

1973 No. 1276

BUILDING AND BUILDINGS**The Building (First Amendment) Regulations 1973**

<i>Made - - - -</i>	<i>24th July 1973</i>
<i>Laid before Parliament</i>	<i>27th July 1973</i>
<i>Coming into Operation</i>	<i>31st August 1973</i>

The Secretary of State for the Environment, in exercise of powers conferred by sections 4 and 6 of the Public Health Act 1961(a), the said section 4 as extended by section 11 of the Fire Precautions Act 1971(b), and sections 53, 61, 62, 64 and 90 of the Public Health Act 1936(c) (as amended by section 11 of and Part III of Schedule 1 to the Public Health Act 1961) and now vested in him (d), and of all other powers enabling him in that behalf, after consultation with the Building Regulations Advisory Committee and such other bodies as appear to him to be representative of the interests concerned as required by section 9(3) of the Public Health Act 1961, hereby makes the following regulations:—

PART I**GENERAL***Title and commencement*

1. These regulations may be cited as the Building (First Amendment) Regulations 1973 and shall come into operation on 31st August 1973.

Interpretation

2.—(1) In these regulations, unless the context otherwise requires—

- (a) “the principal regulations” means the Building Regulations 1972(e) and other words and expressions have the same meaning as in the principal regulations; and
- (b) any reference to a Part, regulation or schedule shall be construed as a reference to a Part or regulation of, or schedule to, the principal regulations.

(2) The Interpretation Act 1889(f) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

(a) 1961 c. 64.

(b) 1971 c. 40.

(c) 1936 c. 49.

(d) S.I. 1970/1681 (1970 III, p. 5551).

(e) S.I. 1972/317 (1972 I, p. 1057).

(f) 1889 c. 63.

Transitional provisions

3. These regulations shall not apply to any work which was—

- (a) completed before the date of the coming into operation of these regulations; or
- (b) completed after that date in accordance with plans deposited with the local authority before that date, with or without any departure or deviation from those plans;

and for the purpose of this regulation “work” means the erection of a building, the alteration or extension of a building, the execution of works or the installation of a fitting.

PART II

AMENDMENTS OF THE PRINCIPAL REGULATIONS

4. In regulation A2 (Interpretation)—

- (a) in paragraph (4)(a) there shall be substituted for the reference “Part E” in the definitions of “basement storey” and “ground storey” the reference “Parts E and EE”;
- (b) in paragraph (7)—
 - (i) there shall be substituted for the date “31st December 1970” in sub-paragraph (a) the date “30th September 1972”; and
 - (ii) there shall be substituted for sub-paragraph (b) the following sub-paragraph:

“(b) in any case where a date is included in the reference, the reference is to the edition of that date together with such amendments thereto as are mentioned in Schedule 13; and”;

and

- (c) in paragraph (11)(b)(ii) there shall be substituted for the reference “BS 4471: 1969” the reference “BS 4471: Part 1: 1969”.

5. There shall be substituted for regulation A7 the following regulation:

“Application to alterations and extensions

A7.—(1) Subject to the provisions of regulation A5, Parts A to L except Part EE shall apply to—

- (a) a structural alteration or extension of an existing building (irrespective of when that building was erected); and
- (b) the existing building as affected by that alteration or extension to the extent (subject to the provisions of regulations A9 and K3) of prohibiting any alteration or extension which would cause a new or greater contravention of any regulation.

(2) In applying the regulations under paragraph (1)(a), the alteration or extension shall be treated as if it were part of a building being newly erected identical to and to be used for the same purposes as the altered or extended building.

(3) In determining for the purposes of paragraph (1)(b) whether the alteration or extension would cause a new or greater contravention of any regulation, the following provisions shall have effect—

- (a) the regulations shall be applied to the altered or extended building, such building being treated as if it were being newly erected in its proposed form, for the purposes for which it will be used; and
- (b) the regulations shall be applied to the existing building, such building being treated as if it were being newly erected in its existing form but for the purposes for which it will be used when altered or extended; and
- (c) the alteration or extension shall be regarded as being such as would cause a new or greater contravention if (when the regulations are applied as directed in sub-paragraphs (a) and (b)) the altered or extended building—
 - (i) contravenes any regulation which does not apply to the existing building; or
 - (ii) contravenes any regulation which is satisfied by the existing building; or
 - (iii) contravenes to a greater extent any regulation which is contravened by the existing building.”.

6. In paragraph (1) of regulation A9 (Application to material change of use)—

- (a) in the entries relating to Part L under Case A, Case B and Case D there shall be substituted for the reference “L21” the reference “L22”; and
- (b) in the entry relating to Part E under Case C there shall be substituted for the reference “E5(3)(b)” in items (b) and (c) the reference “E5(1)(b)” and for the reference “E5(1)” in item (b) the reference “E5(2)”.

7. In regulation A14 (Exercise of power of dispensation or relaxation) there shall be substituted for the entry relating to Part E the following entry:

“Part E (Structural fire precautions)
and

Part EE (Means of escape in case of fire)
except in either case when applied to—

- (a) a building, or part of a building, which exceeds 7,000 m³ in capacity; or
- (b) a building, or part of a building, in any complex of buildings in multi-occupation, being a complex which exceeds 4,000 m² in area and consists of or incorporates a shopping precinct; or
- (c) an air supported structure”.

