

BUILDING ACT 1984

THE BUILDING REGULATIONS 2000

THE BUILDING (APPROVED INSPECTORS ETC)
REGULATIONS 2000

- **NEW PROVISIONS ON AIR FLOW RATE TESTING ON DWELLINGS, COMMISSIONING OF MECHANICAL VENTILATION SYSTEMS AND PROVISION OF INFORMATION ON VENTILATION SYSTEMS**
- **NEW PROVISION ON GIVING BUILDING CONTROL BODIES THE TARGET AND DESIGN CALCULATED CO₂ EMISSION RATE BEFORE BUILDING WORK STARTS**
- **NEW PROVISION ON CARBON MONOXIDE ALARMS IN DWELLINGS**
- **AMENDED PROVISION ON THE SUPPLY OF SOFTENED WHOLESOME WATER**
- **AMENDED PROVISIONS FOR COMPETENT PERSON SELF-CERTIFICATION SCHEMES**

Revised Approved Document to support

- **PART G (SANITATION, HOT WATER SAFETY AND WATER EFFICIENCY)**

INTRODUCTION

1. I am directed by the Secretary of State to draw your attention to the Building and Approved Inspectors (Amendment) Regulations 2010 (S.I. 2010/719) (the “Amendment Regulations”) which were made on 10 March 2010. The amendments made to the Building (Approved Inspectors etc) Regulations 2000 and some of the amendments to the Building Regulations 2000 take effect on 1 October 2010. The remaining amendments to the Building Regulations 2000 take effect on 6 April 2010. The amendments are subject to the transitional provisions referred to in paragraph 15 below.
2. In accordance with section 14(3) of the Building Act 1984, these regulations were made after consultation with the Building Regulations Advisory Committee and with other bodies representative of the interests concerned.
3. The purpose of this Circular is to:
 - Draw attention to the amendments and explain the changes they make to the Building Regulations 2000 (the “Building Regulations”), the Building (Approved Inspectors etc.) Regulations 2000 (the “AI Regulations”), the Building and Approved Inspectors (Amendment) Regulations 2009 and the Building (Amendment No.2) Regulations 2009;
 - Explain the transitional provisions;
 - Announce the approval and publication of an amended Approved Document
 - Announce further provisions for self-certification.
4. This Circular does not give technical advice on the technical requirements of the Parts of the Building Regulations which are amended by these Regulations. These matters are covered in the relevant Approved Documents.
5. Annexes A to D to this Circular set out in tabular form all the changes made to the Building Regulations and the AI Regulations made by S.I. 2010/719.

AMENDMENTS RELATING TO PART F OF SCHEDULE 1 TO THE BUILDING REGULATIONS 2000

6. The Amendment Regulations make three main changes to the provisions relating to Part F (Ventilation):
 - They introduce a new requirement for the testing of mechanical ventilation air flow rates in new dwellings. The testing must be carried out in accordance with a procedure approved by the Secretary of State and the results and data upon which they are based recorded in a manner so approved. The recorded results and data must be given to the building control body not later than five days after completion of the test.

- The Amendment Regulations also introduce a requirement for fixed systems for mechanical ventilation to be commissioned where testing and adjustment is possible to ensure that such systems provide adequate ventilation.
- A new requirement that the building owner be given sufficient information about a building's ventilation system so that it can be operated and maintained to provide adequate ventilation.

AMENDMENTS RELATING TO PART G OF SCHEDULE 1 TO THE BUILDING REGULATIONS 2000

7. The Amendment Regulations add a new definition of "softened wholesome water" to the Building Regulations and specify in an amended Part G of Schedule 1 where such water can be used.

AMENDMENTS RELATING TO PART J OF SCHEDULE 1 TO THE BUILDING REGULATIONS 2000

8. The Amendment Regulations introduce a new requirement for the installation of carbon monoxide alarms in dwellings in appropriate circumstances when a combustion appliance is installed.

AMENDMENTS RELATING TO THE ENERGY EFFICIENCY PROVISIONS OF THE BUILDING REGULATIONS 2000

9. The Amendment Regulations make two main changes affecting the energy efficiency provisions of the Building Regulations:
 - The exemption from the energy efficiency provisions for extensions consisting of a conservatory or porch is amended to grant the exemption only where the existing walls, windows or doors are retained or replaced if removed or where the heating system of the building is not extended into the conservatory or porch.
 - A new requirement is introduced, where regulation 17C applies, for CO₂ emission rate calculations to be carried out before the start of building work on the erection of a new building and given to the building control body, along with a list of the specifications used in the calculations.

AMENDMENTS RELATING TO SCHEDULE 2A TO THE BUILDING REGULATIONS 2000

10. Schedule 2A has been amended with effect from 6 April 2010 to remove the restrictions on the self-certification of combustion appliances with a rated heat input/output of more than 100 kilowatts or in buildings of more than three storeys.
11. The paragraphs of the Schedule dealing with the installation of combustion appliances and those dealing with the installation of heating and hot water systems have been altered in part to deal with the removal of the restrictions and in part to differentiate between persons authorised for the installation of combustion appliances and those authorised for the installation of heating and hot water systems.

