
STATUTORY INSTRUMENTS

2024 No. 110

**The Building (Registered Building Control
Approvers etc.) (England) Regulations 2024**

PART 3

Notices and certificates etc.

Consultation with the fire and rescue authority

9.—(1) 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 an FSO 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 2010 Regulations imposes requirements in relation to the work.

(2) Where this regulation applies, the approver must consult the fire and rescue 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.

(3) An approver required by paragraph (2) to consult the fire and rescue authority must give to the fire and rescue authority—

- (a) in a case where the approver 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 2010 Regulations, and
- (b) in a case where the approver is consulting them in connection with the giving of a plans certificate, a copy of the plans in relation to which the approver intends to give the certificate.

(4) An approver required by paragraph (2) to consult the fire and rescue authority—

- (a) must have regard to any views expressed by the authority, and
- (b) must not give a plans certificate or a final certificate until 15 working days have elapsed from the day on which the approver consulted the authority, unless the authority have expressed their views to the approver before the expiry of that period.

(5) Where a local enactment would, if an application for building control approval with full plans were submitted or granted in accordance with building regulations, require the local authority to consult the fire and rescue authority before or during the carrying out of any work, the approver must consult the fire and rescue authority in a manner similar to that required by the enactment.

(6) In this regulation—

“FSO building” is a building or any part of it to which the Regulatory Reform (Fire Safety) Order 2005(1) applies, or will apply after the completion of building work;

“relevant change of use” is a material change of use where, after the change of use takes place, the Regulatory Reform (Fire Safety) Order 2005 will apply, or continue to apply, to the building or any part of it;

“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 an FSO building or is building work in connection with a relevant change of use of a building and Part B of Schedule 1 to the 2010 Regulations imposes requirements in relation to the additional work.