8. In the Table to regulation B3 (Short-lived or otherwise unsuitable materials)—

- (a) in the entry in column (2) relating to item 7 there shall be substituted for the reference “BS 1142: 1961” the reference “BS 1142: Part 2: 1971”; and
- (b) in the entries in columns (2) and (3) relating to item 13 there shall be substituted for the reference “BS 690: 1963” wherever it occurs the reference “BS 690: Part 1: 1963”.

9. In paragraph (2)(c) of regulation D2 (Calculation of loading) there shall be substituted for the reference "CP3: Chapter V: Part 2: 1970" the reference "CP3: Chapter V: Part 2: 1972".

10. In regulation D4 (Deemed-to-satisfy provision for foundations) there shall be substituted for the words "*the relevant recommendations of Civil Engineering Code of Practice No. 4 (1954)---"Foundations"*" the reference "CP 2004: 1972".

11. In regulation D6 (Deemed-to-satisfy provision for foundations of buildings having not more than four storeys (other than factories or storage buildings)) there shall be substituted for the reference "CP 101: 1963" the reference "CP 101: 1972".

12. In regulation D9 (Deemed-to-satisfy provision for structural work of steel) there shall be added after the reference "BS 449: Part 2: 1969" the words "*as read with Supplement No. 1 (PD 3343) to BS 449: Part 1: 1970 and Addendum No. 1 (PD 4064) to BS 449: Part 1: 1970*".

13. In regulation D13 (Deemed-to-satisfy provision for structural work of precast concrete) there shall be added after the reference "CP 116: Part 2: 1969" the words "*as read with CP 116: Addendum No. 1: 1970*".

14. In paragraphs (a) and (b) of regulation D14 (Deemed-to-satisfy provisions for structural work of timber) there shall be substituted for the reference "CP 112: Part 1: 1967" the reference "CP 112: Part 2: 1971".

15. In paragraph (1) of regulation D21 (Deemed-to-satisfy provision for the structure of certain buildings utilising large precast concrete panels) there shall be added after the reference "CP 116: Part 2: 1969" the words "*as read with CP 116: Addendum No. 1: 1970*".

16. There shall be substituted for Part E (Structural Fire Precautions) the Part set out in Schedule 1 to these regulations.

17. There shall be inserted after Part E the Part set out in Schedule 2 to these regulations.

18. There shall be inserted after regulation H6 the following regulation:

"Vehicle barriers

H7. Any floor or roof used as a vehicle park and any part of a building used as a vehicular route thereto shall be guarded (except across any entrance or exit) at every part of the perimeter of the area so used which is at or above the level of any adjacent floor, roof, vehicular route, street or ground by a barrier complying with clause 9 of CP3: Chapter V: Part 1: 1967."

19. In paragraph (2)(d)(i) of regulation J1 (Refuse storage container chambers constructed in buildings comprising more than one dwelling) there shall be substituted for the words "half an hour as defined in regulation E6" the words "not less than half an hour as defined in regulation E1(5)".

20. In regulation L1 (Application and interpretation of Part L) -

(a) in paragraph (1) from the definition of "insulated metal chimney" there shall be omitted before the word "flue" the word "metal"; and

(b) there shall be added after paragraph (3) the following paragraph:

“(4) In relation to any Class I oil-burning appliance to which reference is made in regulation M5, regulations L3 to L7 and L10 shall not apply unless compliance therewith is required by the provisions of regulation M4.”.

21. In paragraph (1)(a) of regulation L6 (Chimneys for Class I appliances)—

(a) there shall be substituted for item (i) the following item:

“(i) clay flue linings complying with BS 1181: 1971;”

and

(b) there shall be substituted for item (iii) the following item:

“(iii) clay pipes and fittings which comply with BS 65 & 540: Part 1: 1971 and are of British Standard type, socketed, imperforate and acid resistant; or”.

22. In paragraph (1)(a) of regulation L14 (Chimneys for Class II appliances) there shall be substituted for item (iii) the following item:

“(iii) clay flue linings which comply with BS 1181: 1971 and are jointed and pointed with high alumina cement mortar; or”.

23. In regulation L16 (Deemed-to-satisfy provisions regarding materials for the construction of flue pipes for Class II appliances) there shall be substituted for specification (a) the following specification:

“(a) *clay pipes and fittings which comply with BS 65 & 540: Part 1: 1971, are of British Standard type, socketed, imperforate and acid resistant and are jointed and pointed with high alumina cement mortar;*”.

24. In regulation M4 (Class I appliances)—

(a) there shall be substituted for paragraph (1) the following paragraph:

“(1) Subject to the special provisions relating to certain Class I oil-burning appliances set out in regulation M5, no Class I appliance shall be installed in a building unless the installation complies with the following provisions of this regulation.”;

(b) in paragraph (2) there shall be substituted for the words “installed in accordance with regulation M5” the words “to which regulation M5(4)(b) refers”; and

(c) in paragraph (9) there shall be substituted for the words “Subject to the exception in respect of oil-burning appliances contained in regulation M5, the” the word “The”.

25. There shall be substituted for regulation M5 the following regulation:

“Special provisions for certain Class I oil-burning appliances

M5.—(1) In this regulation, any reference to hearth temperature, surface temperature or flue gas temperature is a reference to that temperature as determined respectively in accordance with Test procedure No. 11, Measurement method 8 or Measurement method 3 prescribed in BS 4876: 1972.

