

1987 No. 798

BUILDING AND BUILDINGS

The Building (Inner London) Regulations 1987

<i>Made</i> - - - -	<i>5th May 1987</i>
<i>Laid before Parliament</i>	<i>11th May 1987</i>
<i>Coming into force</i>	<i>1st July 1987</i>

The Secretary of State, in exercise of the powers conferred on him by the provisions of the Building Act 1984(a) specified in Schedule 1 to these Regulations and of all other powers enabling him in that behalf, after consulting the Building Regulations Advisory Committee, any local authority who appear to him to be concerned and such other bodies as appear to him to be representative of the interests concerned in accordance with section 14(3) of and paragraph 4 of Schedule 3 to that Act, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Building (Inner London) Regulations 1987 and shall come into force on 1st July 1987.

Further application of building regulations and the Building Act 1984 to inner London

2.—(1) The Building Regulations 1985(b) and the Building (Approved Inspectors etc.) Regulations 1985(c) shall be amended as provided in Part I of Schedule 2 to these Regulations, being amendments to apply further provisions of those Regulations to inner London.

(2) The following provisions of the Building Act 1984 apply in relation to a local authority in inner London as they apply to a local authority outside inner London—
section 18 (building over sewer etc.);
section 21 (provision of drainage);
section 22 (drainage of buildings in combination);
section 23 (provision of facilities for refuse).

(3) Paragraph 5 of Schedule 3 to the Building Act 1984 shall have effect with the insertion after “71” of “, 72(1) to (4), (6) and (7), 73”.

Consequential modifications and repeals

3.—(1) The Building (Prescribed Fees etc.) Regulations 1985(d) and the Building (Inner London) Regulations 1985(e) shall be amended as provided in Part II of Schedule 2 to these Regulations.

(a) 1984 c.55.
(b) S.I. 1985/1065; relevant amending instrument is S.I. 1985/1936.
(c) S.I. 1985/1066, amended by S.I. 1985/1936.
(d) S.I. 1985/1576; relevant amending instrument is S.I. 1985/1936.
(e) S.I. 1985/1936, to which there are amendments not relevant to these Regulations.

(2) The enactments mentioned in Schedule 3 shall have effect subject to the modifications specified in that Schedule.

(3) The enactments and instruments mentioned in Schedule 4 are repealed or revoked to the extent specified in the third column of that Schedule.

Transitional Provisions

4.—(1) Subject to paragraph (2) below, these Regulations do not apply to any building, structure or work if on 1st July 1987 the Building (Inner London) Regulations 1985 do not apply to that building, structure or work, or if, before that date—

- (a) a contract was entered into for the erection of the building, construction of the structure or execution of the work; or
- (b) the erection of the building, construction of the structure or execution of the work was commenced; or
- (c) plans were deposited or notice was given in respect of the building, structure or work under any of the enactments and instruments which would be repealed or revoked if these Regulations applied; or
- (d) in respect of the building, structure or work, a building notice was given or full plans were deposited under regulation 11 of the Building Regulations 1985 or an initial notice or a public body's notice was given,

until that building, structure or work has been completed.

(2) Notwithstanding paragraph (1) above, these Regulations shall apply to any building, structure or work if, on or after 1st July 1987—

- (a) in respect of that building, structure or work, a building notice is given or full plans are deposited under regulation 11 of the Building Regulations 1985 or an initial notice or a public body's notice is given, and
- (b) those plans or that notice includes work in respect of which any of the enactments or instruments repealed or revoked by these Regulations requires the deposit of plans or the giving of notice; and
- (c) at the time that those plans are deposited or that notice is given the building work to which those plans or that notice relate has not been commenced.

SCHEDULE 1

Preamble

ENABLING POWERS

Sections 1(1), 3, 8(2), 16(9) and (10), 17(1) and (6), 35, 47(1) to (5), 49(1) and (5), 50(1), (3), (4), (6) and (7), 51(1) and (2), 52(1), (2), (3) and (5), 53(2) and (4), 54(1) to (3) and (5) and 56(1) and (2) of, and paragraphs 1, 2, 3, 5, 7, 8, 10 and 11 of Schedule 1, paragraphs 2 and 3 of Schedule 3 and paragraphs 1, 2(1), (2), (4) and (5), 3(1) and (2), 4(2) and (4), and 5 of Schedule 4 to, the Building Act 1984(a).

(a) 1984 c.55.

