>A person registered in respect of that type of work by Blue Flame Certification Limited, Building Engineering Services Competence Assessment Limited, Certsure LLP, NAPIT Registration Limited, or Stroma Certification Limited.</p>
<p>8. Installation of fixed low or extra-low voltage electrical installations in dwellings.</p>	<p>A person registered in respect of that type of work by BSI Assurance UK Limited⁽²⁶⁾, Benchmark Certification Limited, Blue Flame Certification Limited, Building Engineering Services Competence Assessment Limited, Certsure LLP, NAPIT Registration Limited, Oil Firing Technical Association Limited, or Stroma Certification Limited.</p>
<p>9. Installation of fixed low or extra-low voltage electrical installations in dwellings, as a necessary adjunct to or arising out of other work being carried out by the registered person.</p>	<p>A person registered in respect of that type of work by Association of Plumbing and Heating Contractors (Certification) Limited, Benchmark Certification Limited, Blue Flame Certification Limited, Building Engineering Services Competence Assessment Limited, Certsure LLP, NAPIT Registration Limited, or Stroma Certification Limited.</p>
<p>10. Installation, as a replacement, of a window, rooflight, roof window or door in an existing dwelling.</p>	<p>A person registered in respect of that type of work by BM Trada Certification Limited⁽²⁷⁾, BSI Assurance UK Limited, Blue Flame Certification Limited, CERTASS Limited⁽²⁸⁾, Certsure LLP, by Fensa Limited⁽²⁹⁾ under the Fenestration Self-Assessment Scheme, by NAPIT Registration Limited, Network VEKA Limited⁽³⁰⁾, or Stroma Certification Limited.</p>
<p>11. Installation, as a replacement, of a window, rooflight, roof window or door in an existing</p>	<p>A person registered in respect of that type of work by BM Trada Certification Limited,</p>

⁽²⁶⁾ A company formed and registered under the Companies Acts with the registration number 07805321.

⁽²⁷⁾ A company formed and registered under the Companies Acts with the registration number 02110046.

⁽²⁸⁾ A company formed and registered under the Companies Acts with the registration number 04350234.

⁽²⁹⁾ A company formed and registered under the Companies Acts with the registration number 03058561.

⁽³⁰⁾ A company formed and registered under the Companies Acts with the registration number 04029350.

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building other than a dwelling. This paragraph does not apply to glass which is load bearing or structural or which forms part of glazed curtain walling or a revolving door.	Blue Flame Certification Limited, CERTASS Limited, Certsure LLP, by Fensa Limited under the Fenestration Self-Assessment Scheme, by NAPIT Registration Limited, Network VEKA Limited, or Stroma Certification Limited.
12. Installation of a sanitary convenience, sink, washbasin, bidet, fixed bath, shower or bathroom in a dwelling, that does not involve work on shared or underground drainage.	A person registered in respect of that type of work by Association of Plumbing and Heating Contractors (Certification) Limited, Benchmark Certification Limited, Building Engineering Services Competence Assessment Limited, Certsure LLP, HETAS Limited, NAPIT Registration Limited, or Stroma Certification Limited.
13. Installation of a wholesome cold water supply or a softened wholesome cold water supply.	A person registered in respect of that type of work by Association of Plumbing and Heating Contractors (Certification) Limited, Benchmark Certification Limited, Building Engineering Services Competence Assessment Limited, Certsure LLP, HETAS Limited, NAPIT Registration Limited, or Stroma Certification Limited.
14. Installation of a supply of non-wholesome water to a sanitary convenience fitted with a flushing device, that does not involve work on shared or underground drainage.	A person registered in respect of that type of work by Association of Plumbing and Heating Contractors (Certification) Limited, Benchmark Certification Limited, Building Engineering Services Competence Assessment Limited, Certsure LLP, HETAS Limited, NAPIT Registration Limited, or Stroma Certification Limited.
15. Installation in a building of a system to produce electricity, heat or cooling— (a) by microgeneration; or (b) from renewable sources (as defined in Directive 2009/28/EC of the European Parliament and of the Council on the promotion of the use of energy from renewable sources ⁽³¹⁾).	A person registered in respect of that type of work by Association of Plumbing and Heating Contractors (Certification) Limited, Benchmark Certification Limited, Building Engineering Services Competence Assessment Limited, Certsure LLP, HETAS Limited, NAPIT Registration Limited, Oil Firing Technical Association Limited, or Stroma Certification Limited.
16. Installation, as a replacement, of the covering of a pitched or flat roof and work carried out by the registered person as a necessary adjunct to that installation. This paragraph does not apply to the installation of solar panels.	A person registered in respect of that type of work by NAPIT Registration Limited or the National Federation of Roofing Contractors Limited ⁽³²⁾ .
17. Insertion of insulating material into the cavity walls of an existing building.	A person registered in respect of that type of work by Blue Flame Certification Limited, CERTASS Limited, Cavity Insulation

(31) OJ No L218, 5.6.2009, p.16, Article 2.

(32) A company formed and registered under the Companies Acts with the registration number 02591364.