(2) Paragraphs (3), (4) and (5) of regulation M4 shall not apply to the installation of a Class I oil-burning appliance if—

(a) the hearth temperature of the appliance does not exceed 100°C and is so limited by means other than the interposition of unprotected insulating material between the burner and the base of the appliance;

and

- (b) the appliance is placed on, or incorporates, an imperforate rigid seating which is constructed of non-absorbent, non-combustible material and is of such dimensions that no part of the front, back or sides of the appliance extends (if projected on plan) beyond the edges of the seating.

(3) Paragraphs (6), (7) and (8) of regulation M4 shall not apply to the installation of a Class I oil-burning appliance if the surface temperature of the side panels of the appliance does not exceed 100°C.

(4) Paragraph (9) of regulation M4 shall not apply to the installation of a Class I oil-burning appliance if—

- (a) the flue gas temperature of the appliance does not exceed 260°C and the appliance discharges into—

- (i) a flue in a chimney (not being an appliance ventilation duct) which is lined or constructed as prescribed in regulation L14 (excluding the proviso to paragraph (1) thereof); or
- (ii) a flue in a flue pipe which complies with regulation L15 and with any one of the specifications set out in regulation L16 (excluding the words in brackets in specification (e)(ii) therein) and is installed in accordance with regulation L17; or

- (b) the appliance has an output rating not exceeding 3 kW and is designed to operate without being connected to a flue.”.

26. In paragraph (7) of regulation M8 (Class II appliances) the proviso thereto shall be omitted.

27. In paragraph (1)(d) of regulation M9 (Exceptions permitting discharge of Class II gas appliances otherwise than into a flue) there shall be inserted before the word “complies” the words “does not heat water for a bath and”.

28. In the entry relating to Class 8 in column (4) of Part A of Schedule 1, there shall be substituted for the reference “Regulation E5” the reference “Regulations E5 and E6”.

29. In Schedule 2—

- (a) in Item 5 of Rule B, there shall be substituted for sub-paragraph (e) the following sub-paragraphs:

- “(e) the provision made in the structure for protection against fire; and
- (f) the provision made in the building or part for means of escape in case of fire and for securing that such means can be safely and effectively used at all material times; and
- (g) the provision made in the structure for insulation against the transmission of heat and sound.”;

- (b) in Rule C—

- (i) there shall be substituted for the words preceding Item 1 the following words:

“Rule C. The following are the notices to be given and the plans, sections, specifications and particulars to be deposited by a person intending to erect a partially exempted building within

the meaning of regulation A5 if compliance with the provisions of regulation A10 is required by Part A of Schedule 1:";

and

(ii) there shall be substituted for Item 5 the following item:

"5. Plans and sections of the building showing the particulars required by Item 5(a) to (e) of Rule B, so far as may be necessary to enable a local authority to determine whether the building complies with these regulations.";

and

(c) in Rule E—

(i) there shall be substituted for Item 3 the following item:

"3. Calculations of loading and strength:
Provided that where the dimensions of a structural member accord with the provisions of regulations D7, D14(b), D15(b), D16 or D17 as the case may be, calculations of strength to demonstrate the adequacy of those dimensions shall not be required.";

and

(ii) there shall be inserted after Item 5 the following item:

"5A. In the case of a building, or part of a building, which falls (in accordance with regulation E2) within purpose group IV or V, particulars affecting the number and width of exits and escape routes.".

30. In Schedule 4 there shall be substituted for the reference "BS 3051: 1958" in item 2 of Table 3 the reference "BS 3051: 1972".

31. In Schedule 6 there shall be substituted for the reference "*CP 112: Part 1: 1967*" in rule 2(a) and in the note beneath the List of Species of Timber the reference "*CP 112: Part 2: 1971*".

32. In Schedule 7 there shall be substituted for the reference "*BS 1243: 1964*" in rule 11(2) the reference "*BS 1243: 1972*".

33. In Schedule 8—

(a) against the heading to the schedule there shall be substituted for the reference "Regulation E6" the reference "Regulation E1(5)";

(b) in sections A(A) and B(A) of Part V—

(i) beside the reference "*BS 449: Part 2: 1969*" in item 1(b) insert the sign "ø"; and

(ii) beneath the table add the following footnote:

"ø as read with Supplement No. 1 (PD 3343) to BS 449: Part 1: 1970 and Addendum No. 1 (PD 4064) to BS 449: Part 1: 1970.";

and

(c) in Part VII, in each of the three footnotes regarding the term "*modified $\frac{1}{2}$ hour*", there shall be substituted for the reference "*regulation E6(7)*" the reference "*item 7 in the Table to regulation E1*".

34. In Schedule 9 the definition of "relevant boundary" in rule 4 of Part II shall be omitted.

35. In Schedule 10 against the heading to the schedule there shall be substituted for the reference "Regulation E1(2)" the reference "Regulation E1(4)."

