



# Ryedale District Council

---

**REPORT TO:** North Yorkshire Building Control Partnership Board

**DATE:** 25 April 2012

**REPORTING OFFICER:** Robert Harper, Development Manager

**SUBJECT:** 2012 consultation on changes to the Building Regulations in England

---

## **1.0 PURPOSE OF REPORT**

**1.1** To present to Members, for their information, the proposed changes to the building regulations as outlined in the recent consultation documents released by The Department for Communities and Local Government in January 2012.

## **2.0 RECOMMENDATIONS**

**2.1** Note the contents of the report.

## **3.0 BACKGROUND**

**3.1** In July 2010 the Building Regulations Minister Andrew Stunell invited external partners to submit ideas and evidence on ways to improve the Building Regulations, with a particular focus to reduce the regulatory burden and to deliver even better levels of compliance. CLG received several hundred responses which were used, along with contributions gathered from other sources such as the Government's "Your Freedoms" web site, the CLG's "Cut Red Tape" website, and a number of seminars and workshops. CLG used all these when developing the program of work to examine a number of areas of the Regulations.

**3.2** In December 2010 the Minister announced this program which CLG have worked on through 2011 with a variety of external partners to develop detailed proposals for consultation. This work has now produced the 2012 consultation proposals on changes to the Building Regulations in England.

## **4.0 POLICY CONTEXT**

**4.1** Delivering a competitive high quality, dynamic, professional service.

## **5.0 REPORT**

**5.1** The consultation is presented as four sections. Section one outlines the consultation approach and then presents proposals to change various technical aspects of the regulations. Section two outlines proposals to increase the energy efficiency of buildings. Section three contains proposals in relation to electrical safety in homes. Section four outlines changes to the building control system.

### Section one.

**5.2** This section introduces the consultation package and provides proposal on Parts A, B, C, K, M and N, Access Statements, Security, Changing Places Toilets and Regulation 7.

**5.3** Part A – To be updated to reflect the changes set out in British Standards for structural design based on a Europe-wide approach, the Eurocodes.

**5.4** Part B – To be revised regarding the fire performance of walls and ceilings.

**5.5** Radon protection – update the guidance contained within approved document C to reflect the revised Radon Maps.

**5.6** Parts K, M & N – Amalgamate guidance into a new Approved Document K.

**5.7** Access statements - The proposals seek to promote a more risk-based approach to communicating compliance which is proportionate to the nature and complexity of the building work.

**5.8** Domestic Security – This is being looked at with a view to increase consumer's information about security measures at the point of sale without introducing regulation.

**5.9** Changing places toilets – Proposal to include information regarding changing places in approved document M, however it is the intention to introduce this as a voluntary approach which will be monitored.

**5.10** Regulation 7 (Materials and workmanship) – Revise approved document to clarify that Declarations of Performance and CE marking will become main source of information on the performance of products.

## Section two. Part L (Conservation of Fuel and Power)

- 5.11** The government has committed to introduce zero carbon standards from 2016 (homes) and 2019 (non-domestic) and the proposed changes to Part L of the building regulations is the next step in achieving these targets.
- 5.12** Consequential Improvements – The proposal is for building owners to upgrade properties when other alterations are being carried out, such as loft conversions, extensions and window replacements. The plan is to phase this in from October 2012 to align with the ‘Green Deal’ framework and therefore owners will be able to meet the requirements with no upfront costs if they chose to take up a Green Deal offer. The Green Deal is a new scheme which will enable householders to invest in energy efficiency measures which are then repaid from the resulting savings as a charge on the energy bill.
- 5.13** Window replacements – A proposal to raise the minimum performance standards of replacement windows from an energy rating of ‘C’ to ‘B’.

## Section Three. Electrical Safety

- 5.14** The proposal is to allow a greater range of work which will be classed as not notifiable and therefore not requiring certification and also to allow unregistered electricians and DIY-ers to utilise competent electricians to certify their work.

## Section Four. The Building Control System

- 5.15** The aim is to improve the efficiency of the building control system by reducing burdens, improving compliance with Building Regulations and encouraging industry to take greater responsibility for their actions.
- 5.16** The proposals are grouped under five main areas:-
- 5.17** **Improving local authority building control process.**
- 5.18** Issue of completion certificate to be mandatory by LA.
- 5.19** Amendments to the wording of completion certificates to reflect that completion certificates are not conclusive proof that the work complies with the building regulations.

- 5.20** It is proposed to amend the current statutory notices to Commencement and Completion stage only and allow the LA to draw up a service plan on a risk-assessed basis for each project they are involved with.
- 5.21 Improving private sector Approved Inspector arrangements.**
- 5.22** Removal of Warranty Link Rule
- 5.23 Strengthened enforcement.**
- 5.24** Looking into increasing the maximum fines and introducing compliance notices.
- 5.25 Extending competent persons self certification scheme**
- 5.26** Looking into extending the type of work that can be covered under CPS's where the risk of non-compliance is low.
- 5.27** Introduction of an 'Appointed Person' to act as compliance co-ordinators on construction sites.
- 5.28 Other changes to both Building and Approved Inspector Regulations to help the building control system operate more effectively.**
- 5.29** Looking at a closer working relationship between planning and building control and the use of the planning portal to allow building regulation applications to be made.
- 5.30** There may be scope to simplify areas between the building regulations and health and safety at work legislation.

## **6.0 FINANCIAL IMPLICATIONS**

- 6.1** None resulting from the contents of this report.

## **7.0 LEGAL IMPLICATIONS**

- 7.1** None resulting from the contents of this report.

## **8.0 RISK ASSESSMENT**

- 8.1** None resulting from the contents of this report.

## **9.0 CONCLUSION**

- 9.1** This report is to make board members aware of potential changes which are been proposed and, depending on the outcome of the consultation, the way in which the building control service on a national level may develop in the coming years. These proposed changes are been discussed at a regional level with a view to sending a joint LABC response to the consultation rather than from each LA.

**Background Papers:** 2012 consultation on changes to the Building Regulations in England published by The Department of Communities and Local Government.

### **OFFICER CONTACT:**

Please contact Robert Harper, Development Manager, or Les Chapman, Head of Building Control for further information on the contents of this report. Robert can be contacted on 01347 825759 or at [robert.harper@nybcp.org](mailto:robert.harper@nybcp.org) and Les can be contacted on 01347 825760 or at [les.chapman@nybcp.org](mailto:les.chapman@nybcp.org).