

SCHEDULE 1

Regulation 2

Documents

Competence declaration

1.—(1) A competence declaration is a statement, in relation to work, that contains a declaration in relation to—

- (a) a principal designer (or sole or lead designer) for HRB work, a stage of HRB work or work to existing HRB,
- (b) a principal contractor (or sole contractor) for HRB work, a stage of HRB work or work to existing HRB, and
- (c) any other person appointed (A), in relation to the work, as at the date of the building control approval application for HRB work, a building control approval application for a stage of HRB work or the building control approval application for work to existing HRB.

(2) In relation to a principal designer for HRB work, a stage of HRB work or work to existing HRB, the competence declaration must—

- (a) state that the client—
 - (i) has complied with regulation 11E(2)(b) (consideration of past misconduct) of the 2010 Regulations, and
 - (ii) having taken all reasonable steps, is satisfied that the principal designer fulfils the requirements in regulations 11F(1) and (2) and 11G(1) of the 2010 Regulations, and
- (b) include a declaration as to the truth of that statement.

(3) In relation to a principal contractor for HRB work, a stage of HRB work or work to existing HRB, the competence declaration must—

- (a) state that the client—
 - (i) has complied with regulation 11E(2)(b) (consideration of past misconduct) of the 2010 Regulations, and
 - (ii) having taken all reasonable steps, is satisfied that the principal contractor fulfils the requirements in regulations 11F(1) and (2) and 11H(1) of the 2010 Regulations, and
- (b) include a declaration as to the truth of that statement.

(4) In relation to a sole contractor, or sole or lead designer, the competence declaration must—

- (a) state that the client—
 - (i) has complied with regulation 11E(2)(b) (consideration of past misconduct) of the 2010 Regulations, and
 - (ii) having taken all reasonable steps, is satisfied that the person fulfils the requirements in regulations 11F(1) and (2) of the 2010 Regulations, and
- (b) include a declaration as to the truth of that statement.

(5) In relation to any A, the competence declaration must—

- (a) state that the client has been informed by the person appointing A that they have complied with regulation 11E(2)(b) (consideration of past misconduct) of the 2010 Regulations, and
- (b) include a declaration as to the truth of that statement.

(6) Any competence declaration must—

- (a) be signed by the client, and

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- (b) where there is more than one contractor for the HRB work, a stage of HRB work or work to existing HRB, include a copy of each record that the client created under regulation 11D(8) or, as the case may be, 11D(9) (principal designer and principal contractor) of the 2010 Regulations.

Construction control plan

- 2. A construction control plan must set out—
 - (a) the strategies, policies and procedures the client has adopted for planning, managing and monitoring the HRB work, a stage of HRB work or work to existing HRB so as to ensure compliance with—
 - (i) the applicable requirements of the building regulations and to record evidence of that compliance including describing the arrangements the client has adopted to maintain the golden thread information;
 - (ii) the duties in Chapter 4 (duties of dutyholders) of Part 2A of the 2010 Regulations;
 - (b) the strategies, policies and procedures the client has adopted to identify, assess and keep under review the competence of the persons carrying out the HRB work, a stage of HRB work or work to existing HRB or involved in the design of the higher-risk building or design of the building work to the higher-risk building, including the procedures to be followed—
 - (i) to determine whether a serious sanction (as defined in regulation 11E of the 2010 Regulations) has occurred in relation to a person to be appointed;
 - (ii) to consider any past behaviour in relation to any serious sanction which might call into question the suitability of a person to be appointed;
 - (iii) if a person in relation to which a serious sanction has occurred is appointed, to prevent a repeat of the behaviour;
 - (c) the strategies, policies and procedures the client has adopted to support co-operation between designers, contractors and any other persons involved in the HRB work, a stage of HRB work or work to existing HRB, including the sharing of all necessary information;
 - (d) a schedule of each appointment which has been made as at the date of the application, giving the name of—
 - (i) the person who the client has appointed as the principal contractor (or sole contractor);
 - (ii) the person who the client has appointed as the principal designer (or sole or lead designer);
 - (iii) any other person (excluding individuals except where they are a sole trader) the client has appointed to work on the project;
 - (iv) any person (excluding individuals except where they are a sole trader) the principal contractor (or sole contractor) has appointed to work on the project, and
 - (v) any person (excluding individuals except where they are a sole trader) the principal designer (or sole or lead designer) has appointed to work on the project,and a summary of their responsibilities;
 - (e) the policies the client has adopted to review the construction control plan.

Change control plan

- 3.—(1) A change control plan must set out the strategies, policies and procedures the client has adopted to ensure any controlled change takes place in accordance with regulation 18 (change

control), and to log each controlled change in accordance with regulation 19 (change control: record-keeping) including explaining—

- (a) how proposed changes will be identified and to whom they must be reported;
- (b) how the impacts of proposed changes are identified and considered;
- (c) in relation to proposed changes, the decision-making procedures adopted for agreeing a change including whose advice is to be sought;
- (d) how changes are recorded and by when;
- (e) the procedure to identify which changes require notification to the regulator and which changes require a change control application;
- (f) how the effectiveness of the change control plan will be reviewed by dutyholders periodically.

(2) In this paragraph “dutyholders” means the client, the principal contractor (or sole contractor) and the principal designer (or sole or lead designer).

Building Regulations compliance statement

4. A Building Regulations compliance statement must set out the approach taken in designing the proposed higher-risk building or in designing the work to be carried out on the higher-risk building and the building standards applied, in particular—

- (a) the approach taken in relation to each element of the building and the work to ensure compliance with all applicable requirements of the building regulations, and
- (b) the reasons for adopting the approach together with an explanation of why the approach is appropriate and ensures compliance with all applicable requirements of the building regulations.

Fire and emergency file

5.—(1) A fire and emergency file must set out—

- (a) the matters that were considered when assessing how the building safety risks⁽¹⁾ identified could impact the higher-risk building or the proposed higher-risk building;
- (b) the proposals adopted and the approaches taken in relation to designing the proposed higher-risk building or the building work to the higher-risk building to ensure compliance with the applicable requirements of the building regulations relating to the building safety risks;
- (c) the measures, strategies and policies it is proposed the owner of the higher-risk building should adopt in order to manage and maintain the higher-risk building or the proposed higher-risk building to ensure anyone in it can be safely evacuated in an emergency, including any assumptions made as to the intended occupiers of the building and their likely characteristics and behaviours.

(2) The measures, strategies and policies referred to in sub-paragraph (1) must include—

- (a) a plan which sets out the requirements of the fire and rescue service for the area in relation to access to the higher-risk building and water supply for fire-fighting;
- (b) a report which—
 - (i) where the HRB work, a stage of HRB work or work to existing HRB has not started, demonstrates how compliance with the applicable requirements of the building regulations relating to the building safety risks is to be achieved;

(1) See section 120G(5) of the Building Act 1984 for the definition of “building safety risk”.

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- (ii) where the HRB work, a stage of HRB work or work to existing HRB is completed, demonstrates how compliance with the applicable requirements of the building regulations relating to the building safety risks was achieved.

Partial completion strategy

- 6. A partial completion strategy must explain—
 - (a) the proposals adopted in designing for occupation of each part of the building or the proposed building to be completed to ensure compliance with the applicable requirements of the building regulations;
 - (b) the measures, strategies and policies it is proposed the owner of the building should adopt in order to manage and maintain each such part of the building or the proposed building;
 - (c) any assumptions made in those measures, strategies and proposals as to the intended occupiers of each such part of the building or the proposed building and their likely characteristics and behaviours, and the intended management or maintenance of each such part of the building or the proposed building.