

Environmental Principles Policy Statement Assessment

Reforms to Charges for Local Authority Building Control Services

The Building (Local Authority Charges and Amendments Relating to Charging) (England) Regulations 2026

Background

The Government consulted on reforming the regulations for charges for local authority building control services between 14 November 2025 and 25 January 2026.

The Government response to the consultation is to permit local authorities (LAs) to charge for a much wider set of building control functions and activities, including for those under the Building Act 1984 itself. These include securing better compliance on several building-related areas, including those that have an impact on the environment.

To note that the Environmental Principles Policy Statement (EPPS) assessment for the proposed change within The Building (Local Authority Charges and Amendments Relating to Charging) (England) Regulations 2026, to permit the dispensation from or relaxation of the requirements in regulations 25A, 25B and 26 of the Building Regulations 2010, has been considered within a separate EPPS assessment, as detailed in parallel ministerial advice.

Environmental Considerations

SECTION 1: Policy Objectives

The policy objective is to enable local authorities to charge for a wider set of building control functions and activities. This is intended to strengthen local authority building control capacity to undertake compliance-related activities, including those that may have an impact on the environment.

The consultation responses linked the charging reforms to multiple environmental outcomes through better resourcing of local authorities to strengthen their ability to undertake compliance-related activities. A much smaller number of respondents suggested that the reforms would have no impact on environmental outcomes.

SECTION 2: Assessing Environmental Effects

Does your policy have an environmental effect?

☒ Yes

The reforms have an environmental effect because they support increased local authority capacity to undertake compliance-related activities across building-related areas that can affect the environment.

Is the environmental effect positive or negative?

☒ Environmental effects are positive.

The consultation responses identified positive environmental effects from increased local authority capacity. Key areas identified include energy efficiency and carbon reduction; water

quality and drainage integrity; material sustainability; biodiversity considerations; climate resilience; securing action where buildings or structures are considered dangerous; and digitalisation benefits, such as reduced use of paper and travel to sites.

Are there primary effects or secondary effects?

☒ Yes, there are primary effects.

A primary effect is improved local authority capacity to undertake compliance, enforcement and related building control activities. This supports the policy aim of enabling earlier intervention and better compliance activity, including in areas with environmental relevance.

Will the proposed policy cause environmental effects that occur once, repeatedly or cumulatively?

☐ The environmental effects will occur once. ☒ The environmental effects will occur repeatedly. ☒ The environmental effects will occur cumulatively.

Is the effect permanent or temporary? Is it short, medium, or long term?

☐ The effect is short-term. ☐ The effect is medium-term. ☒ The effect is long-term.

Is the effect local, regional, national or transboundary?

☐ The effect is local. ☐ The effect is regional. ☒ The effect is national. ☐ The effect is transboundary.

SECTION 3: Understanding which principles are relevant

This section considers which of the five Environmental Principles are relevant to the reform of charges for local authority building control services.

Is there an opportunity to embed environmental protection in your policy? (Integration)

☒ Yes

There was strong alignment across stakeholders, particularly local authorities, stating that environmental protections are strengthened by increased local authority capacity. Stakeholders linked the reforms to improved environmental protection across energy, water, drainage, biodiversity and materials.

If it is likely for environmental harm to result from your policy, is there an opportunity to prevent this environmental damage, either before it has occurred, or to contain existing damage? (Prevention)

☒ Yes

Improved local authority capacity through charging for services should enable timelier compliance interventions before environmental harm occurs. Examples include drainage failures, overheating risks and potentially dangerous sites deteriorating further.

If prevention of environmental harm is not possible or proportionate, can you address this damage at its origin to avoid remedying its effects at a later date or location? (Rectification at Source)

☒ Yes

These cost recovery reforms will encourage sound and compliant building design and construction practices, and support correction of non-compliant designs, works or procedures earlier in the process.