AMENDMENTS TO BUILDING REGULATIONS

PART I

1. The Building Regulations 1985(a) shall be amended as follows—
 - (a) in regulation 12(2)(c)(i) omit the words “if Part H (drainage and waste disposal) of Schedule 1 applies,”
 - (b) in regulation 14—
 - (i) in paragraph (1) omit the words “Subject to paragraph (1A),”; and
 - (ii) omit paragraph (1A),
 - (c) in regulation 15 for the words “A local authority outside inner London” substitute the words “The local authority”,
 - (d) in Schedule 1 (Requirements) in the third column (Limits on application)—
 - (i) omit the words “This requirement does not apply in inner London.” opposite paragraph G4 (sanitary conveniences); and
 - (ii) omit the words “The requirements of this Part do not apply in inner London.” in Part H (drainage and waste disposal).
2. The Building (Approved Inspectors etc.) Regulations 1985(b) shall be amended as follows—
 - (i) in regulation 10—
 - (i) for the words “paragraphs (1A) and” substitute the word “paragraph”; and
 - (ii) omit paragraph (1A).

PART II

3. The Building (Prescribed Fees etc.) Regulations 1985(c) shall be amended as follows:—
 - (a) in regulation 5 omit the words “Subject to regulation 6A” in the three places where they occur;
 - (b) in regulation 6 omit the words “Subject to regulation 6A”; and
 - (c) omit regulation 6A.
4. Schedule 2 to the Building (Inner London) Regulations 1985(d) shall be amended by the omission of paragraphs 1(2), (3), (4), and (6), 2(2) and 3(2), (3) and (4).

SCHEDULE 3

Regulation 3(2)

MODIFICATION OF ENACTMENTS

1. The London Building Acts (Amendment) Act 1939(e) shall have effect—
 - (a) in section 4, in the definition of “domestic building”, with the omission of the words from “and for the purposes of Part V” to the end of that definition;
 - (b) in section 21, with the substitution for subsections (4A) and (4B)(f) of the following:—

“(4A) Subsection (4) of this section shall not apply if:

 - (a) the width of any opening in any wall of a storey (or if there is more than one opening in any such wall, the width of all such openings taken together) does not exceed one-half of the length of the wall, and
 - (b) each opening is closed by two steel plate doors, metal covered doors or steel rolling shutters, one on each side of the wall, and
 - (c) those doors or shutters are—
 - (i) constructed in accordance with specification 1 or 2 or 3 or 4, and
 - (ii) installed in accordance with the general installation requirements

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- (a) S.I. 1985/1065; relevant amending instrument is S.I. 1985/1936.
 - (b) S.I. 1985/1066, amended by S.I. 1985/1936.
 - (c) S.I. 1985/1576; relevant instrument is S.I. 1985/1936.
 - (d) S.I. 1985/1936, to which there are amendments not relevant to these Regulations.
 - (e) 1939 c.xcvii.
 - (f) Inserted by the Building (Inner London) Regulations 1985 (S.I. 1985/1936).

of the Rules for the Construction and Installation of Firebreak Doors and Shutters of the Fire Offices' Committee, dated February 1985.”;

- (c) in section 34(1), with the insertion, after proviso (ii)(B), of the following—

“or (C) a building to which section 4(1)(a) of the Building Act 1984 applies.”;
- (d) in section 35(1), with the insertion, before paragraph (iii) of the proviso, of the following paragraph—

“(ii) the provisions of this subsection shall not apply to any building to which section 4(1)(a) of the Building Act 1984 applies; and”;
- (e) in section 145, with the omission of subsection (4)(a).

2. The London Government Act 1963(b) shall have effect with the insertion at the end of paragraph 18 of Part III of Schedule 9 of the following sub-paragraph—

“(3) Nothing in this paragraph applies to the erection of a building or extension of a building if section 18 of the Building Act 1984 would apply if plans of that building or extension were, in accordance with building regulations, deposited with a local authority.”.

3. The Greater London Council (General Powers) Act 1969(c) shall have effect, in section 26 (Building control)—

- (a) with the omission of “and any byelaws made thereunder” from subsection (1); and
- (b) with the substitution of “the Building Regulations 1985” for “any such byelaws as aforesaid” in subsection (2)(b).

4. The City of London (Various Powers) Act 1973(d) shall have effect, in section 7 (Sanitation byelaws: dispensation and increase of penalties) with the substitution of the following for subsection (8)—

“(8) This section applies to byelaws in force from time to time made by the Corporation under section 5 (Byelaws as to pipes conveying acids) of the City of London (Various Powers) Act 1926.”.

5. The Building Act 1984 shall have effect, in section 18—

- (a) with the substitution, in subsection (2), of “a local authority” for the words from “the council” to “1939”;
- (b) with the substitution, in subsection (3), of “local authority” for “council of a district or outer London borough” and of “authority” for “council”; and
- (c) with the insertion, after subsection (5), of the following subsection—

“(6) This section does not apply to the Inner Temple or the Middle Temple.”.

