

Status: Point in time view as at 06/04/2013.

Changes to legislation: There are currently no known outstanding effects for the The Building (Approved Inspectors etc.) Regulations 2010, SCHEDULE 2. (See end of Document for details)

SCHEDULE 2

Regulations 10(3), 11(3) and 14(3)

Grounds for Rejecting an Initial Notice, an Amendment Notice, or a Plans Certificate Combined with an Initial Notice

Deficiencies in initial notice

Form

- 1. The notice is not in the prescribed form.

Wrong local authority

- 2. No part of the work described in the notice is to be carried out in the area of the local authority to whom the notice has been given.

Capacity of approved inspector

- 3. The person who signed the notice as approved inspector is not an approved inspector.

Deficiencies in information

Information about the proposed work

- 4. Neither the notice nor the accompanying plans and documents include—
 - (a) the location and a description of the work, including the use of any building to which the work relates;
 - (b) information needed by the local authority to decide whether the notice is to be rejected on ground 10 or 11.

Notice of approval

^{F1}5.

Textual Amendments

F1 Sch. 2 para. 5 omitted (E.) (6.4.2013) by virtue of [The Building Regulations &c. \(Amendment\) Regulations 2012 \(S.I. 2012/3119\)](#), reg. 42(a), Sch. 1 (with regs. 1(3), 45-47) (as amended by [S.I. 2013/181](#), reg. 5, [Sch.](#))

Lack of declaration or undertakings

Insurance

[^{F2}6. In the case of a notice dated on or after 6th April 2013, having taken all reasonable steps to establish whether there is a named scheme of insurance approved by the Secretary of State in relation to the work described in the notice, the local authority believe that this is not the case.]

Textual Amendments

F2 Sch. 2 para. 6 substituted (6.4.2013) by [The Building Regulations &c. \(Amendment\) Regulations 2012 \(S.I. 2012/3119\)](#), reg. 42(b), Sch. 1 (with regs. 1(3), 45-47) (as amended by [S.I. 2013/181](#), reg. 5, [Sch.](#))

Status: Point in time view as at 06/04/2013.

Changes to legislation: There are currently no known outstanding effects for the The Building (Approved Inspectors etc.) Regulations 2010, SCHEDULE 2. (See end of Document for details)

Fire and rescue authority

7. The approved inspector will be obliged by regulation 12 to consult the fire and rescue authority before giving a plans certificate or final certificate, and the notice does not contain an undertaking to do so.

Sewerage undertaker

8. The approved inspector will be obliged by regulation 13 to consult the sewerage undertaker before giving a plans certificate or final certificate, and the notice does not contain an undertaking to do so.

Independence

9. Except where the work described in the notice is stated in it to be minor work within the meaning of regulation 9(5), the notice does not contain a declaration by the approved inspector that the approved inspector does not, and while the initial notice is in force will not, have any professional or financial interest in that work.

Deficiencies in the proposed work

Drain connection

10. In the case of the erection or extension of a building, the local authority consider that, in order to comply with the requirements of Part H of Schedule 1 to the Principal Regulations, a proposed drain or private sewer must discharge to an existing sewer, but the statement accompanying the notice does not describe such an arrangement.

Local enactments

11. The local authority are not satisfied that the work described will comply with any local enactment which requires or authorises them to reject plans submitted in accordance with building regulations

Overlap with earlier notice

Earlier notice

12.—(1) Except where paragraph (2) applies, an initial notice (“an earlier notice”) has already been given in respect of any part of the work described in the notice.

(2) The ground in paragraph (1) does not apply if—

- (a) an earlier notice has ceased to be in force and the local authority have taken no positive step to supervise the work described in it; or
- (b) the notice is accompanied by an undertaking by the approved inspector who gave an earlier notice to the effect that the approved inspector will cancel that notice as soon as the initial notice under consideration is accepted.

Status:

Point in time view as at 06/04/2013.

Changes to legislation:

There are currently no known outstanding effects for the The Building (Approved Inspectors etc.) Regulations 2010, SCHEDULE 2.