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	Guarantee Agency Limited ⁽³³⁾ under the Cavity Wall Insulation Self Certification Scheme, by Certsure LLP, NAPIT Registration Limited, or Stroma Certification Limited.
18. Installation of insulating material to the internal walls of a building, not including the installation of flexible thermal linings.	A person registered in respect of that type of work by Blue Flame Certification Limited, British Board of Agrément ⁽³⁴⁾ , CERTASS Limited, Certsure LLP, NAPIT Registration Limited, or Stroma Certification Limited.
19. Installation of insulating material to the external walls of a building, not including insulation of demountable-clad buildings.	A person registered in respect of that type of work by Blue Flame Certification Limited, British Board of Agrément, CERTASS Limited, Certsure LLP, NAPIT Registration Limited, or Stroma Certification Limited.
20. Installation of insulating material to the external and internal walls of a building (“hybrid insulation”), not including insulation of demountable-clad buildings, and not including the installation of flexible thermal linings.	A person registered in respect of that type of work by Blue Flame Certification Limited, British Board of Agrément, CERTASS Limited, Certsure LLP, NAPIT Registration Limited or Stroma Certification Limited.”

⁽³³⁾ A company formed and registered under the Companies Acts with the registration number 03044131.

⁽³⁴⁾ A company formed and registered under the Companies Acts with the registration number 00878293.

SCHEDULE 2

Regulation 3(3)

Forms for substitution in Schedule 1 to the Building (Approved Inspectors etc.) Regulations 2010

Form 1

Section 47 of the Building Act 1984 (“The Act”)

The Building (Approved Inspectors etc.) Regulations 2010 (“The Regulations”)

INITIAL NOTICE

To: **(1)**

1. This notice relates to the following work: **(2)**

2. The approved inspector in relation to the work is: **(3)**

3. The person intending to carry out the work is: **(3)**

4. The work [does]/ [does not] **(4)** concern a new dwelling^(a).

5. With this notice are the following documents, which are those relevant to the work described in this notice— **(5)**

(a) [in the case of the erection or extension of a building, a plan to a scale of not less than 1:1250 showing the boundaries and location of the site and (where the work includes the construction of a new drain or private sewer) a statement—

(i) As to the appropriate location of any proposed connection to be made to a sewer, or

(ii) If no connection is to be made to a sewer, as to the proposals for the discharge of the proposed drain or private sewer including the location of any septic tank and associated secondary treatment system, or of any wastewater treatment system or any cesspool;]

(b) [in the case of a new dwelling—

(i) a statement whether or not one or more, and if so which, of the following optional requirements in the Building Regulations 2010 applies to the building work—

(aa) regulation 36(2)(b) (optional water efficiency requirement of 110 litres per person per day),

(bb) Schedule 1 Part M optional requirement M4(2) (category 2- accessible and adaptable dwellings),

(cc) Schedule 1 Part M optional requirement M4(3) (category 3- wheelchair user dwellings),
or

(ii) a statement that planning permission has not yet been granted for the work, and that the information required by subparagraph (b)(i) will be supplied as soon as is reasonably practicable after that permission is granted **(6);]**

(c) [a statement of any local enactment relevant to the work, and of the steps to be taken to comply with it.]

6. The work [is]/[is not] **(4)** minor work. **(8)**

7. [I **(9)** declare that I do not, and will not while this notice is in force, have any professional or financial interest **(10)** in the works described.] **(7)**

8. The approved inspector [will]/[will not] **(11)** be obliged to consult the fire and rescue authority by regulation 12 of the Regulations.

9. [I **(9)** undertake to consult the fire and rescue authority before giving a plans certificate in accordance with section 50 of the Act or a final certificate in accordance with section 51 of the Act in respect of any of the work described above.] **(7)**

10. The approved inspector [will]/[will not] **(12)** be obliged to consult the sewerage undertaker by regulation 13 of the Regulations.

^(a) A new dwelling includes a dwelling that is formed by a material change of use of a building within the meaning of regulation 5(a), (b) or (g) of the Building Regulations 2010.

11. [I (9) undertake to consult the sewerage undertaker before giving a plans certificate in accordance with section 50 of the Act or a final certificate in accordance with section 51 of the Act in respect of any of the work described above.] (7)

12. I (9) am aware of the obligations laid upon me by Part 2 of the Act and by regulation 8 of the Regulations.

13. I (9) am an approved inspector for the purposes of Part 2 of the Act in respect of the work described in this notice.

14. Copies of the notice of approval and of a declaration of insurance relevant to the work described in this notice are on the register kept by the body designated under regulation 3 of the Regulations.

Signed	Signed
Approved Inspector	Person intending to carry out the work
Date	Date

NOTES

- (1) Name and address of local authority.
- (2) Location and description of the work, including the use of any building to which the work relates.
- (3) Name and address.
- (4) Delete whichever does not apply.
- (5) The local authority may reject this notice only on grounds prescribed by the Secretary of State. These are set out in Schedule 2 to the Regulations. They include failure to provide relevant documents. The documents listed in paragraph 5 relevant to the work described above should therefore be sent with this notice. Any subparagraph that does not apply should be deleted.
- (6) The information may be supplied in an amendment notice given in accordance with section 51A of the Act.
- (7) Delete this statement if it does not apply.
- (8) "Minor work" has the meaning given in regulation 9(5) of the Regulations. If the work is not minor work, the declaration in paragraph 7 must be made.
- (9) Name of the approved inspector.
- (10) "Professional or financial interest" has the meaning given in regulation 9 of the Regulations.
- (11) Delete whichever does not apply. If the inspector is obliged to consult the fire and rescue authority, the declaration in paragraph 9 must be made.
- (12) Delete whichever does not apply. If the inspector is obliged to consult the sewerage undertaker, the declaration in paragraph 11 must be made.