12. The paragraph of the Schedule dealing with the installation of a cold water supply has been amended to allow the installation of a softened wholesome water supply in appropriate circumstances to be self-certified. The paragraph dealing with the installation of non-wholesome water has been restricted by not allowing self-certification of such installations where work on underground or shared drainage is involved.

AMENDMENTS RELATING TO SCHEDULE 2B TO THE BUILDING REGULATIONS 2000

13. Schedule 2B has been amended with effect from 6 April 2010 to allow without notification to a building control body the installation of insulation in a roof or loft space where this is the only work being carried out and where there is no requirement to carry out the work.

AMENDMENTS OF THE BUILDING (APPROVED INSPECTORS ETC) REGULATIONS 2000

14. The Amendment Regulations amend the AI Regulations to make consequential changes similar to those made to the Building Regulations in respect of mechanical air flow rate testing in new dwellings, commissioning of mechanical ventilation systems in buildings to provide adequate ventilation and CO₂ emission rate calculations before work starts on a building.

TRANSITIONAL PROVISIONS

15. The transitional provisions set out in S.I. 2010/719 apply only to the changes made to Parts F, J and L of Schedule 1. Transitional provisions for Part G are in S.I. 2009/1219 as amended by S.I. 2009/2465. There are no transitional provisions in respect of the amendments made to Schedule 2A or Schedule 2B to the Building Regulations.
16. There are three transitional provisions:
 - i. Where building work has started before 1 October 2010, the work may continue as if the amendments in the Amendment Regulations had not been made.
 - ii. Where a contract for work has been agreed and the all the building work would fall within the types of work set out in Schedule 2A or Schedule 2B to the Building Regulations, the work may be carried out as if the amendments in the Amendment Regulations had not been made provided that the work begins before 6 April 2011.
 - iii. Where a building notice, an initial notice, a plans certificate and amendment notice or a public body's notice has been given, or full plans submitted, before 1 October 2010, the work may be carried out as if the amendments in the Amendment Regulations had not been made provided that the work begins before 1 October 2011.

AMENDED APPROVED DOCUMENT

17. The Secretary of State, in exercise of his powers under section 6(4) of the Building Act 1984, has approved amendments to Approved Document G which contains practical guidance with respect to the requirements of Part G of Schedule 1 to and regulation 17K of, the Building Regulations 2000. Formal notice of this approval, which takes effect on 6 April 2010, is contained at Annex E to this Circular.
18. The amended Approved Document is:
 - Approved Document G (Sanitation, hot water safety and water efficiency) (2010 edition), ISBN: 978 1 85946 323 9, £12.50)

Copies of the amended Approved Document G are available from:

RIBA Bookshops Mail Order
15 Bonhill Street
London, EC2P 2EA.

Telephone: 020 7256 7222
Fax: 020 7374 2737
Email: sales@ribabookshops.com

or visit the RIBA online bookshop to buy online.

19. The Approved Document can also be downloaded as a free PDF document via the Planning Portal website at:
<http://www.planningportal.gov.uk/england/professionals/buildingregs/technicalguidance/bchygienepartg/bcapproveddocuments5>

Note: It is the Department's intention shortly to publish new Approved Documents in respect of Parts F, J and L of Schedule 1 to the Building Regulations. Their publication will be announced in a separate Circular.

ENQUIRIES

All enquiries on matters covered by this Circular should be addressed to

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Signed
John Fiennes

An Under Secretary in the Department for Communities and Local Government

ANNEX A

The Building and Approved Inspectors (Amendment) Regulations 2010 (S.I. 2010/719)

The following table lists all the changes made by SI 2010/719 to the Building Regulations 2000 (S.I. 2000/2531)

S.I. 2000/2351 Regulation No.	S.I. 2009/719 Regulation No.	Action
9(3)(b)	3	Exempt buildings and work. Adds new para 5A relating to which conservatories and porches the exemption at regulation 9(3)(b) applies
16C	4	Information about ventilation. Adds a new provision requiring information about a building's ventilation system and its maintenance to be given to the building owner.
20	5	Supervision of building work other than by local authorities. Adds to regulation 20AA to the list of regulations which do not apply where the building work is subject to an initial notice.
20AA	6	Mechanical ventilation air flow rate testing. A new provision requiring mechanical air flow rates to be tested in accordance with a procedure approved by the Secretary of State and a notice of results give to the local authority in a manner approved by the Secretary of State.
20C	7	Commissioning. Adds a new provision requiring the commissioning of fixed systems for mechanical ventilation where the testing and adjustment of such systems in possible.
20D	8	CO ₂ emission rate calculations. Adds a new provision requiring the local authority to be given, before work starts, the target CO ₂ emission rate for the building, the calculated rate for the building as designed and a list of specifications used for the calculation of the emission rates.
22	9	Contravention of certain regulations not to be an offence. Adds regulation 20AA to the list of regulations to which section 35 of the Building Act does not apply.
22B	10	Electronic service of documents. Adds notices under regulations 20AA, 20D(2)and 20D(3) to those that may be given electronically to the local authority.