36. After Schedule 12 there shall be added as Schedule 13 the schedule set out in Schedule 3 to these regulations.

Regulation 16

SCHEDULE 1

PART TO BE SUBSTITUTED FOR PART E (STRUCTURAL FIRE PRECAUTIONS) OF THE
PRINCIPAL REGULATIONS

PART E

STRUCTURAL FIRE PRECAUTIONS

Interpretation of Part E

E1.—(1) In this Part and in Schedules 8 and 9—

"basement storey" means a storey which is below the ground storey; or, if there is no ground storey, means a storey the floor of which is situated at such a level or levels that some point on its perimeter is more than 1.2 m below the level of the finished surface of the ground adjoining the building in the vicinity of that point;

"compartment" means any part of a building which is separated from all other parts by one or more compartment walls or compartment floors or by both such walls and floors; and, if any part of the top storey of a building is within a compartment, the compartment shall also include any roof space above such part of the top storey;

"compartment wall" and "compartment floor" mean respectively a wall and a floor which complies with regulation E9 and which is provided as such for the purposes of regulation E4 or to divide a building into compartments for any purpose in connection with regulation E5, E6 or E7;

"door" includes any shutter, cover or other form of protection to an opening in any wall or floor of a building, or in the structure surrounding a protected shaft, whether the door is constructed of one or more leaves;

"element of structure" means—

- (a) any member forming part of the structural frame of a building or any other beam or column (not being a member forming part of a roof structure only);
- (b) a floor, including a compartment floor, other than the lowest floor of a building;
- (c) an external wall;
- (d) a separating wall;
- (e) a compartment wall;
- (f) structure enclosing a protected shaft;
- (g) a loadbearing wall or loadbearing part of a wall; and
- (h) a gallery;

"externally non-combustible" means externally faced with, or otherwise externally consisting of, non-combustible material;

"fire stop" means a barrier or seal which would prevent or retard the passage of smoke or flame within a cavity or around a pipe or duct where it passes through a wall or floor or at a junction between elements of structure; and "fire-stopped" shall be construed accordingly;

“ground storey” means a storey the floor of which is situated at such a level or levels that any given point on its perimeter is at or about, or not more than 1.2 m below, the level of the finished surface of the ground adjoining the building in the vicinity of that point; or, if there are two or more such storeys, means the higher or highest of these;

“height of a building” has the meaning ascribed to it in regulation E3;

“open carport” means a carport of not more than one storey, which is open on two or more of its sides; and for the purpose of this definition a side which includes or consists of a door shall not for that reason be regarded as an open side;

“permitted limit of unprotected areas” means the maximum aggregate area of unprotected areas in any side or external wall of a building or compartment, calculated as prescribed in Part I of Schedule 9;

“protected shaft” means a stairway, lift, escalator, chute, duct or other shaft which enables persons, things or air to pass between different compartments and complies with the requirements of regulation E10;

“relevant boundary”, in relation to a side or external wall of a building or compartment, means that part of the boundary of the premises (as defined in regulation A2(1)) or of the notional boundary (as prescribed in regulation E7(1)(c)) which is adjacent to that side or wall and either coincides with, is parallel to or is at an angle of not more than 80° with that side or wall;

“separating wall” means a wall or a part of a wall which is common to two adjoining buildings;

“unprotected area”, in relation to an external wall or side of a building, means—

- (a) a window, door or other opening;
- (b) any part of the external wall which has fire resistance less than that specified by this Part for that wall; and
- (c) any part of the external wall which has combustible material more than 1 mm thick attached or applied to its external face, whether for cladding or any other purpose.

(2) Any reference in this Part to a building shall, in any case where two or more houses adjoin, be construed as a reference to one of those houses.

(3) If any part of a building other than a single storey building—

- (a) consists of a ground storey only;
 - (b) has a roof to which there is only such access as may be necessary for the purposes of maintenance or repair; and
 - (c) is completely separated from all other parts of the building by a compartment wall or compartment walls in the same continuous vertical plane,
- that part may be treated, for the purposes of this Part, as a part of a single storey building.

(4) Any reference in this Part to a roof or part of a roof of a specified designation shall be construed as a requirement that the roof or part of a roof shall be so constructed that a specimen constructed to the same specification, if exposed to test by fire in accordance with BS 476: Part 3: 1958, would comply with the relevant test criteria specified in relation to that designation:

Provided that any roof or part of a roof shall be deemed to be of the specified designation if it conforms with one of the specifications set out against that designation in Schedule 10.

(5) Any requirement in this Part that an element of structure, door or casing shall have fire resistance of a specified period shall be construed as meaning that it shall be so constructed that a specimen constructed to the same specification, if exposed to test by fire in accordance with BS 476: Part 8: 1972, would (subject to the provisions set out in the Table to this regulation) satisfy the requirements of that test as to stability, integrity and insulation for not less than the specified period:

Provided that an element of structure, door or casing shall be deemed to have the requisite fire resistance if—

- (i) *it is constructed to the same specification as that of a specimen which prior to 31st August 1973 was either exposed to test by fire in accordance with BS 476: Part 1: 1953 and (subject to the provisions set out in the Table to this regulation) satisfied the requirements of that test as to collapse, passage of flame and insulation for not less than the specified period or was assessed by an appropriate authority as capable of satisfying those requirements; or*
- (ii) *in the case of a wall, beam, column, stanchion or floor to which Schedule 8 relates, it is constructed in accordance with one of the specifications set out in that schedule and the notional period of fire resistance given in that schedule as being appropriate to that type of construction and other relevant factors is not less than the specified period.*

TABLE TO REGULATION E1

(Provisions as to method of test and minimum period of fire resistance referred to in paragraph (5))

Part of building	Method of test	Minimum period as to—		
		BS 476: Part 8: 1972		
		stability	integrity	insulation
		BS 476: Part 1: 1953		
		collapse	passage of flame	insulation
(1)	(2)	(3)	(4)	(5)
1. External wall situated 1 m or more from relevant boundary	exposure of inside of wall to test by fire	*	*	15 min
2. External wall situated less than 1 m from any point on relevant boundary	exposure of each side of structure separately to test by fire	*	*	*
3. Separating wall				
4. Compartment wall				
5. Structure (other than an external wall) enclosing protected shaft				
6. Compartment floor	exposure of underside of floor to test by fire	*	*	*
7. Floor of upper storey in building of purpose group I which has 2 storeys	exposure of underside of floor to test by fire	†30 min	†15 min	†15 min
8. Casing referred to in regulation E12(3)(c)	exposure of exterior to test by fire	30 min	30 min	ø30 min

*="as period of fire resistance specified"

†These requirements are referred to in Part VII of Schedule 8 as "modified ½ hour"

øNo requirement if the distance between the casing and every pipe within the enclosure except a pipe penetrating the casing exceeds 50mm.