Form 2
Section 51A of the Building Act 1984 (“The Act”)
The Building (Approved Inspectors etc.) Regulations 2010 (“The Regulations”)

AMENDMENT NOTICE

To: **(1)**

1. This notice amends the initial notice a copy of which accompanies this notice.
2. This notice amends the work in the initial notice in the following manner: **(2)**
3. The work [does]/ [does not] **(3)** concern a new dwelling**(a)**.
4. With this notice are the following documents, which are those relevant to the work described in this notice— **(4)**
 - (a) a copy of the original notice;
 - (b) either—
 - (i) a statement to the effect that all plans submitted with the original notice remain unchanged, or
 - (ii) all amended plans, and a statement that any plans not included remain unchanged;
 - (c) [in the case of the erection or extension of a building, a plan to scale of not less than 1:1250 showing the boundaries and location of the site and (where the work includes the construction of a new drain or private sewer) a statement—
 - (i) as to the approximate location of any proposed connection to be made to a sewer, or
 - (ii) if no connection is to be made to a sewer, as to the proposals for the discharge of the proposed drain or private sewer including the location of any septic tank and associated secondary treatment system, or of any wastewater treatment system or any cesspool;]
 - (d) [in the case of a new dwelling—
 - (i) a statement whether or not one or more, and if so which, of the following optional requirements in the Building Regulations 2010 applies to the building work as varied—
 - (aa) regulation 36(2)(b) (optional water efficiency requirement of 110 litres per person per day),
 - (bb) Schedule 1 Part M optional requirement M4(2) (category 2- accessible and adaptable dwellings),
 - (cc) Schedule 1 Part M optional requirement M4(3) (category 3- wheelchair user dwellings),or
 - (ii) a statement that planning permission has not yet been granted for the work, and that the information required by subparagraph (d)(i) will be supplied as soon as is reasonably practicable after that permission is granted **(5)**;
 - (e) [a statement of any local enactment relevant to the work, and of the steps to be taken to comply with it.]
5. The work [is]/[is not] **(3)** minor work. **(6)**
6. [I **(7)** declare that I do not, and will not while this notice is in force, have any financial or professional interest **(8)** in the works described.] **(9)**
7. [I **(7)** am satisfied that plans relating to the work described above have been submitted to me, and that they neither are defective nor show work which, if carried out in accordance with them, would contravene any provision of the building regulations.] **(9)**

(a) A new dwelling includes a dwelling that is formed by a material change of use of a building within the meaning of regulation 5(a), (b) or (g) of the Building Regulations 2010.

8. The approved inspector [will]/[will not] **(10)** be obliged to consult the fire and rescue authority by regulation 12 of the Regulations.

9. [I **(7)** undertake to consult the fire and rescue authority before giving a plans certificate in accordance with section 50 of the Act or a final certificate in accordance with section 51 of the Act in respect of any of the work described above.] **(9)**

10. The approved inspector [will]/[will not] **(11)** be obliged to consult the sewerage undertaker by regulation 13 of the Regulations.

11. [I **(7)** undertake to consult the sewerage undertaker before giving a plans certificate in accordance with section 50 of the Act or a final certificate in accordance with section 51 of the Act in respect of any of the work described above.] **(9)**

12. I **(7)** am aware of the obligations laid upon me by Part 2 of the Act and by regulation 8 of the Regulations.

13. I **(7)** am an approved inspector for the purposes of Part 2 of the Act and the above work is [the whole]/[part] **(3)** of the work described in an initial notice given by me and dated **(12)**.

14. Copies of the notice of approval and of a declaration of insurance relevant to the work described in this notice are on the register kept by the body designated under regulation 3 of the Regulations.

Signed

Signed

Approved inspector

Person intending to carry out the work

Date

Date

NOTES

(1) Name and address of local authority.

(2) Location and/or description of the new work in the amendment notice and how it amends the work mentioned in the initial notice, including the use of any building to which the new work relates.

(3) Delete whichever does not apply.

(4) The local authority may reject this notice only on grounds prescribed by the Secretary of State. These are set out in paragraphs 1 to 11 of Schedule 2 to the Regulations. They include failure to provide relevant documents. The documents listed in paragraph 4 above should therefore be sent with this notice. Any subparagraph which does not apply should be deleted.

(5) The information may be supplied in a further amendment notice given in accordance with section 51A of the Act.

(6) "Minor work" has the meaning given in regulation 9(5) of the Regulations. If the work is not minor work, the declaration in paragraph 6 must be made.

(7) Name of the approved inspector.

(8) "Professional or financial interest" has the meaning given in regulation 9 of the Regulations.

(9) Delete this statement if it does not apply.

(10) Delete whichever does not apply. If the inspector is obliged to consult the fire and rescue authority, the declaration in paragraph 9 must be made.

(11) Delete whichever does not apply. If the inspector is obliged to consult the sewerage undertaker, the declaration in paragraph 11 must be made.

(12) Insert date.

