

To:

The Chief Executive

Unitary, Metropolitan, District and London Borough Councils in England  
County and County Borough Councils in Wales

The Town Clerk, City of London

The Clerk, Council of the Isles of Scilly

The Sub-Treasurer, Inner Temple

The Under Treasurer, Middle Temple

The Head of Building Control

Unitary Metropolitan, District and London Borough Councils in England  
County and County Borough Councils in Wales

City of London

Council of the Isles of Scilly

Approved Inspectors

cc: The Chief Executive:

County Councils in England

National Park Authorities in England & Wales

The Chief Fire Officer: Fire Authorities in England and Wales

Our Ref:

Your Ref:

13 May 2009

Dear Sir or Madam

**BUILDING AND APPROVED INSPECTORS (AMENDMENT REGULATIONS) 2009  
(SI 2009/1219)**

**BUILDING REGULATIONS 2000 (SI 2000/2531)**

**BUILDING (APPROVED INSPECTORS ETC) REGULATIONS 2000 (SI 2000/2532)**

I am writing to inform you about the Building and Approved Inspectors (Amendment) Regulation 2009 (the Amendment Regulations) and associated documents. The principal purposes of the Regulations are to amend requirements in respect of Part G of the Building Regulations 2000, to introduce new requirements in Part G on cold water supply and hot water safety and to introduce a new provision relating to water

efficiency in new dwellings. The Amendment Regulations come into force on 1 October 2009, subject to the transitional provisions.

The Amendment Regulations also amend the Building (Approved Inspectors etc) Regulations 2000 in respect of procedural matters so that those matters are treated by approved inspectors in the same way as by local authorities.

## **Publications**

The following publications are relevant to the Amendment Regulations:

*Circular 05/2009*; available at

[www.communities.gov.uk/publications/planningandbuilding/circular0509partg](http://www.communities.gov.uk/publications/planningandbuilding/circular0509partg)

The Circular describes the amendments made by the Amendment Regulations, the transitional provisions and the approval of a new Approved Document and the publication of guidance on calculation of water efficiency in new dwellings.

*Approved Document G: Sanitation, hot water safety and water efficiency*, 2009 edition, available at

[www.planningportal.gov.uk/uploads/br/BR\\_PDF\\_draftADG\\_2009.pdf](http://www.planningportal.gov.uk/uploads/br/BR_PDF_draftADG_2009.pdf)

*Water Efficiency Calculator for New Dwellings*, 2009 edition, available at

[www.planningportal.gov.uk/england/professionals/en/1115316369681.html](http://www.planningportal.gov.uk/england/professionals/en/1115316369681.html)

## **Transitional provisions**

Regulations 4 to 8 of the Amendment Regulations set out the transitional provisions for the introduction of the amended requirements for Part G and for the water efficiency provisions. These are further explained in Annex C of the Circular.

Building Control Bodies will wish to note that most of the transitional provisions require work to have been commenced by a certain date which is considerably sooner than the normal three year period of validity of the approval of full plans or acceptance of a building notice.

In some cases applications will be in respect of a number of buildings on a site, for example a number of houses. In such cases it is the commencement of work on the first of the buildings within the application which determines whether all the building work can take advantage of the transitional provisions, not the commencement of work for each individual building.

## **Completion and final certificates**

Local authorities will wish to note the amendment to regulation 17(3)(b) of the Building Regulations 2000 which requires regulation 17K (water efficiency of new dwellings) to have been satisfied before giving a completion certificate.

Section 51 of the Building Act 1984 operates to the same effect for the giving of final certificates for new dwellings where the building control function is carried out by an approved inspector.

### **Competent person self-certification schemes**

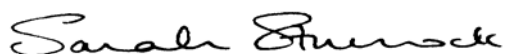
The Department will be inviting bodies to apply for authorisation of competent person schemes to support the amended Part G and the new requirements on water efficiency. It is hoped that any such schemes would be authorised to begin operation on 1 October 2009 to coincide with the coming into effect of the Amendment Regulations. I will write in due course to inform recipients of this letter of any authorised schemes.

### **Enquiries**

Telephone enquiries on this Circular Letter should be addressed to Shayne Coulson on 020-7944 5711

All e-mail enquiries to [enquiries.br@communities.gsi.gov.uk](mailto:enquiries.br@communities.gsi.gov.uk).

Yours faithfully

A handwritten signature in black ink, appearing to read 'Sarah Sturrock', with a stylized, cursive script.

Sarah Sturrock