



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
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

15 March 2016

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

Dear Sir/Madam

Building Regulations & (Amendment) Regulations 2016 (S.I.2016/285)

**Energy Performance of Buildings (England and Wales) (Amendment) Regulations
2016 (S.I. 2016/284)**

Party Wall etc. Act (Electronic Communications) Order 2016 S.I. 2016/335)

I am writing to inform you of amendments to the Building Regulations 2010, the Building (Approved Inspectors etc.) Regulations 2010, the Energy Performance of Buildings (England and Wales) Regulations 2012, Approved Documents L1A, L1B, L2A and L2B and the Party Wall etc. Act made by the above instruments, all of which come into force on 6 April 2016.

Scope

The amendments to the Building Regulations 2010 and the Approved Documents apply in relation to building work carried out in England and also to building work on excepted energy buildings in Wales.

The amendments to the Energy Performance of Buildings (England and Wales) Regulations 2012 and the Party Wall etc. Act 1996 apply in England and Wales

Publications

The Department has published Circular 03/2016 to announce the changes to the Building Regulations and the Approved Documents. The Annex to this Circular contains the formal notice of approval for the amended Approved Documents. The Circular is available at: <https://www.gov.uk/government/collections/building-regulations-circulars>

Amended Approved Documents L1A, L1B, L2A and L2B will be available by 6 April 2016 at: <https://www.gov.uk/government/publications/conservation-of-fuel-and-power-approved-document>

The Department has also published Circular 02/2016 to announce the changes to the Party Wall etc. Act 1996. The Circular is available at: <https://www.gov.uk/government/collections/building-regulations-circulars>

Amended guidance on the Party Wall etc. Act will be available by 6 April at: <https://www.gov.uk/guidance/party-wall-etc-act-1996-guidance>

Changes to the Building Regulations 2010

Most of the changes made to the Building Regulations 2010 by the Building Regulations & (Amendment) Regulations 2016 (S.I. 2016/285) are minor changes to the wording to make it clearer that the target CO₂ emission rates, the calculated CO₂ emission rates, the target fabric energy efficiency rates and the calculated fabric energy efficiency rates must be calculated and expressed using the approved methodology at regulation 24. This is unlikely to require any change to what happens now in calculating these rates and there should be no impact on building control bodies.

The one significant change is that the requirements to produce an energy performance certificate on construction (regulations 29 to 33) have been moved from the Building Regulations to the Energy Performance of Buildings Regulations so that all requirements on energy performance certificates are now in one place. The requirement that building control bodies must be given notice of the issue of an energy performance certificate and its reference number before giving a completion certificate or final certificate remains but are now contained in regulation 7A of the Energy Performance of Buildings Regulations.

A number of consequent amendments have been made as a result of this change. This change should have no impact on building control bodies.

Approved Documents L1A, L1B, L2A and L2B

The changes to the wording of some of the regulations mean that there are changes to the wording of these regulations which are reproduced in the Approved Documents. There have also been amendments to some of the cross-references. The guidance on how to comply with the requirements has not been changed.

Party Wall etc. Act 1996

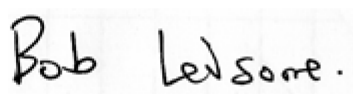
Although building control bodies have no formal role in Party Wall Act procedures they are frequently inform building owners of the Act's procedures or are asked for advice. The only change made to the Act is to allow the electronic transmission of notices and other documents where both the giver and receiver of the notices and documents agree. The Department's guidance on the Act will be amended to reflect this change and will be available by 6 April at: <https://www.gov.uk/guidance/party-wall-etc-act-1996-guidance> .

Enquiries

Telephone enquiries on this Circular Letter should be addressed to Ian Drummond on 0303 444 1791.

All e-mail enquiries to: 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 Energy Performance Division