Form 3
Section 50 of the Building Act 1984 (“The Act”)
The Building (Approved Inspectors etc. Regulations 2010 (“The Regulations”))

PLANS CERTIFICATE

1. This certificate relates to the following work: **(1)**
2. I am an approved inspector for the purposes of Part 2 of the Act and the above work is [the whole]/[part] **(2)** of the work described in an initial notice given by me and dated **(3)**.
3. The work [does]/[does not] **(4)** concern a new dwelling**(a)**.
4. [In the case of a new dwelling for which planning permission has been granted, [no optional requirement in the Building Regulations 2010 applies]/[one or more of the following optional requirements in the Building Regulations 2010 applies to work, namely **(5)**—
 - (a) regulation 36(2)(b) (optional water efficiency requirement of 110 litres per person per day);
 - (b) Schedule 1 Part M optional requirement M4(2) (category 2- accessible and adaptable dwellings);
 - (c) Schedule 1 Part M optional requirement M4(3) (category 3- wheelchair user dwellings).]] **(6)**
5. [In the case of a new dwelling for which planning permission has not been granted, this plans certificate relates only to such part of the work to which no requirement under regulation 36 of, or requirements M4(1), (2) or (3) of Schedule 1 to, the Building Regulations 2010 may apply.] **(6)**
6. Copies of the notice of approval and of a declaration of insurance relevant to the work described in this plans certificate are on the register kept by the body designated under regulation 3 of the Regulations.
7. Plans of the work specified above have been submitted to me and I am satisfied that the plans neither are defective nor show that work carried out in accordance with them would contravene any provision of building regulations.
8. The work [is]/[is not] **(2)** minor work. **(7)**
9. [I declare that I have had no financial or professional interest **(8)** in the work described since giving the initial notice described in paragraph 6.] **(6)**
10. [I have consulted the fire and rescue authority in accordance with regulation 12 of the Regulations.] **(6)**
11. [I have consulted the sewerage undertaker in accordance with regulation 13 of the Regulations.] **(6)**
12. The plans to which this certificate relates bear the following date and reference number: **(9)**

Signed

Approved Inspector

Date

NOTES

- (1)** Location and description of the work, including the use of any building to which the work relates.
- (2)** Delete whichever does not apply.

(a) A new dwelling includes a dwelling that is formed by a material change of use of a building within the meaning of regulation 5(a), (b) or (g) of the Building Regulations 2010.

- (3) Insert date.
- (4) Delete whichever does not apply. If the work does concern a new dwelling the statement in either paragraph 4 or 5 must be made.
- (5) Delete the optional requirements that do not apply to the work.
- (6) Delete this statement if it does not apply.
- (7) “Minor work” has the meaning given in regulation 9(5) of the Regulations. If the work is not minor work, the declaration in paragraph 9 must be made.
- (8) “Professional or financial interest” has the meaning given in regulation 9 of the Regulations.
- (9) Insert the date and reference number..

Form 4
Sections 47 and 50 of the Building Act 1984 (“The Act”)
The Building (Approved Inspectors etc.) Regulations 2010 (“The Regulations”)

COMBINED INITIAL NOTICE AND PLANS CERTIFICATE (1)

To: (2)

1. This notice relates to the following work: (3)

2. The approved inspector in relation to the work is: (4)

3. The person intending to carry out the work is: (4)

4. The work [does]/[does not] (5) concern a new dwelling(a).

5. With this notice are the following documents, which are those relevant to the work described in this notice— (6)

(a) [in the case of the erection or extension of a building, a plan to scale of not less than 1:1250 showing the boundaries and location of the site and (where the work includes the construction of a new drain or private sewer) a statement—

(i) as to the approximate location of any proposed connection to be made to a sewer, or

(ii) if no connection is to be made to a sewer, as to the proposals for the discharge of the proposed drain or private sewer including the location of any septic tank and associated secondary treatment system, or of any wastewater treatment system or any cesspool;]

(b) [in the case of a new dwelling, a statement whether or not one or more, and if so which, of the following optional requirements in the Building Regulations 2010 applies to the building work—

(i) regulation 36(2)(b) (optional water efficiency requirement of 110 litres per person per day),

(ii) Schedule 1 Part M optional requirement M4(2) (category 2- accessible and adaptable dwellings),

(iii) Schedule 1 Part M optional requirement M4(3) (category 3- wheelchair user dwellings)];

(c) [a statement of any local enactment relevant to the work, and of the steps to be taken to comply with it.]

6. The work [is]/[is not] (5) minor work. (7)

7. [I (8) declare that I do not, and will not while this notice is in force, have any professional or financial interest (9) in the work described.] (10)

8. I (8) have had plans of the work described above submitted to me and I am satisfied that the plans neither are defective nor show that work carried out in accordance with them would contravene any provision of building regulations.

9. The approved inspector [is]/[is not] (11) obliged to consult the fire and rescue authority by regulation 12 of the Regulations.

10. [I (8) have consulted the fire and rescue authority in accordance with regulation 12.] (10)

11. [I (8) undertake to consult the fire and rescue authority before giving a final certificate in accordance with section 51 of the Act in respect of any of the work described above.] (10)

12. The approved inspector [is]/[is not] (12) obliged to consult the sewage undertaker by regulation 13 of the Regulations.

13. [I (8) have consulted the sewage undertaker in accordance with regulation 13.] (10)

(a) A new dwelling includes a dwelling that is formed by a material change of use of a building within the meaning of regulation 5(a), (b) or (g) of the Building Regulations 2010.

14. [I (8) undertake to consult the sewage undertaker before giving a final certificate in accordance with section 51 of the Act in respect of any of the work described above.] **(10)**

15. The plans to which this certificate relates bear the following date and reference number. **(13)**

16. I (8) am aware of the obligations laid upon me by Part 2 of the Act and by regulation 8 of the Regulations.

17. I (8) am an approved inspector for the purposes of Part 2 of the Act in respect of the work described in this notice.

18. Copies of the notice of approval and of a declaration of insurance relevant to the work described in this notice are on the register kept by the body designated under regulation 3 of the Regulations.