TABLE TO REGULATION E1—*continued*

Part of building	Method of test	Minimum period as to—		
		BS 476: Part 8: 1972		
		stability	integrity	insulation
		BS 476: Part 1: 1953		
		<i>collapse</i>	<i>passage of flame</i>	<i>insulation</i>
(1)	(2)	(3)	(4)	(5)
9. Door other than a door described in item 10 or 11	exposure to test by fire when fitted in its frame	*	*	no requirement
10. Door referred to in both regulation E11(5) and regulation E9(1)(a)(i) or E13(2)(b) or E18(6)(c)(ii)	exposure to test by fire when fitted in its frame	30 min	20 min	no requirement
11. Door referred to in both regulation E11(6) and regulation E10(7)(a) or E10(7)(b)	exposure to test by fire when fitted in any rebated frame	30 min	30 min	no requirement

*—“as period of fire resistance specified”

Designation of purpose groups

E2. For the purposes of this Part every building or compartment shall be regarded according to its use or intended use as falling within one of the purpose groups set out in the Table to this regulation and, where a building is divided into compartments used or intended to be used for different purposes, the purpose group of each compartment shall be determined separately:

Provided that where the whole or part of a building or compartment (as the case may be) is used or intended to be used for more than one purpose, only the main purpose of use of that building or compartment shall be taken into account in determining into which purpose group it falls.

TABLE TO REGULATION E2
(Designation of purpose groups)

Purpose group (1)	Descriptive title (2)	Purposes for which building or compartment is intended to be used (3)
I ...	Small residential ...	Private dwelling-house (not including a flat or maisonette)*
II ...	Institutional ...	Hospital, home, school or other similar establishment used as living accommodation for, or for treatment, care or maintenance of, persons suffering from disabilities due to illness or old age or other physical or mental disability or under the age of five years, where such persons sleep in the premises
III ...	Other residential ...	Accommodation for residential purposes other than any premises comprised in groups I and II

*Note: By regulation E20 certain small garages and open carports are treated as being of purpose group I.

TABLE TO REGULATION E2—*continued*

Purpose group (1)	Descriptive title (2)	Purposes for which building or compartment is intended to be used (3)
IV ...	Office	Office, or premises used for office purposes, meaning thereby the purposes of administration, clerical work (including writing, book-keeping, sorting papers, filing, typing, duplicating, machine-calculating, drawing and the editorial preparation of matter for publication), handling money and telephone and telegraph operating, or as premises occupied with an office for the purposes of the activities there carried on
V ...	Shop	Shop, or shop premises, meaning thereby premises not being a shop but used for the carrying on there of retail trade or business (including the sale to members of the public of food or drink for immediate consumption, retail sales by auction, the business of lending books or periodicals for the purpose of gain, and the business of a barber or hairdresser), and premises to which members of the public are invited to resort for the purpose of delivering there goods for repair or other treatment or of themselves carrying out repairs to, or other treatment of, goods
VI ...	Factory	Factory within the meaning ascribed to that word by section 175 of the Factories Act 1961(a) (but not including slaughter houses and other premises referred to in paragraphs (d) and (e) of subsection (1) of that section)
VII ...	Other place of assembly	Place, whether public or private, used for the attendance of persons for or in connection with their social, recreational, educational, business or other activities, and not comprised within groups I to VI
VIII ...	Storage and general	Place for storage, deposit or parking of goods and materials (including vehicles), and any other premises not comprised in groups I to VII*

*Note: By regulation E20 certain small garages and open carports are treated as being of purpose group I.

Rules for measurement

E3. In this Part—

- (a) the height of a building, or (where relevant) of part of a building as described in regulation E5(1)(b), means the height of such building or part, measured from the mean level of the ground adjoining the outside of the external walls of the building to the level of half the vertical height of the roof of the building or part, or to the top of the walls or of the parapet (if any), whichever is the higher;
- (b) (i) the area of any storey of a building or compartment shall be taken to be the total area of that storey bounded by the inner finished surfaces of the enclosing walls or, on any side where there is no enclosing wall, by the outermost edge of the floor on that side;
- (ii) the area of any room or garage shall be taken to be the total area of its floor bounded by the inner finished surfaces of the walls forming the room or garage; and
- (iii) the area of any part of a roof shall be taken to be the actual visible area of such part measured on a plane parallel to the pitch of the roof; and

(a) 1961 c. 34.

- (c) the cubic capacity of a building or compartment shall be ascertained by measuring the volume of space contained within—
- (i) the inner finished surfaces of the enclosing walls or, on any side where there is no enclosing wall, a plane extending vertically above the outermost edge of the floor on that side; and
 - (ii) the upper surface of its lowest floor; and
 - (iii) in the case of a building or of a compartment which extends to a roof, the under surface of the roof or, in the case of any other compartment, the under surface of the ceiling of the highest storey within that compartment, including the space occupied by any other walls or any shafts, ducts or structure within the space to be so measured.

