



BUILDING REGULATION CHANGES FROM OCTOBER 1ST 2023

From the 1st October 2023, the Building Safety Regulator (BSR) will be the governing body for Building Control. New legislation has been introduced and existing legislation amended to reflect the changes.

Included in the changes is the introduction of dutyholder roles – Client, Principal Designer, Principal Contractor – into Building Regulations. Each dutyholder has defined roles and responsibilities and all dutyholders must be aware of their specific roles and responsibilities. The key duties are “duty to ensure compliance”, “duty to be competent” and “duty to cooperate, coordinate and communicate”.

The roles and responsibilities for all dutyholder roles are set out in Regulations 11A – 11Q of The Building Regulations 2010 and Regulation 16D and 16E of The Building (Approved Inspectors etc.) Regulations 2010.

The following is a brief summary and our interpretation -

PD - Principal Designer

PC – Principal Contractor

DOMESTIC PROJECTS

If a PD and/or PC are not appointed, the designer at design phase and the contractor at construction phase assume these roles. If there is no designer, the contractor assumes the roles of both PD and PC. The relevant parties will need to complete their respective completion declarations at the end of the project.

NON-DOMESTIC PROJECTS

Client must give a notice to Building Control of the PD and/or PC, *if appointed*, providing full contact details and the date of appointments.

If PD and/or PC are not appointed, the client assumes the role of PD and/or PC and signs the relevant completion declarations at the end of the project.

Suite 7 • Bingham Enterprise Centre • Mercia Court • Bingham • Nottingham • NG13 8QX

Tel: 01949 838277 • Email: info@turtonbc.co.uk

Company Registration: 5193336



ALL PROJECTS

All notices of PD and/or PC appointments must be made within 14 calendar days of the appointment and can be made via email.

If the PD and/or PC is not the first appointed, client must also give full contact details of the outgoing PD and /or PC and the date their appointment ended.

Where a notice is given by someone on behalf of the client, a statement signed by the client is required to confirm that the client agrees to the notice being given on their behalf and that the information in the notice is correct.

Commencement of Work

Building regulation applications will automatically be rescinded 3 years from the date of submission, unless work commences within those 3 years. The point at which work is considered to be at commencement stage is different to actual start of work and for different categories of work. Work is regarded as commenced as described in Regulation 16C of The Building (Approved Inspectors etc. and Review of Decisions) (England) Regulations 2023. Clients will have a duty to notify building control when they consider that work has commenced on their project. See attached notice of commencement. Our interpretation of the commencement stage definitions is as follows –

Extensions above ground level - the installation of the lowest floor.

Extension or new build of public buildings with a capacity over 100 or of buildings with more than one storey below ground level - the installation of the foundations and structure of the lowest floor level

Any other extension or new build - the completion of the substructure works up to ground level

Any other work -15% of the work described in the notice.

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Compliance Declarations

On completion of work the client must give Turton Building Control a notice stating that the building work is complete, giving full details of the client, sole/principal designer and sole/principal contractor and giving completion statements signed by the client, the sole/principal designer and the sole/principal contractor. Please refer to the attached “**Compliance Declarations on completion of building work**” form.

Higher Risk Buildings

No part of the work must constitute or involve a higher risk building (a building with at least 7 storeys or with the top storey 18 m above the lowest ground level and containing at least 2 units of residential accommodation, including hospitals and care homes). The building control authority for higher risk building can only be the Building Safety Regulator.

If you have any questions regarding the new application processes and responsibilities, please contact a member of the Turton Building Control Team.

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Notice of commencement of works

Building regulation applications are rescinded 3 years from the date of submission, unless work commences within those 3 years. The point at which work is considered to be at commencement stage is different to actual start of work and for different categories of work.

Please do not send this notice to tell us that the project is starting. It should be sent within 5 days of work reaching the stage of work described below –

Extension or new build of public buildings with a capacity over 100 or of buildings with more than one storey below ground level - *the installation of the foundations and structure of the lowest floor level*

Extensions above ground level - the installation of the lowest floor.

Any other extension or new build - the completion of the substructure works up to ground floor level

Any other work - at least 15% of the work.

Project Reference:
Address:
.....
.....
.....
.....
With regards to the above project, I now regard the work as reaching commencement stage.
Name: Position:.....
Signature: Date:

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Compliance Declarations on completion of building work

Project Reference:

Address:

.....

This notice is to be provided to Turton Building Control once all items raised following a final inspection of the building works have been satisfied and **before** the final certificate may be issued.

In accordance with Regulation 16E of The Building (Approved Inspectors etc.) Regulations 2010.

Client's declaration:

I, as the client, confirm that the above building work is complete and to the best of my knowledge the works undertaken comply with all applicable requirements of the building Regulations:

Name: Telephone Number:

Address: Email Address:

Signature: Date:

Sole/Principal Contractors' declaration

I, as the sole/principal contractor, who has undertaken the above project, confirm that I have fulfilled my duties as a sole/principal contractor under Part 2A of The Principal Regulations.

Name: Telephone Number:

Address: Email Address:

Signature: Date:

Sole/Principal Designer declaration:

I, as the sole/principal designer, who has undertaken the above project, confirm that I have fulfilled my duties as a sole/principal designer under Part 2A of The Principal Regulations.

Name: Telephone Number:

Address: Email Address:

Signature: Date:

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