Signed

Signed

Approved inspector

Person intending to carry out the work

Date

Date

NOTES

(1) If the work concerns a new dwelling, but planning permission has not yet been granted, this form cannot be used and Forms 1 (initial notice) and 2 (plans certificate) will have to be given separately.

(2) Name and address of local authority.

(3) Location and description of the work, including the use of any building to which the work relates.

(4) Name and address.

(5) Delete whichever does not apply.

(6) The local authority may reject this notice only on grounds prescribed by the Secretary of State. These are set out in Schedules 2 and 3 to the Regulations. They include failure to provide relevant documents. The documents listed in paragraph 5 relevant to the work described above should therefore be sent with this notice. Any subparagraph which does not apply should be deleted.

(7) "Minor work" has the meaning given in regulation 9(5) of the Regulations. If the work is not minor work, the declaration in paragraph 7 must be made.

(8) Name of the approved inspector.

(9) "Professional or financial interest" has the meaning given in regulation 9 of the Regulations.

(10) Delete this statement if it does not apply.

(11) Delete whichever does not apply. If the inspector is obliged to consult the fire and rescue authority, the declaration either in paragraph 10 or in paragraph 11 must be made.

(12) Delete whichever does not apply. If the inspector is obliged to consult the sewerage undertaker, the declaration either in paragraph 13 or in paragraph 14 must be made.

(13) Insert the date and reference number.

Form 5
Section 51 of the Building Act 1984
The Building (Approved Inspectors etc.) Regulations 2010 (“The Regulations”)

FINAL CERTIFICATE

1. This certificate relates to the following work: **(1)**
2. I am an approved inspector and the work described above was [the whole]/[part] **(2)** of the work described in an initial notice given by me and dated **(3)** [and amended on **(3)**] **(4)**.
3. The work [does]/ [does not] **(5)** concern a new dwelling^(a).
4. [No optional requirement in the Building Regulations 2010 applies to the work.] **(6)**
5. [One or more of the following optional requirements in the Building Regulations 2010 applies, namely **(7)**—
 - (a) regulation 36(2)(b) (optional water efficiency requirement of 110 litres per person per day);
 - (b) Schedule 1 Part M optional requirement M4(2) (category 2- accessible and adaptable dwellings);
 - (c) Schedule 1 Part M optional requirement M4(3) (category 3- wheelchair user dwellings).] **(6)**
6. The work described above has been completed and I have performed the functions assigned to me by regulation 8 of the Regulations.
7. [A final certificate has now been issued in respect of all the work described in the initial notice referred to in paragraph 2 above.] **(6)**
8. Copies of the notice of approval and of a declaration of insurance relevant to the work described in this notice are on the register kept by the body designated under regulation 3 of the Regulations.
9. The work [is]/[is not] **(2)** minor work **(8)**.
10. [I have had no professional or financial interest **(9)** in the work described above since giving the initial notice described in paragraph 2 above..] **(6)**
11. This certificate is evidence (but not conclusive evidence) that the requirements specified in it have been complied with.

Signed

Approved Inspector

Date

NOTES

- (1)** Location and description of the work, including the use of any building to which the work relates.
- (2)** Delete whichever does not apply.
- (3)** Insert date.
- (4)** Delete the bracketed words if they do not apply.

^(a) A new dwelling includes a dwelling that is formed by a material change of use of a building within the meaning of regulation 5(a), (b) or (g) of the Building Regulations 2010.

- (5) Delete whichever does not apply. If the work concerns a new dwelling, the declaration either in paragraph 4 or in paragraph 5 must be made.
- (6) Delete this statement if it does not apply.
- (7) Delete the optional requirements that do not apply to the work.
- (8) “Minor work” has the meaning given in regulation 9(5) of the Regulations. If the work is not minor work, the declaration in paragraph 10 must be made.
- (9) “Professional or financial interest” has the meaning given in regulation 9 of the Regulations.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Form 6
Section 52(1) of the Building Act 1984
The Building (Approved Inspectors etc.) Regulations 2010 (“The 2010 Regulations”)

NOTICE OF CANCELLATION BY APPROVED INSPECTOR

To: **(1)**

1. This notice relates to the following work: **(2)**
2. An initial notice dated **(3)** has been given and the above work was specified in it.
3. I am the approved inspector in relation to that work
4. I hereby cancel the initial notice.
5. [I gave notice to the person carrying out the work in accordance with regulation 18 of the Regulations and that person failed to remedy the contravention within the prescribed period. The contravention is:] **(4)**

Signature

Date

NOTES

- (1)** Insert the name and address of the person to whom the notice is given. It must be given to the local authority and to the person carrying out or intending to carry out the work..
- (2)** Location and description of the work, including the use of any building to which the work relates.
- (3)** Insert date.
- (4)** Delete this statement if it does not apply. If it applies, specify the provision of the building regulations (including the specific requirement) which is contravened.

Form 7
Section 52(3) of the Building Act 1984
The Building (Approved Inspectors etc.) Regulations 2010

NOTICE OF CANCELLATION BY PERSON CARRYING OUT THE WORK

To: **(1)**

1. This notice relates to the following work: **(2)**
2. An initial notice dated **(3)** has been given and the above work was specified in it.
3. I am the person [carrying out]/[intending to carry out] **(4)** the work
4. I hereby cancel the initial notice.

