



Department for Communities and Local Government

To:

The Chief Executive
Unitary, Metropolitan, District and
London Borough Councils in England
County and County Borough
Councils in Wales

08 August 2013

The Town Clerk, City of London
The Clerk, Council of the Isles of Scilly
The Sub-Treasurer, Inner Temple
The Under Treasurer, Middle Temple

The Head of Building Control
Unitary Metropolitan, District and
London Borough Councils in
England
County and County Borough
Councils in Wales
City of London
Council of the Isles of Scilly

Approved Inspectors

cc: The Chief Executive:
County Councils in England
National Park Authorities in England &
Wales

The Chief Fire Officer: Fire and Rescue
Authorities in England & Wales

Dear Sir/Madam

BUILDING REGULATIONS &C (AMENDMENT) (NO.2) REGULATIONS 2013 (S.I. 2013/1959)

I am writing to inform you that the above Regulations were made on 03 August and laid before Parliament on 08 August 2013. They come into force as set out in regulation 1(4).

Publications

The Department has published Circular 03/2013 to accompany the laying of the Regulations. It is available at: <https://www.gov.uk/government/organisations/department-for-communities-and-local-government/series/building-regulations-circulars>

Transitional provisions

The introduction of target fabric energy efficiency rates for new dwellings is subject to the transitional provisions in regulation 9. In brief:

- where building work has commenced on site before 6 April 2014 the provisions on target energy efficiency rates will not apply; and
- where a building notice, full plans submission or initial notice has been given to a local authority before 6 April 2014 the provisions on target fabric energy efficiency rates will not apply so long as work is commenced on site before 6 April 2015.

Commencement of work

In the Department's opinion the commencement of work would usually be marked by work such as:

- excavation for strip or trench foundations or for pad footings;
- digging out and preparation of ground for raft foundations;
- vibrofloatation (stone columns) piling, boring for piles or pile driving;
- drainage work specific to the building(s) concerned.

We consider that the following sorts of work would not be likely to constitute the commencement of work:

- removal of vegetation
- demolition of any previous buildings on the site;
- removal of top soil;
- removal or treatment of contaminated soil;
- excavation of trial holes;
- dynamic compaction;
- general site servicing works (e.g. roadways)

In some cases applications will be in respect of a number of buildings on a site, for example a number of houses. In such cases it is the commencement of work on the first of the buildings within the application which determines whether all the building work can take advantage of the transitional provisions, not each individual building.

Approved Documents and compliance guides

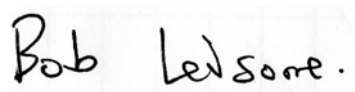
To give industry time to prepare for the changes, amended Approved Documents L, amended Building Services Compliance Guides and changes to the National Calculation Methodology are scheduled to be published six months before the coming into force date. The notices of approval for these documents will contain transitional provisions similar to

those for regulation 9. A further Circular Letter will be issued to accompany their publication.

Enquiries

Enquiries on this Circular Letter should be addressed to Alison Lockyer: tel 0303 44 43420, e-mail: enquiries.br@communities.gsi.gov.uk.

Yours faithfully,

A handwritten signature in black ink that reads "Bob Ledsome." The signature is written in a cursive, slightly informal style.

R J Ledsome

Deputy Director

Building Regulations and Standards