Provision of compartment walls and compartment floors

E4.—(1) Any building of a purpose group specified in column (1) of the Table to this regulation which has—

- (a) any storey the floor area of which exceeds that specified as relevant to a building of that purpose group and height in column (3) of the Table; or
- (b) a cubic capacity which exceeds that specified as so relevant in column (4) of the Table,

shall be so divided into compartments by means of compartment walls or compartment floors or both that—

- (i) no such compartment has any storey the floor area of which exceeds the area specified as relevant to the building in column (3) of the Table; and
- (ii) no such compartment has a cubic capacity which exceeds that specified as so relevant in column (4) of the Table:

Provided that if any building of purpose group V is fitted throughout with an automatic sprinkler system which complies with the relevant recommendations of CP 402.201: 1952, this paragraph shall have effect in relation to that building as if the limits of dimensions specified in columns (3) and (4) of the Table were doubled.

(2) In any building which exceeds 28 m in height, any floor which separates one storey from another storey, other than a floor which is—

- (a) within a maisonette; or
- (b) above the ground storey but at a height not exceeding 9 m above the adjoining ground,

shall be constructed as a compartment floor.

(3) The following walls and floors shall be constructed as compartment walls or compartment floors—

- (a) any floor in a building of purpose group II;
- (b) any wall or floor separating a flat or maisonette from any other part of the same building;
- (c) any wall or floor separating part of a building from any other part of the same building which is used or intended to be used mainly for a purpose falling within a different purpose group in the Table to regulation E2; and
- (d) any floor immediately over a basement storey if such storey—
 - (i) forms part of a building of purpose group I which has three or more storeys or a building or compartment of purpose group III or V; and
 - (ii) has an area exceeding 100 m².

TABLE TO REGULATION E4
(Dimensions of buildings and compartments)

Purpose group (1)	Height of building (2)	Limits of dimensions	
		Floor area of storey in building or compartment (in m ²) (3)	Cubic capacity of building or compartment (in m ³) (4)
<i>Part 1—Buildings other than single storey buildings</i>			
II (Institutional)	Any height	2000	No limit
III (Other residential)	Not exceeding 28 m	3000	8500
„ „ „	Exceeding 28 m	2000	5500
V (Shop)	Any height	2000	7000
VI (Factory)	Not exceeding 28 m	No limit	28000
„ „ „	Exceeding 28 m	2000	5500
VIII (Storage and general)	Not exceeding 28 m	No limit	21000
„ „ „ „	Exceeding 28 m	1000	No limit
<i>Part 2—Single storey buildings</i>			
II (Institutional)	Any height	3000	No limit
III (Other residential)	Any height	3000	No limit

Fire resistance of elements of structure

E5.—(1) In this regulation and in the Table to this regulation—

- (a) (subject to any express provision to the contrary) any reference to a building of which an element of structure forms part means the building or (if a building is divided into compartments) any compartment of the building of which the element forms part; and
- (b) any reference to height means the height of a building, not of any compartment in the building, but if any part of the building is completely separated throughout its height both above and below ground from all other parts by a compartment wall or compartment walls in the same continuous vertical plane, any reference to height in relation to that part means the height solely of that part.

(2) Subject to the provisions of this regulation and of regulation E6, every element of structure shall have fire resistance of not less than the relevant period set out in the Table to this regulation:

Provided that:

- (a) any external wall shall not have fire resistance of less than half an hour;
- (b) any separating wall shall not have fire resistance of less than one hour;
- (c) any compartment wall or compartment floor which separates a part of a building falling within purpose group II or III from any other part of the building falling within a purpose group other than purpose group II or III shall not have fire resistance of less than one hour;
- (d) any element of structure which forms part of more than one building or compartment shall be so constructed as to comply with the greater or greatest of the relevant requirements specified in the Table; and
- (e) any element of structure shall not have fire resistance of less than the minimum period required by these regulations for any element which it carries.

(3) Any compartment wall separating a flat or maisonette from any other part of the same building shall not be required to have fire resistance exceeding one hour unless—

- (a) the wall is a loadbearing wall or a wall forming part of a protected shaft; or
 (b) the part of the building from which the wall separates the flat or maisonette is of a different purpose group and the minimum period of fire resistance required by the provisions of this regulation for any element of structure in that part is one and a half hours or more.
- (4) Nothing in paragraph (2) shall apply to—
- (a) any part of an external wall which is non-loadbearing and may, in accordance with regulation E7, be an unprotected area; or
- (b) in the case of a single storey building or a building consisting of a ground storey and one or more basement storeys, any element of structure which forms part of the ground storey and consists of—
- (i) part of an external wall which does not support a gallery and which may, in accordance with regulation E7, be an unprotected area; or
- (ii) a structural frame or a beam or column:
 Provided that any beam or column (whether or not it forms part of a structural frame), and any column which gives support to a wall or gallery, shall have fire resistance of not less than the minimum period, if any, required by these regulations for that wall or that gallery;
 or
- (iii) an internal loadbearing wall or a loadbearing part of a wall unless that wall or part is, or forms part of, a compartment wall or a separating wall, or forms part of the structure enclosing a protected shaft or supports a gallery.