Signature

Date

NOTES

- (1)** Insert the name and address of the person to whom the notice is given. It must be given to the local authority and, if practicable, to the approved inspector.
- (2)** Location and description of the work, including the use of any building to which the work relates.
- (3)** Insert date.
- (4)** Delete whichever does not apply.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Form 8
Section 52(5) of the Building Act 1984
The Building (Approved Inspectors etc.) Regulations 2010

NOTICE OF CANCELLATION BY LOCAL AUTHORITY

To: **(1)**

1. This notice relates to the following work: **(2)**

2. I am authorised to sign this notice by the following local authority: **(3)**

3. The authority accepted an initial notice on **(4)** and the above work was specified in it.

4. It appears to the local authority that the work to which the initial notice relates has not been commenced within the period of three years beginning on the date on which the initial notice was accepted, and the local authority hereby cancels the initial notice.

Signature

Date

NOTES

(1) Insert the name and address of the person to whom the notice is given. It must be given to the approved inspector and to the person shown in the initial notice as the person intending to carry out the work.

(2) Location and description of the work, including the use of any building to which the work relates.

(3) Name and address of the local authority.

(4) Insert date.

Form 9
Section 54 of the Building Act 1984 (“The Act”)
The Building (Approved Inspectors etc.) Regulations 2010 (“The Regulations”)

PUBLIC BODY’S NOTICE

To: (1)

1. This notice relates to the following work: (2)
2. (3) is an approved public body under Part 2 of the Act and intends to carry out in relation to a building belonging to it the work described above which can be adequately supervised by its own servants or agents.
3. The work [does]/ [does not] (4) concern a new dwelling(a).
4. With this notice are the following documents, which are those relevant to the work described in this notice— (5)
 - (a) [in the case of the erection or extension of a building, a plan to scale of not less than 1:1250 showing the boundaries and location of the site and (where the work includes the construction of a new drain or private sewer) a statement—
 - (i) as to the approximate location of any proposed connection to be made to a sewer, or
 - (ii) if no connection is to be made to a sewer, as to the proposals for the discharge of the proposed drain or private sewer including the location of any septic tank and associated secondary treatment system, or of any wastewater treatment system or any cesspool;]
 - (b) [in the case of a new dwelling—
 - (i) a statement whether or not one or more, and if so which, of the following optional requirements in the Building Regulations 2010 applies to the building work—
 - (aa) regulation 36(2)(b) (optional water efficiency requirement of 110 litres per person per day),
 - (bb) Schedule 1 Part M optional requirement M4(2) (category 2- accessible and adaptable dwellings),
 - (cc) Schedule 1 Part M optional requirement M4(3) (category 3- wheelchair user dwellings),
or
 - (ii) a statement that planning permission has not yet been granted for the work, and that the information required by subparagraph (b)(i) will be supplied as soon as is reasonably practicable after that permission is granted;]
 - (c) [a statement of any local enactment relevant to the work, and of the steps to be taken to comply with it.]
5. The public body [will]/[will not] (6) be obliged to consult the fire and rescue authority by regulation 23 of the Regulations.
6. [(3) undertakes to consult the fire and rescue authority before giving a plans certificate in accordance with paragraph 2 of Schedule 4 to the Act or a final certificate in accordance with paragraph 3 of Schedule 4 to the Act in respect of any of the work described above.] (7)
7. The public body [will]/[will not] (8) be obliged to consult the sewerage undertaker by regulation 24 of the Regulations.
8. [(3) undertakes to consult the sewerage undertaker before giving a plans certificate in accordance with paragraph 2 of Schedule 4 to the Act or a final certificate in accordance with paragraph 3 of Schedule 4 to the Act in respect of any of the work described above.] (7)

(a) A new dwelling includes a dwelling that is formed by a material change of use of a building within the meaning of regulation 5(a), (b) or (g) of the Building Regulations 2010.

Signature

Date

NOTES

- (1) Name and address of local authority.
- (2) Location and description of the work, including the use of any building to which the work relates.
- (3) Name and address of public body.
- (4) Delete whichever does not apply.
- (5) The local authority may reject this notice only on grounds prescribed by the Secretary of State. These are set out in Schedule 5 to the Regulations. They include failure to provide relevant documents. The documents listed in paragraph 4 relevant to the work described above should therefore be sent with this notice. Any subparagraph that does not apply should be deleted.
- (6) Delete whichever does not apply. If the public body is obliged to consult the fire and rescue authority, the declaration in paragraph 6 must be made.
- (7) Delete this statement if it does not apply.
- (8) Delete whichever does not apply. If the public body is obliged to consult the sewerage undertaker, the declaration in paragraph 8 must be made.

Form 10
Paragraph 2 of Schedule 4 to the Building Act 1984 (“The Act”)
The Building (Approved Inspectors etc.) Regulations 2010 (“The Regulations”)

