

---

STATUTORY INSTRUMENTS

---

**2010 No. 2215**

**The Building (Approved Inspectors etc.) Regulations 2010**

**PART 5**

**Public Bodies**

**Approval of public bodies**

**21.**—(1) In England if it appears to the Secretary of State, or in Wales, if it appears to the Welsh Ministers, that—

- (a) public bodies of a certain description should be enabled to supervise their own work under section 54 of the Act, or
- (b) that a public body should be approved for the purpose of so supervising its own work,

the Secretary of State or, as the case may be, the Welsh Ministers, shall approve that description of body or, as the case may be, that body in writing and take such steps as appear to them appropriate to inform those local authorities and public bodies which will be affected by the giving of the approval.

(2) In England the Secretary of State, and in Wales, the Welsh Ministers, may withdraw the approval by a notice in writing given to any public body affected, and shall take such steps as appears to them appropriate to inform local authorities of such withdrawal.

**Form, grounds and period for rejecting public body's notice**

**22.**—(1) The prescribed form of a public body's notice<sup>(1)</sup>—

- (a) which is not combined with a public body's plans certificate, shall be form 9 in Schedule 1; or
- (b) which is combined with a public body's plans certificate<sup>(2)</sup>, shall be form 11 in Schedule 1.

(2) A public body's notice shall be accompanied by the plans and documents described in the relevant form prescribed by paragraph (1).

(3) The grounds on which a local authority shall reject a public body's notice are those prescribed in Schedule 5.

(4) The period within which a local authority may give notice of rejection of a public body's notice is ten days beginning with the day on which the notice is given.

**Public body's consultation with the fire and rescue authority**

**23.** Regulation 12 applies where a public body's notice is given as it does where an initial notice is given; and for that purpose there shall be substituted for references in that regulation to an initial

---

(1) See section 54 of the Building Act 1984.

(2) See paragraph 2(2) of Schedule 4 to the Building Act 1984.

notice, a plans certificate and a final certificate respectively references to a public body's notice, a public body's plans certificate and a public body's final certificate.

#### **Public body's consultation with the sewerage undertaker**

**24.** Regulation 13 applies where a public body's notice is given as it does where an initial notice is given; and for that purpose there shall be substituted for references in that regulation to an initial notice, a plans certificate and a final certificate respectively references to a public body's notice, a public body's plans certificate and a public body's final certificate.

#### **Form, grounds and period for rejecting public body's plans certificate**

**25.**—(1) The prescribed form of a public body's plans certificate<sup>(3)</sup>—

- (a) which is not combined with a public body's notice, shall be form 10 in Schedule 1; or
- (b) which is combined with a public body's notice, shall be form 11 in Schedule 1.

(2) The grounds on which a local authority shall reject a public body's plans certificate are those prescribed in Schedule 6.

(3) The grounds on which a local authority shall reject a public body's plans certificate combined with a public body's notice are those prescribed in Schedule 5 and Schedule 6.

(4) The period within which a local authority may give notice of rejection of a public body's plans certificate or combined notice and certificate is ten days beginning on the day on which the certificate is given.

#### **Effect of public body's plans certificate**

**26.** If a public body's notice ceases to be in force and the conditions in paragraph 4(2) of Schedule 4 to the Act (public body's plans certificate accepted and not rescinded) are satisfied, the local authority may not—

- (a) give a notice under section 36(1) of the Act (removal or alteration of work which contravenes building regulations); or
- (b) institute proceedings under section 35 of the Act for a contravention of building regulations;

in relation to any work which is described in the certificate and is carried out in accordance with the plans to which the certificate relates.

#### **Form, grounds and period for rejecting public body's final certificate**

**27.**—(1) The prescribed form of a public body's final certificate<sup>(4)</sup> shall be form 12 in Schedule 1 and the grounds on which a local authority shall reject a final certificate are those prescribed in Schedule 7.

(2) The period within which a local authority may give notice of rejection of a public body's final certificate is ten days beginning with the day on which the certificate is given.

#### **Events causing public body's notice to cease to be in force**

**28.** Regulation 17 applies where a public body's notice is given as it does where an initial notice is given; and for that purpose there shall be substituted for references in that regulation to an initial

---

(3) See paragraph 2 of Schedule 4 to the Building Act 1984.

(4) See paragraph 3 of Schedule 4 to the Building Act 1984.

notice and a final certificate respectively references to a public body's notice and a public body's final certificate.