
STATUTORY INSTRUMENTS

2000 No. 2532

The Building (Approved Inspectors etc.) Regulations 2000

PART III

SUPERVISION OF WORK BY APPROVED INSPECTORS

Initial notice

- 8.**—(1) The prescribed form of an initial notice⁽¹⁾—
- (a) which is not combined with a plans certificate, shall be form 1 in Schedule 2; or
 - (b) which is combined with a plans certificate, shall be form 4 in Schedule 2.
- (2) An initial notice shall be accompanied by the plans and documents described in the relevant form prescribed by paragraph (1).
- (3) The grounds on which a local authority shall reject an initial notice are those prescribed in Schedule 3.
- (4) The period within which a local authority may give notice of rejection of an initial notice is five days beginning with the day on which the notice is given.

Amendment notice

- 9.**—(1) The prescribed form of an amendment notice⁽²⁾ shall be form 2 in Schedule 2.
- (2) An amendment notice shall be accompanied by the plans and documents described in the form prescribed by paragraph (1).
- (3) The grounds on which a local authority shall reject an amendment notice are those prescribed in paragraphs 1 to 11 of Schedule 3.
- (4) The period within which a local authority may give notice of rejection of an amendment notice is five days beginning with the day on which the notice is given.

Independence of approved inspectors

- 10.**—(1) For the purposes of this regulation “minor work” means—
- (a) the material alteration or extension of a dwelling-house which before the work is carried out has two storeys or less and which afterwards has no more than three storeys; or
 - (b) the provision, extension or material alteration of a controlled service or fitting in or in connection with any building; or
 - (c) work consisting of the underpinning of a building;
- and for the purposes of this paragraph a basement is not to be regarded as a storey.

(1) See section 47 of the Building Act 1984.

(2) See section 51A of the Building Act 1984.

(2) An approved inspector shall have no professional or financial interest in the work he supervises unless it is minor work.

(3) A person shall be regarded as having a professional or financial interest in the work described in any notice or certificate given under these Regulations if—

- (a) he is or has been responsible for the design or construction of any of the work in any capacity, or
 - (b) he or any nominee of his is a member, officer or employee of a company or other body which has a professional or financial interest in the work, or
 - (c) he is a partner or is in the employment of a person who has a professional or financial interest in the work.
- (4) For the purposes of this regulation—
- (a) a person shall be treated as having a professional or financial interest in the work even if he has that interest only as trustee for the benefit of some other person,
 - (b) in the case of married people living together, the interest of one spouse shall, if known to the other, be deemed to be also an interest of the other.
- (5) For the purposes of this regulation—
- (a) involvement in the work as an approved inspector,
 - (b) entitlement to any fee paid for his function as an approved inspector, and
 - (c) potential liability to pay any sum if a claim is made under the insurance cover provided for the purposes of the Act,

shall not be regarded as constituting a professional or financial interest.

Functions of approved inspectors

11.—(1) Subject to paragraph (2), an approved inspector by whom an initial notice has been given shall, so long as the notice continues in force, take such steps as are reasonable to enable him to be satisfied within the limits of professional skill and care that—

- (a) regulations 4 and 6 of the Principal Regulations are complied with,
- (b) satisfactory provision is made for the conveyance of—
 - (i) refuse water, and
 - (ii) rain water from roofs,

from any building or extension of a building to the sewer, cesspool or other place shown on the plans which accompanied the initial notice, and

- (c) the requirements of regulation 12 of these Regulations are complied with.

(2) In a case where any requirement of Part L of Schedule 1 to the Principal Regulations is to be complied with by the insertion of insulating material into the cavity in a wall after that wall has been constructed, the approved inspector need not supervise the insertion of the insulating material but shall state in the final certificate whether or not at the date of that certificate the material has been inserted.

(3) Where an approved inspector by whom an initial notice has been given becomes aware that work is being carried out over a sewer shown on the relative map of sewers, he shall, unless information about that work was given to the local authority with the initial notice, as soon as practicable notify the local authority of the location of that work.

Energy rating

12.—(1) This regulation applies where a new dwelling is created by building work or by a material change of use in connection with which building work is carried out, and the building work in question is the subject of an initial notice.

(2) Where this regulation applies, the person carrying out the building work shall calculate the energy rating of the dwelling and give notice of that rating to the approved inspector who gave the initial notice.