PUBLIC BODY’S PLANS CERTIFICATE

1. This certificate relates to the following work: **(1)**
2. **(2)** is an approved public body under Part 2 of the Act and the above work is [the whole]/[part] **(3)** of the work described in an initial notice given by it and dated **(4)**.
3. The work [does]/[does not] **(5)** concern a new dwelling**(a)**.
4. [In the case of a new dwelling for which planning permission has been granted, [no optional requirement in the Building Regulations 2010 applies]/[one or more of the following optional requirements in the Building Regulations 2010 applies to work, namely **(6)**—
 - (a) regulation 36(2)(b) (optional water efficiency requirement of 110 litres per person per day);
 - (b) Schedule 1 Part M optional requirement M4(2) (category 2- accessible and adaptable dwellings);
 - (c) Schedule 1 Part M optional requirement M4(3) (category 3- wheelchair user dwellings).]] **(7)**
5. [In the case of a new dwelling for which planning permission has not been granted, this plans certificate relates only to such part of the work to which no requirement under regulation 36 of, or requirements M4(1), (2) or (3) of Schedule 1 to, the Building Regulations 2010 may apply.] **(7)**
6. Plans of the work specified above have been inspected by a servant or agent of the public body who is competent to assess the plans and that person is satisfied that the plans neither are defective nor show that work carried out in accordance with them would contravene any provision of building regulations.
7. [The fire and rescue authority has been consulted in accordance with regulation 23 of the Regulations.] **(7)**
8. [The sewerage undertaker has been consulted in accordance with regulation 24 of the Regulations.] **(7)**
9. The plans inspected bear the following date and reference number: **(8)**

Signature

Date

NOTES

- (1)** Location and description of the work, including the use of any building to which the work relates.
- (2)** Name and address of public body.
- (3)** Delete whichever does not apply.
- (4)** Insert date.
- (5)** Delete whichever does not apply. If the work does concern a new dwelling the statement in either paragraph 4 or 5 must be made.

(a) A new dwelling includes a dwelling that is formed by a material change of use of a building within the meaning of regulation 5(a), (b) or (g) of the Building Regulations 2010.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (6) Delete the optional requirements that do not apply to the work.
- (7) Delete this statement if it does not apply
- (8) Insert the date and reference number.

Form 11

Paragraph 2(2) of Schedule 4 to the Building Act 1984 (“The Act”)
The Building (Approved Inspectors etc.) Regulations 2010 (“The Regulations”)

COMBINED PUBLIC BODY’S NOTICE AND PLANS CERTIFICATE (1)

To: (2)

1. This notice relates to the following work: (3)

2. (4) is an approved public body under Part 2 of the Act.

3. The work [does]/[does not] (5) concern a new dwelling(a).

4. With this notice are the following documents, which are those relevant to the work described in this notice— (6)

- (a) [in the case of the erection or extension of a building, a plan to scale of not less than 1:1250 showing the boundaries and location of the site and (where the work includes the construction of a new drain or private sewer) a statement—
- (i) as to the approximate location of any proposed connection to be made to a sewer, or
 - (ii) if no connection is to be made to a sewer, as to the proposals for the discharge of the proposed drain or private sewer including the location of any septic tank and associated secondary treatment system, or of any wastewater treatment system or any cesspool;]
- (b) [in the case of a new dwelling, a statement whether or not one or more, and if so which, of the following optional requirements in the Building Regulations 2010 applies to the building work—
- (i) regulation 36(2)(b) (optional water efficiency requirement of 110 litres per person per day),
 - (ii) Schedule 1 Part M optional requirement M4(2) (category 2- accessible and adaptable dwellings),
 - (iii) Schedule 1 Part M optional requirement M4(3) (category 3- wheelchair user dwellings)];
- (c) [a statement of any local enactment relevant to the work, and of the steps to be taken to comply with it.]

5. Plans of the work specified above have been inspected by a servant or agent of the public body who is competent to assess the plans and that person is satisfied that the plans neither are defective nor show that work carried out in accordance with them would contravene any provision of building regulations.

6. [The fire and rescue authority has been consulted in accordance with regulation 23 of the Regulations.] (7)

7. [The body undertakes to consult the fire and rescue authority before giving a final certificate in accordance with paragraph 3 of Schedule 4 to the Act in respect of any of the work described above.] (7)

8. [The sewage undertaker has been consulted in accordance with regulation 24 of the Regulations.] (7)

9. [The body undertakes to consult the sewage undertaker before giving a final certificate in accordance with paragraph 3 of Schedule 4 to the Act in respect of any of the work described above.] (7)

10. The plans to which this certificate relates bear the following date and reference number. (8)

Signature

Date

(a) A new dwelling includes a dwelling that is formed by a material change of use of a building within the meaning of regulation 5(a), (b) or (g) of the Building Regulations 2010.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

NOTES

- (1) If the work concerns a new dwelling, but planning permission has not yet been granted, this form cannot be used and Forms 9 (public body's notice) and 10 (public body's plans certificate) will have to be given separately.
- (2) Name and address of local authority.
- (3) Location and description of the work, including the use of any building to which the work relates.
- (4) Name and address of public body.
- (5) Delete whichever does not apply.
- (6) The local authority may reject this notice only on grounds prescribed by the Secretary of State. These are set out in Schedules 5 and 6 to the Regulations. They include failure to provide relevant documents. The documents listed in paragraph 4 relevant to the work described above should therefore be sent with this notice. Any subparagraph which does not apply should be deleted.
- (7) Delete this statement if it does not apply.
- (8) Insert the date and reference number.