TABLE TO REGULATION E5
 (Minimum periods of fire resistance)

In this Table—

“cubic capacity” means the cubic capacity of the building or, if the building is divided into compartments, the compartment of which the element of structure forms part; and

“floor area” means the floor area of each storey in the building or, if the building is divided into compartments, of each storey in the compartment of which the element of structure forms part.

Part 1—Buildings other than single storey buildings

Purpose group (1)	Maximum dimensions			Minimum period of fire resistance (in hours) for elements of structure(*) forming part of—		
	Height (in m) (2)	Floor area (in m ²) (3)	Cubic capacity (in m ³) (4)	ground storey or upper storey (5)	base-ment storey (6)	
I (Small residential)						
House having not more than three storeys	No limit	No limit	No limit	$\frac{1}{2}$	1(a)	x
House having four storeys ...	No limit	250	No limit	1(b)	1	
House having any number of storeys	No limit	No limit	No limit	1	1 $\frac{1}{2}$	

TABLE TO REGULATION E5—continued

Part 1—continued

Purpose group (1)	Maximum dimensions			Minimum period of fire resistance (in hours) for elements of structure(*) forming part of—		
	Height (in m) (2)	Floor area (in m ²) (3)	Cubic capacity (in m ³) (4)	ground storey or upper storey (5)	base-ment storey (6)	
II (Institutional)	28 over 28	2000 2000	No limit No limit	1 1½	1½ 2	
III (Other residential)						
Building or part (†) having not more than two storeys	No limit	500	No limit	½	1	x
Building or part (†) having three storeys	No limit	250	No limit	1(b)	1	
Building having any number of storeys	28	3000	8500	1	1½	
Building having any number of storeys	No limit	2000	5500	1½	2	
IV (Office)	7.5 7.5 15 28 No limit	250 500 No limit 5000 No limit	No limit No limit 3500 14000 No limit	0 ½ 1(b) 1 1½	1(e) 1 1 1½ 2	x
V (Shop)... ..	7.5 7.5 15 28 No limit	150 500 No limit 1000 2000	No limit No limit 3500 7000 7000	0 ½ 1(b) 1 2	1(c) 1 1 2 4	x y
VI (Factory)	7.5 7.5 15 28 28 over 28	250 No limit No limit No limit No limit 2000	No limit 1700 4250 8500 28000 5500	0 ½ 1(b) 1 2 2	1(c) 1 1 2 4 4	x

TABLE TO REGULATION E5—continued

Part 1—continued

Purpose group (1)	Maximum dimensions			Minimum period of fire resistance (in hours) for elements of structure(*) forming part of—		
	Height (in m) (2)	Floor area (in m ²) (3)	Cubic capacity (in m ³) (4)	ground storey or upper storey (5)	base-ment storey (6)	
VII (Assembly)	7.5	250	No limit	0	1(c)	x
	7.5	500	No limit	$\frac{1}{2}$	1	
	15	No limit	3500	1(b)	1	
	28	5000	14000	1	1 $\frac{1}{2}$	
	No limit	No limit	No limit	1 $\frac{1}{2}$	2	
VIII (Storage and general) ...	7.5	150	No limit	0	1(c)	x
	7.5	300	No limit	$\frac{1}{2}$	1	
	15	No limit	1700	1(b)	1	
	15	No limit	3500	1	2	
	28	No limit	7000	2	4	
	28	No limit	21000	4	4	
	over 28	1000	No limit	4	4	

Notes to Part 1

For the purpose of regulation E5(2), the period of fire resistance to be taken as being relevant to an element of structure is the period included in column (5) or (6), whichever is appropriate, in the line of entries which specifies dimensions with all of which there is conformity or, if there are two or more such lines, in the topmost of those lines.

(*) A floor which is immediately over a basement storey shall be deemed to be an element of structure forming part of a basement storey.

(†) The expression "part" means a part which is separated as described in regulation E(5)(1)(b).

(a) The period is half an hour for elements forming part of a basement storey which has an area not exceeding 50 m².

(b) This period is reduced to half an hour in respect of a floor which is not a compartment floor, except as to the beams which support the floor or any part of the floor which contributes to the structural support of the building as a whole.

(c) No fire resistance is required if the elements form part of a basement storey which has an area not exceeding 50 m².

x The items thus marked are applicable only to buildings, not to compartments, except in relation to purpose group III; see also regulations E7(3) proviso (i) and E8(7) proviso (a).

y If the building is fitted throughout with an automatic sprinkler system which complies with the relevant recommendations of CP402.201: 1952, any maximum limits specified in columns (3) and (4) shall be doubled.

TABLE TO REGULATION E5—*continued*

(Minimum periods of fire resistance)

Part 2—Single storey buildings

Purpose group (1)	Maximum floor area (in m ²) (2)	Minimum period of fire resistance (in hours) for elements of structure (3)	
I (Small residential)	No limit	$\frac{1}{2}$	z
II (Institutional)	3000	$\frac{1}{2}$	z
III (Other residential)	3000	$\frac{1}{2}$	z
IV (Office)	3000 No limit	$\frac{1}{2}$ 1	z
V (Shop)	2000 3000 No limit	$\frac{1}{2}$ 1 2	z
VI (Factory)	2000 3000 No limit	$\frac{1}{2}$ 1 2	z
VII (Assembly)	3000 No limit	$\frac{1}{2}$ 1	z
VIII (Storage and general)	500 1000 3000 No limit	$\frac{1}{2}$ 1 2 4	z

Notes to Part 2

For the purpose of regulation E5(2), the period of fire resistance to be taken as being relevant to an element of structure is the period included in column (3) in the line of entries which specifies the floor area with which there is conformity or, if there are two or more such lines, in the topmost of those lines.

z See regulations E7(3) proviso (i) and E8(7) proviso (b).