S.I 2000/2351 Regulation No.	S.I. 2009/719 Regulation No.	Action
Schedule 1, Part J2A	12	Warning of release of carbon monoxide. Adds new provision requiring appropriate provision for detection and warning of a release of carbon monoxide at levels harmful to persons where a combustion appliance is installed in a dwelling.
Schedule 2A	13	Self-certification schemes and exemptions from requirement to give building notice or deposit full plans. Adds to persons carrying out the types of work in paras 2, 3, 4 and 5 of Schedule 2A and introduces new types of work in paras 5A and 5B.
Schedule 2B	14	Descriptions of work where no building notice or deposit of full plans required. Adds a new type of work in respect of the installation of thermal insulation in a roof space or loft space where the work consists only of such an installation and is not otherwise required by the Building Regulations.

ANNEX B

The Building and Approved Inspectors (Amendment) Regulations 2010 (S.I. 2010/719)

The following table lists all the changes made by S.I. 2010/719 to the Building (Approved Inspectors etc) Regulations 2000 (S.I. 2000/2532).

S.I. 2000/2532 Regulation No.	S.I. 2010/719 Regulation No.	Action
11(1)	16	Functions of approved inspectors. Adds regulations 16C of the Building Regulations and regulation 12AA of the AI Regulations to the list of functions.
12AA	17	Mechanical ventilation air flow rate testing. A new provision requiring mechanical air flow rates to be tested in accordance with a procedure approved by the Secretary of State and a notice of results give to the approved inspector in a manner approved by the Secretary of State.
12C	18	Commissioning. Adds a new provision requiring the commissioning of fixed systems for mechanical ventilation where the testing and adjustment of such systems in possible
12D	19	CO ₂ emission rate calculations. Adds a new provision requiring the approved inspector to be given, before work starts, the target CO ₂ emission rate for the building, the calculated rate for the building as designed and a list of specifications used for the calculation of the emission rates.
31A	20	Electronic service of documents. Adds notices under regulations 12AA, 12D(2) and 12D(3) to those that may be given electronically to the approved inspector.

ANNEX C

The Building and Approved Inspectors (Amendment) Regulations 2010 (S.I. 2010/719)

The following table lists all the changes made by S.I. 2010/719 to the Building and Approved Inspectors (Amendment) Regulations 2009 (S.I.2009/1219) which in turn amend the Building Regulations 2000 (S.I.2000/2531):

S.I. 2000/2531 Regulation No.	S.I. 2010/719 Regulation No.	Action
2(2)	22(1)	Interpretation. Adds definition of "softened wholesome water"
Schedule 2A	22(2)	Self-certification schemes and exemptions from requirement to give building notice or deposit full plans. Amends the first column of the Schedule for the purposes of clarification or in consequence of changes made to Part G of Schedule 1. Omits the restrictions on appliances having a heat output of more than 100 kilowatts or in buildings of more than three storeys in paragraph 14.
Part G, Schedule 1	23	Amends Parts G1(1) and G3(1) to allow the use of softened wholesome water for some purposes.

ANNEX D

The Building and Approved Inspectors (Amendment) Regulations 2010 (S.I. 2010/719)

The following table lists all the changes made by S.I. 2010/719 to The Building (Amendment No.2) Regulations 2009 (S.I. 2009/2397) which in turn amend the Building Regulations 2000 (S.I. 2000/2531):

S.I. 2000/2531 Regulation No.	S.I. 2010/719 Regulation No.	Action
Schedule 2A	24	Self-certification schemes and exemptions from requirement to give building notice or deposit full plans. Amends para 13A to allow for the self-certification of the supply of softened wholesome water in allowed circumstances and amends para 13B to prevent self-certification where there is work on underground or shared drainage.

ANNEX E

Building Act 1984

NOTICE OF APPROVAL OF AN REVISED DOCUMENT FOR THE PURPOSE OF GIVING PRACTICAL GUIDANCE WITH RESPECT TO THE REQUIREMENTS OF THE BUILDING REGULATIONS 2000	
The Secretary of State hereby gives notice under section 6 of the Building Act 1984 that, in exercise of the said powers under section 6, he has approved the document listed below for the purposes of giving practical guidance with respect to the specified requirements of the Building Regulations 2000 (as amended). This approval takes effect on 6 April 2010.	
Document	Requirement of the Building Regulations in respect of which the document is approved
Approved Document G (Sanitation, hot water safety and water efficiency) (2010)	Regulation 17K and Schedule 1, Part G
<i>Signed by authority of the Secretary of State</i>	John Fiennes <i>An Under Secretary in the Department for Communities and Local Government</i> 12 March 2010

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