If prevention of environmental harm is not possible or proportionate, can the costs be borne by those causing it, rather than the person who suffers the effects of the resulting environmental damage? (Polluter Pays)

☒ Yes

By giving local authority building control bodies the ability to charge for a wider range of functions, and strengthening their capacity to undertake compliance and enforcement work, the policy reforms aim to incentivise better first-time-right quality construction and reduce environmentally harmful consequences, such as removing and replacing faulty or non-compliant building works.

Such works could result in wasted building materials, including their embodied energy, and fuel for unnecessary journeys. Where cases are successfully prosecuted using the extra capacity unlocked through charging flexibilities, these may result in reputational damage to those constructing non-compliant works and further disincentivise non-compliant practices.

Allowing local authority building control bodies to charge for notices and subsequent actions relating to dangerous or dilapidated buildings may also result in fewer environmental, social and economic damage, or trespass or crime in such properties' vicinities.

If none of the above mitigating measures are relevant, is there plausible evidence that your policy could cause serious damage to the environment, even if there is a lack of full scientific certainty? (Precautionary)

☒ Yes

The ability to charge for certain new functions and activities may result in local authority building control bodies adopting more of a precautionary principles approach when dealing with potential environmental risks. This could apply where there is plausible evidence of a risk that a particular situation or circumstance could cause serious or irreversible damage to the environment, alongside a lack of scientific certainty about the likelihood or severity of this damage. The precautionary principle would support them in their management of that risk.

PHASE 2

FURTHER ANALYSIS

SECTION 4: Applying the principles

The building control charges reforms engage all five environmental principles: Integration, Prevention, Rectification at Source, Polluter Pays and Precaution.

Integration is reflected in the way increased local authority capacity can strengthen environmental protection across energy, water, drainage, biodiversity and materials.

Prevention is supported by enabling timelier compliance interventions before environmental harm occurs. Rectification at Source is supported by encouraging correction of non-compliant

designs, works or procedures earlier in the process. Polluter Pays is supported through charging reforms that shift costs towards those commissioning or carrying out building work and incentivise compliance. The Precautionary Principle is supported where charging flexibilities enable local authority building control bodies to investigate and manage potential environmental risks more effectively.

Overall, environmental outcomes were considered in line with the Environmental Principles Policy Statement. The consultation responses highlighted that the building control charging reforms should have positive, long-term environmental effects, particularly in relation to energy efficiency, water and drainage integrity, sustainable materials, biodiversity and climate resilience.

SECTION 5: Other Considerations

Are there other legal commitments or relevant international commitments to which your policy must adhere?

☐ Yes ☒ No

Are there other specific social or economic considerations required of this policy that may conflict with environmental considerations, such as education, health or a financial cost-benefit analysis that outweighs environmental gains?

☐ Yes ☒ No

Stakeholder views

Local authorities consistently emphasised that charging reforms would improve environmental protection across energy, water, drainage, biodiversity and materials; prevent environmental harm through early intervention; and improve the likelihood of the polluter pays principle by shifting costs from taxpayers to duty holders and site owners.

Registered Building Control Approvers had minimal focus on environmental impact. Their responses typically focused on administrative fairness and market competition; concerns that charges could delay approvals; resistance to polluter pays being applied to processes associated with the preparation of their documents, which are supplied to local authorities; and little to no explicit reference to sustainability, biodiversity or climate resilience.

Few individuals highlighted environmental impact and agreed with EPPS themes. Some strongly supported polluter pays and early prevention of environmental harm. Some supported local authority capacity to oversee environmentally sensitive work, including drainage, energy and dangerous structures. Others commented only on fairness or cost, with no explicit environmental references.

Policy lines

The building control charges reforms will enable more capacity for early identification of environmental risks, to carry out proactive measures such as investigations, issuing notices and compliance and enforcement activities. These aim to incentivise compliance and ensure that those commissioning or carrying out building work pay for the services they use.

Minister Responsible: Minister for Building Safety, Fire and Resilience, Baroness Blake of Leeds