(a) Inserted by the Building (Inner London) Regulations 1985 (S.I. 1985/1936).

(b) 1963 c.33.

(c) 1969 c.lii.

(d) 1973 c.xx.

REPEALS

PART I

GENERAL

<i>Chapter</i>	<i>Short Title</i>	<i>Extent of repeal</i>
1939 c.xcvii.	The London Building Acts (Amendment) Act 1939.	In section 4, in the defini- tion of "domestic building", the words from "and for the purposes of Part V" to the end of that definition. Section 19.
1963 c.33.	The London Government Act 1963.	In Part III of Schedule 9, paragraph 6.
1969 c.lii.	The Greater London Council (General Powers) Act 1969.	In section 26(1), the words "and any byelaws made thereunder".
1971 c.xxviii.	The Greater London Council (General Powers) Act 1971.	In section 4(1), paragraphs (a)(ii) and (iii) and (b).
1984 c.55.	The Building Act 1984.	In Schedule 3— in paragraph 1, the words "8 to 10, 16, 18, 21 to 23," and the words "to 29, 32, 36, 37, 39 and 40"; paragraphs 7, 8, 9 and 11; and in paragraph 13, the words from "save that" to the end of that paragraph.
1984 c.xxvii.	The Greater London Council (General Powers) Act 1984.	Section 36.
	The by-laws made by the London County Council and confirmed on 21st August 1930 with respect to water closets, urinals, earth closets, privies and cesspools, and the proper accessories thereof in connection with buildings.	All the by-laws.
	The by-laws made by the London County Council and confirmed on 12th March 1962 with respect to drainage.	All the by-laws.
	The by-laws made by the London County Council on 11th December 1962 for the removal, etc., of refuse.	Part II.

PART II
THE CITY OF LONDON

<i>Chapter</i>	<i>Short Title</i>	<i>Extent of repeal</i>
11 & 12 Vict. c. clxiii.	The City of London Sewers Act 1848.	Sections 63 and 72.
14 & 15 Vict. c. xci.	The City of London Sewers Act 1851.	Section 39.
63 & 64 Vict. c. ccxxviii.	The City of London (Various Powers) Act 1900.	Section 54.
16 & 17 Geo.5 c. vii.	The City of London (Various Powers) Act 1926.	Section 6.
23 & 24 Geo.5. c. xxiii.	The City of London (Various Powers) Act 1933.	Section 5.
9 & 10 Eliz.2. c. xxviii.	The City of London (Various Powers) Act 1961.	Section 32(3)(a).
	The byelaws made by the Mayor and Commonalty and Citizens of the City of London and confirmed on 1st February 1984 with respect to water closets, soil appliances, discharge pipes and traps, etc.	The whole byelaws except insofar as they relate to conveying acids from premises where chemicals are used.

5th May 1987

Nicholas Ridley
Secretary of State for the Environment

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations bring into force for inner London—

(1) sections 18, 21–23 and 72(5) of the Building Act 1984 (regulations 2(2) and (3)), and

(2) parts G4 (sanitary conveniences) and H (drainage and waste disposal) of the Building Regulations 1985 (regulation 2(1) and Schedule 2),

thus completing the application of the national system of building control to inner London.

Regulation 3 and Schedule 2 repeal earlier amendments made by the Building (Inner London) Regulations 1985 to the Building (Approved Inspectors, etc) Regulations 1985 and the Building (Prescribed Fees, etc) Regulations 1985. The two latter instruments therefore apply fully in inner London.

Schedule 4 repeals superseded enactments and instruments. These include the LCC's byelaws for sanitary conveniences and drainage (and the power to charge fees in respect of applications under them) and Part II of the LCC's byelaws for the removal, etc of refuse. Part II of the Schedule repeals the corresponding City legislation and the City Corporation's sanitation byelaws (except for the byelaws relating to the discharge of acids).

Regulation 4 contains transitional provisions to permit work in progress at the date of coming into force of the Regulations to be completed under the existing procedures.

The Regulations also make certain minor modifications to the London Building Acts (Amendment) Act 1939 in respect of fire precautions and means of escape and to the London Government Act 1963 in respect of building over sewers and make some consequential amendments to the Building Act 1984 (Schedule 3).

“Inner London” means the area comprising the inner London boroughs, the City of London, the Inner Temple and the Middle Temple.

The Rules for the Construction and Installation of Firebreak Doors and Shutters of the Fire Offices’ Committee dated February 1985, referred to in paragraph 1 of Schedule 3, may be obtained from the Loss Prevention Council Limited at 140 Aldersgate Street, London EC1A 4HY.