
STATUTORY INSTRUMENTS

2023 No. 909

**The Building (Higher-Risk Buildings
Procedures) (England) Regulations 2023**

PART 3

Changes before or during construction

Variation of a requirement imposed on a building control approval

30.—(1) In relation to HRB work, a stage of HRB work or work to existing HRB, a client may request, by notice in writing, that the regulator vary a requirement imposed on a building control approval.

(2) A notice under paragraph (1) must be made in writing, signed by the client, and must include—

- (a) the name, address, telephone number and (if available) email address of the client,
- (b) a statement that the notice is given under this regulation,
- (c) a description of the proposed variation,
- (d) an explanation of the reasons why the variation is proposed,
- (e) a list of the name and occupation of each person, if any, whose advice was sought in relation to the proposed variation and a summary of any advice provided.

(3) Where the notice under paragraph (1) is given by someone on behalf of the client, it must include a statement signed by the client confirming they agree to the notice being given and that the information contained in the application is correct.

(4) Where the regulator receives a notice under paragraph (1) the regulator must determine whether to grant the variation within 28 days of receipt of the notice or within such longer period as at any time the regulator and the person giving the notice agree in writing.

(5) Where the regulator has not determined whether to grant the variation before the expiry of the period provided for in paragraph (4) then the variation is treated as refused by the regulator.

(6) Where a requirement is varied the regulator must give the client a notice setting out the requirement as varied.

(7) If requested by the client, the regulator must provide a paper copy of the notice.

(8) Where the regulator does not agree to the variation the regulator must notify the client giving reasons.