Form 12
Paragraph 3 of Schedule 4 to the Building Act 1984 (“The Act”)
The Building (Approved Inspectors etc.) Regulations 2010

PUBLIC BODY’S FINAL CERTIFICATE

1. This certificate relates to the following work: **(1)**
2. The work described above is [the whole]/[part] **(2)** of the work described in a public body’s notice given by **(3)** on **(4)**. The work has been supervised by the servant or agent of **(3)** to ensure compliance with those substantive requirements of building regulations that apply to it.
3. The work [does]/ [does not] **(5)** concern a new dwelling^{**(a)**}.
4. [No optional requirement in the Building Regulations 2010 applies to the work.] **(6)**
5. [One or more of the following optional requirements in the Building Regulations 2010 applies, namely **(7)**—
 - (a) regulation 36(2)(b) (optional water efficiency requirement of 110 litres per person per day);
 - (b) Schedule 1 Part M optional requirement M4(2) (category 2- accessible and adaptable dwellings);
 - (c) Schedule 1 Part M optional requirement M4(3) (category 3- wheelchair user dwellings).] **(6)**
6. [A public body’s final certificate has now been issued in respect of all the work described in the public body’s referred to in paragraph 2] **(6)**
7. [The fire and rescue authority has been consulted in accordance with regulation 23 of the Regulations.] **(6)**
8. [The sewerage undertaker has been consulted in accordance with regulation 24 of the Regulations.] **(6)**
9. This certificate is evidence (but not conclusive evidence) that the requirements specified in it have been complied with.

Signature

Date

NOTES

- (1)** Location and description of the work, including the use of any building to which the work relates.
- (2)** Delete whichever does not apply.
- (3)** Insert the name of the public body.
- (4)** Insert the date.
- (5)** Delete whichever does not apply. If the work concerns a new dwelling, the declaration either in paragraph 4 or in paragraph 5 must be made.
- (6)** Delete this statement if it does not apply.
- (7)** Delete the optional requirements that do not apply to the work.

^{**(a)**} A new dwelling includes a dwelling that is formed by a material change of use of a building within the meaning of regulation 5(a), (b) or (g) of the Building Regulations 2010.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Regulation 2 of these Regulations amends the Building Regulations 2010 (S.I. 2010/2214, as amended by S.I. 2011/1515, S.I. 2012/718, S.I. 2012/3119, S.I. 2013/181, S.I. 2013/1105, S.I. 2013/1959, S.I. 2014/579 and S.I. 2014/2362) (“the Building Regulations”).

Regulation 2(2) inserts definitions “new dwelling” and “optional requirement” in regulation 2(1) (interpretation).

Regulation 2(3) amends regulation 4 (meaning of building work) to provide for compliance with optional requirements, which will apply instead of a requirement that is applicable in all cases, in cases where compliance with the optional requirement is made a condition of the planning permission under which building work is carried out.

Regulation 2(4) amends regulation 6 (requirements relating to material change of use) to provide for compliance with the new Part Q (security) of Schedule 1 (requirements relating to building work), inserted by regulation 2(11)(c), in cases where a dwelling is formed as a result of a material change of use of a building.

Regulation 2(5) and (6) amends regulations 13 (particulars and plans where a building notice is given) and 14 (full plans) respectively to provide for the giving of information about optional requirements in notices and plans given to local authorities by persons carrying out building work in relation to new dwellings.

Regulation 2(7) inserts a definition “new dwelling” in regulation 36 (interpretation of Part 6-energy efficiency requirements) to distinguish it from the definition “new dwelling” inserted by regulation 2(2) of these Regulations.

Regulation 2(8) and (9) amends regulations 36 (water efficiency of new dwellings) and 37 (wholesome water consumption calculation) to provide for the introduction of an optional requirement for water efficiency in certain new dwellings.

Regulation 2(10) amends regulation 43(4) (pressure testing) in relation to the bodies who may certify compliance with that regulation.

Regulation 2(11)(b) substitutes a new Part M (access to and use of buildings) in Schedule 1 (requirements). This includes in Part M4 (access to and use of dwellings) two levels of optional requirement, M4(2) (accessible and adaptable dwellings) and M4(3) (wheelchair user dwellings) as alternatives to requirement M4(1) (access to and use of dwellings). Regulation 2(11)(a) makes an amendment to Part H (drainage and waste disposal) requirement H3(2) (rainwater drainage) consequential upon regulation 2(11)(b).

Regulation 2(11)(c) adds a new Part Q (security) to Schedule 1 (requirements relating to building work).

Regulation 2(12) and Schedule 1 substitute the Table in Schedule 3 (self-certification schemes and exemptions from requirement to give building notice or deposit full plans) with a revised and updated Table.

Regulation 3 of these Regulations amends the Building (Approved Inspectors etc.) Regulations 2010 ((S.I. 2010/2215, as amended by S.I. 2012/3119, S.I. 2013/1959 and S.I. 2014/579).

Regulation 3(2) inserts in regulation 2 (interpretation) two definitions “optional requirement”, by reference to the Building Regulations, and “new dwelling”.

Regulation 3(3) and Schedule 2 substitute the various forms in Schedule 1 (forms) relating to the giving to local authorities of building notices and plans certificates in respect of building work supervised by bodies other than local authorities with revised and updated forms that include requirements to give information concerning optional requirements in the case of new dwellings.

Regulation 3(4) to (9) amends Schedules 2 to 7 (grounds for rejection by a local authority of various forms in Schedule 1) in consequence of the new forms introduced by Schedule 2 to these Regulations.

Regulations 4 and 5 contain transitional provisions.

Three impact assessments of the effect that these Regulations will have on the costs to business and the public and voluntary sectors have been prepared: RPC14-CLG-2252: Housing Standards Review Implementation; RPC14-CLG-2276: Housing Standards Review Security Final Implementation; and RPC14-FT-CLG-2311: Authorisation of New and Extended Competent Person Schemes. These are annexed to the Explanatory Memorandum to these Regulations which is available alongside the Regulations on the website www.legislation.gov.uk.