

Status: Point in time view as at 01/09/1999.

Changes to legislation: Building Act 1984, SCHEDULE 3 is up to date with all changes known to be in force on or before 24 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 3

Sections 46, 88 and 91(2).

INNER LONDON

PART I

APPLICATION OF PART I OF THIS ACT

Application to inner London.

- 1 Sections . . . ^{F1}, . . . ^{F2} 24(1), (2) and (4), 25 . . . ^{F2} of this Act do not apply to inner London.

Textual Amendments

- F1** Number repealed by S.I. 1985/1936, reg. 3(1)(2), Sch. 3 para. 20, Sch. 4
F2 Words repealed by S.I. 1987/798, regs. 3(3), 4, Sch. 4 Pt. I

Application of provisions by building regulations.

- 2 (1) Where, by section 91(2) above or by building regulations made under paragraph 6 of Schedule 1 to this Act or paragraph 14(1) of this Schedule, local authorities, or a prescribed person or class of persons other than local authorities, are made responsible for—
- (a) enforcing, or
 - (b) performing prescribed functions under or in connection with,
- building regulations in force in inner London, then, without prejudice to the said paragraphs 6 and 14(1), building regulations may in that connection provide for any relevant provision to apply (with any prescribed modifications, and notwithstanding paragraph 1 above) in relation to any such authority, person or class of persons as that provision applies in relation to a local authority outside inner London.
- (2) In sub-paragraph (1) above, “relevant provision” means any of the following provisions of this Act that may be prescribed for the purposes of sub-paragraph (1) above: sections 4, 8 to 10, 16, 18(1), (4) and (5), 21 to 23, 24(1), (2) and (4), 26 to 29, 32, 36, 37, 39 and 40.

Repeal and modification of Acts.

- 3 Without prejudice to the generality of paragraph 11(1) of Schedule 1 to this Act, building regulations may repeal or modify—
- (a) any provision of the London Building Acts 1930 to 1939,

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- (b) any provision of an Act passed before the 20th September 1974, in so far as that provision—
- (i) applies to or to any part of inner London, and
 - (ii) relates to, or to the making of, byelaws for or for any part of inner London with respect to any matter for or in connection with which provision can be made by building regulations, or
- (c) any provision of byelaws made or having effect under the said Acts or of any such byelaws as are mentioned in sub-paragraph (b)(ii) above,
- if it appears to the Secretary of State that the repeal or, as the case may be, the modification of that provision is expedient—
- (i) in consequence of the application of any of sections 61, 62 and 67 of the ^{M1}Public Health Act 1936, sections 4(2), (5), (6) and (7), 5 and 9 of the ^{M2}Public Health Act 1961 and sections 61 to 74 and 76 of the ^{M3}Health and Safety at Work etc. Act 1974 to inner London by virtue of section 70(1) of the said Act of 1974 (which section is repealed by and incorporated in this Act),
 - (ii) in consequence of paragraph 2 or 14 of this Schedule, or
 - (iii) in connection with any provision contained in building regulations that apply to or to any part of inner London.

Marginal Citations

- M1** 1936 c. 49.
M2 1961 c. 64.
M3 1974 c. 37.

Consultation.

- 4 Before making any building regulations that provide for the repeal or modification of any such provision the Secretary of State shall (without prejudice to the requirements as to consultation in section 14(3) of this Act) consult [^{F3}any local authority] who appear to him to be concerned.

Textual Amendments

- F3** Words substituted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), s. 16, [Sch. 8 para. 14\(4\)\(b\)\(i\)](#)

PART II

APPLICATION OF PART III OF THIS ACT

Application to inner London.

- 5 Sections 71 [^{F4}, 72(1) to (4), (6) and (7), 73]to 75, 77 to 83, 85 and 90 of this Act do not apply to inner London.

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Textual Amendments

F4 Words inserted by S.I. 1987/798, regs. 2(3), 4

Modifications etc. (not altering text)

C1 Sch. 3 para. 5 applied (with modifications)(20.9.2000) by 2000 c. vii, s. 45(5)

Application to Temples.

6 Sections 59 to 61 of this Act do not apply to the Inner Temple or the Middle Temple.

PART III

BUILDING AND DRAINAGE OF BUILDINGS

Drainage of new building.

7-9 **F5**

Textual Amendments

F5 Sch. 3 paras. 7-9 repealed by S.I. 1987/798, regs. 3(3), 4, Sch. 4 Pt. I

PART IV

BYELAWS

Byelaws about demolition.

- 10 (1) [^{F6}The council of an inner London borough may make byelaws in relation to the demolition of buildings in the borough]—
- (a) requiring the fixing of fans at the level of each floor of a building undergoing demolition,
 - (b) requiring the boarding up of windows in a building from which sashes and glass have been removed,
 - (c) regulating the demolition of internal parts of buildings before any external walls are taken down,
 - (d) requiring the placing of screens or mats, the use of water or the taking of other precautions to prevent nuisances arising from dust,
 - (e) regulating the hours during which ceilings may be broken down and mortar may be shot, or be allowed to fall, into any lower floor,
 - (f) requiring any person proposing to demolish a building to give to the borough council such notice of his intention to do so as may be specified in the byelaws.
- (2) Byelaws under this paragraph may make different provision for different cases, and in particular may provide that, in their application to an area specified in the byelaws,

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the byelaws shall have effect subject to such modifications or exceptions as may be so specified.

(3) No byelaws under this paragraph shall apply to a building (not being a dwelling-house) belonging to a board carrying on a railway undertaking and used by that board as a part of, or in connection with, that undertaking.

Textual Amendments
F6 Words substituted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), s. 16, [Sch. 8 para. 14\(4\)\(b\)\(2\)](#)

11 F7

Textual Amendments
F7 [Sch. 3 para. 11](#) repealed by [S.I. 1987/798, regs. 3\(3\), 4](#), [Sch. 4 Pt. I](#)

12 F8

Textual Amendments
F8 [Sch. 3 para. 12](#) repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), s. 102, [Sch. 17](#)

Restriction of application of Part IV of Act.

13 Part IV of this Act does not apply in relation to this Part of this Schedule, . . . F9

Textual Amendments
F9 Words repealed by [S.I. 1987/798, regs. 3\(3\), 4](#), [Sch. 4 Pt. I](#)

PART V

ENFORCEMENT OF BUILDING REGULATIONS

14 F10

Textual Amendments
F10 [Sch. 3 para. 14](#) repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), s. 102, [Sch. 17](#)

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