(3) The notice referred to in paragraph (2) shall be given not later than five days after completion of the dwelling, and

(a) where the dwelling is created by building work, and

(i) the dwelling is occupied, and

(ii) no final certificate is given

the notice shall be given not later than the end of the period of eight weeks beginning with the date of occupation; or

(b) where the dwelling is created by a material change of use in connection with which building work is carried out, and

(i) the change of use takes place, and

(ii) no final certificate is given

the notice shall be given not later than the end of the period of eight weeks beginning with the date on which the change of use takes place.

(4) Where this regulation applies, subject to paragraphs (6) and (8), the person carrying out the building work shall affix, as soon as practicable, in a conspicuous place in the dwelling, a notice stating the energy rating of the dwelling calculated in accordance with paragraph (2).

(5) The notice referred to in paragraph (4) shall be affixed not later than five days after completion of the dwelling, and, in a case where subparagraph (b) of paragraph (3) applies, not later than the period of eight weeks beginning with the date on which the change of use takes place.

(6) Subject to paragraph (8), if, on the date the dwelling is first occupied as a residence, no notice has been affixed in the dwelling in accordance with paragraph (4), the person carrying out the building work shall give to the occupier of the dwelling a notice stating the energy rating of the dwelling calculated in accordance with paragraph (2).

(7) The notice referred to in paragraph (6) shall be given not later than five days after completion of the dwelling, and, in a case where subparagraph (a) of paragraph (3) applies, not later than the end of the period of eight weeks beginning with the date of occupation of the dwelling.

(8) Paragraphs (4) and (6) shall not apply in a case where the person carrying out the work intends to occupy, or occupies, the dwelling as a residence.

Approved inspector's consultation with the fire authority

13.—(1) In this regulation—

(a) a “relevant use” is a use as a workplace of a kind to which Part II of the Fire Precautions (Workplace) Regulations 1997(3) applies or a use designated under section 1 of the Fire Precautions Act 1971(4);

(b) a “relevant building” is a building where it is intended that, after completion of building work, the building or any part of it will be put or will continue to be put to a relevant use;

(3) S.I.1997/1840 as amended by S.I. 1999/1877.

(4) 1971 c. 40.

- (c) a “relevant change of use” is a material change of use where it is intended that, after the change of use has taken place, the building or any part of it will be put or will continue to be put to a relevant use; and
 - (d) a “relevant amendment notice” is an amendment notice where any of the work specified in the initial notice, as varied by the amendment notice, being work which could not have been carried out under the original notice (“additional work”), concerns the erection, extension or material alteration of a relevant building or is building work in connection with a relevant change of use of a building and Part B of Schedule 1 to the Principal Regulations imposes requirements in relation to the additional work.
- (2) This regulation applies where an initial notice is to be given or has been given in relation to the erection, extension or material alteration of a relevant building or in relation to building work in connection with a relevant change of use of a building and Part B of Schedule 1 to the Principal Regulations imposes requirements in relation to the work.
- (3) Where this regulation applies, the approved inspector shall consult the fire authority—
- (a) before or as soon as practicable after giving an initial notice in relation to the work;
 - (b) before or as soon as practicable after giving a relevant amendment notice in relation to the work;
 - (c) before giving a plans certificate (whether or not combined with an initial notice); and
 - (d) before giving a final certificate.
- (4) Where an approved inspector is required by paragraph (3) to consult the fire authority, he shall give to the fire authority—
- (a) in a case where he is consulting them in connection with an initial notice or an amendment notice, sufficient plans to show whether the work would, if carried out in accordance with those plans, comply with the applicable requirements of Part B of Schedule 1 to the Principal Regulations; and
 - (b) in a case where he is consulting them in connection with the giving of a plans certificate, a copy of the plans in relation to which he intends to give the certificate.
- (5) Where an approved inspector is required by paragraph (3) to consult the fire authority—
- (a) he shall have regard to any views they express; and
 - (b) he shall not give a plans certificate or a final certificate until 15 days have elapsed from the date on which he consulted them, unless they have expressed their views to him before the expiry of that period.
- (6) Where a local enactment would, if plans were deposited in accordance with building regulations, require the local authority to consult the fire authority before or during the carrying out of any work, the approved inspector shall consult the fire authority in a manner similar to that required by the enactment.