

DEPARTMENT FOR COMMUNITIES AND LOCAL GOVERNMENT

Communities and Local Government Circular 09/2009
Department for Communities and Local Government
Eland House, Bressenden Place, London SW1E 5DU

8 September 2009

THE BUILDING ACT 1984

THE BUILDING REGULATIONS 2000

- **NEW COMPETENT PERSON SCHEMES FOR THE INSTALLATION OF WHOLESOME COLD WATER SUPPLY AND NON-WHOLESOME WATER SYSTEMS**
- **AMENDED METHODOLOGY FOR THE CALCULATION OF THE POTENTIAL USE OF WHOLESOME WATER IN NEW DWELLINGS**
- **REVOCAION OF A SPENT PROVISION ON THE TIME LIMIT FOR PROSECUTION FOR CONTRAVENTION OF CERTAIN REGULATIONS**

New Water Efficiency Calculation Methodology Publication

Water Efficiency Calculator for New Dwellings (September 2009)

INTRODUCTION

1. I am directed by the Secretary of State to draw your attention to the Building (Amendment) (No. 2) Regulations 2009 (S.I. 2009/2397) which were made on 8 September 2009 and will come into force on 1 October 2009.
2. In accordance with section 14(3) of the Building Act 1984, these Amendment 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 these amendments and explain the changes they make to the Building Regulations 2000; and
 - announce the publication of a revised edition of document *Water Efficiency Calculator for New Dwellings* (September 2009), which sets out the revised methodology for calculating the potential consumption per person per day of wholesome water in new dwellings.
4. This Circular does not give advice on the technical requirements of the calculation of water efficiency which is contained in the publication *Water Efficiency Calculator for New Dwellings* (September 2009).
5. Annex A to this Circular sets out in tabular form all the changes to the Building Regulations 2000 made by SI 2009/2397.

AMENDMENTS RELATING TO THE AUTHORISATION OF COMPETENT PERSON SCHEMES

6. The Amendment Regulations authorise building control bodies to accept as evidence of compliance certificates from installers registered with a number of bodies in respect of the installation of a wholesome cold water supply and the installation of a supply of non-wholesome water to a sanitary convenience fitted with a flushing device.

AMENDMENTS RELATING TO THE METHODOLOGY FOR THE CALCULATION OF THE POTENTIAL CONSUMPTION OF WHOLESOME WATER IN NEW DWELLINGS

7. The methodology for the calculation of the potential water consumption in new dwellings as required under regulation 17K of the Building Regulations has been changed in a number of areas. In particular, changes have been made:
 - a) to reflect the need to differentiate between high and low pressure water systems;
 - b) to include a table to deal with dwellings' multiple kitchen sink taps; and
 - c) to the calculation methodology for greywater and rainwater harvesting.

8. The changes have required a new edition of the document *Water Efficiency Calculator for New Dwellings* to be published. The guidance in the document will need to be followed in order to comply with the requirements of regulation 17K of the Building Regulations. The Amendment Regulations amend the references in the Building Regulations to the date of publication and the ISBN number of the publication.

REVOCATION OF REGULATION 22A OF THE BUILDING REGULATIONS (TIME LIMIT FOR PROSECUTION FOR CONTRAVENTION OF CERTAIN REGULATIONS)

9. Regulation 22A designates certain provisions in the Building Regulations where a two year time limit for prosecution of contraventions would apply. It applies only to contraventions occurring on or after 6th April 2008. The regulation was made under a power in the Climate Change and Sustainable Energy Act 2006 which allowed for an extended time limit for prosecution in respect of designated provisions in the Building Regulations which were made for the purpose of the conservation of fuel or power or otherwise in connection with the use of fuel or power, or the reduction of emissions of greenhouse gases.
10. A provision in the Housing and Regeneration Act 2008 extended the time limits for prosecution to all provisions of the Building Regulations where prosecution was allowed, removing the need for the designation of certain provisions in regulation 22A where the offences were committed on or after 22 September 2008. The Amendment Regulations therefore revoke regulation 22A, with a saving for those designated offences committed from 6th April 2008 and before 22nd September 2008, which will continue to be subject to the longer time limit.

ENQUIRIES

11. 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

The Building (Amendment) Regulations 2009 (S.I. 2009/2397)

The following table lists all of the changes made by S.I. 2009/2397 to the Building Regulations 2000 (S.I.2000/2531)

S.I. 2000/2531 Regulation No.	S.I. 2009/2397 Regulation No.	Action
22A	2(1)	A saving to the revocation of regulation 22A for offences committed before 22 September 2008
17K	2(2)	Updates the reference to the publication <i>The Water Efficiency Calculator for New Dwellings</i> to refer to the updated edition published in September 2009
22A	2(3)	Revokes regulation 22A
Schedule 2A	2(4)	Adds two new types of work where self-certification schemes and exemption from advance notification are permissible and authorises a number of bodies to operate schemes for these types of work.

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Printed by The Stationery Office Ltd under the authority and superintendence of the Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

ISBN 978 0 11 754019 4

£6

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ISBN 978-0-11-754019-4



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