Fire resistance of floors in conjunction with suspended ceilings

E6.—(1) In the Table to this regulation—

(a) “height” has the meaning assigned to that expression by regulation E5(1)(b);

and

(b) references to classes are to classes as defined in regulation E15(1).

(2) In the application of regulation E5 to floors, no account shall be taken of any fire resistance attributable to any suspended ceiling other than a suspended ceiling constructed as described in the Table to this regulation.

TABLE TO REGULATION E6
(Suspended ceilings)

Height (1)	Type of floor (2)	Required fire resistance of floor (3)	Description of suspended ceiling (4)
Less than 15 m	Non-compartment	1 hour or less ...	Surface of ceiling exposed within the cavity not lower than Class 1
	Compartment ...	Less than 1 hour ...	
	Compartment ...	1 hour ...	Surface of ceiling exposed within the cavity not lower than Class O; supports and fixings for the ceiling non-combustible
15 m or more	Any ...	1 hour or less ...	Surface of ceiling exposed within the cavity not lower than Class O and jointless; supports and fixings for the ceiling non-combustible
Any ...	Any ...	More than 1 hour ...	Ceiling of non-combustible construction and jointless; supports and fixings for the ceiling non-combustible

External walls

E7.—(1) For the purposes of this regulation—

- (a) any reference to Schedule 9 shall be construed as referring to the provisions of Part I of that schedule together with (at the option of the person intending to erect the building) the provisions of Part II, Part III or (if applicable) Part IV;
- (b) any part of a roof shall be deemed to be part of an external wall or side of a building if it is pitched at an angle of 70° or more to the horizontal and adjoins a space within the building to which persons have access not limited to the purposes of maintenance or repair; and
- (c) if a building is to be erected on land which will be occupied in common with another building (whether it be the only other building or any one of a number of other buildings) and either the building to be so erected or that other building is a building of purpose group I (except a building described in regulation E20 which complies with regulation E18 or E19) or a building of purpose group III—
 - (i) in the application of the provisions of this regulation to any side or external wall of the building to be so erected which faces a side or external wall of that other building, a notional boundary shall be assumed to pass between those buildings;
 - (ii) such notional boundary shall be so situated as to enable the adjacent sides and external walls of both buildings to comply with the requirements of this regulation; and
 - (iii) if that other building is an existing building, it shall be treated as if it were a new building of the same purpose group and having the same unprotected areas and fire resistance as the existing building.

(2) Any side of a building except as provided by regulation E18 (Small garages) or E19 (Small open carports) shall comply with any relevant requirements relating to permitted limits of unprotected areas specified in Schedule 9.

(3) Any external wall which is situated within a distance of 1 m from any point on the relevant boundary and any external wall of a building which exceeds 15 m in height shall—

(a) be constructed wholly of non-combustible materials apart from any external cladding which complies with paragraph (4) or any internal lining which complies with regulation E15; and

(b) be so constructed that any fire resistance required by these regulations is attained by the non-combustible part alone:

Provided that the requirements of this paragraph shall not apply to—

- (i) an external wall of a building which is within the limits of size indicated by the letter “x” in Part 1 of the Table to regulation E5 or of a building which is not divided into compartments and is within the limits of size indicated by the letter “z” in Part 2 of that table if, in either case, that building does not exceed 15 m in height;
- (ii) an external wall of a building or part of a building of purpose group III which consists of flats or maisonettes if that building has not more than three storeys or that part is separated as described in regulation E5(1)(b) and has not more than three storeys; or
- (iii) an external wall of a part of a building if that wall is situated 1 m or more from the relevant boundary and that part is separated as described in regulation E5(1)(b) and does not exceed 15 m in height.

(4) Any external cladding which is situated within a distance of 1 m from any point on the relevant boundary and any external cladding on a building which exceeds 15 m in height shall have a surface complying with the requirements for Class O specified in regulation E15(1)(e):

Provided that, if an external wall of such a building is 1 m or more from the relevant boundary, any part of such cladding below a height of 15 m from the ground may consist of timber of not less than 9 mm finished thickness or of a material having a surface which, when tested in accordance with BS 476: Part 6: 1968, has an index of performance (I) not exceeding 20.

(5) Any beam or column forming part of, and any structure carrying, an external wall which is required to be constructed of non-combustible materials shall comply with the provisions of paragraph (3) as to non-combustibility.

Separating walls

E8.—(1) Subject to the exceptions specified in paragraph (2), any separating wall shall be imperforate and shall form a complete vertical separation between any buildings separated (including any roof space therein).

(2) Nothing in paragraph (1) shall prohibit—

(a) the passage through a separating wall of a pipe if the pipe complies with regulation E12; or

(b) an opening in a separating wall which is necessary as a means of escape from fire, if the opening is fitted with a door which—

(i) complies with the requirements of regulation E11; and

(ii) has fire resistance which is not less than the period required by regulation E5 for the separating wall.

(3) Subject to the exceptions specified in paragraph (4), any separating wall which forms a junction with a roof shall be carried above the upper surface of the covering of that roof to a distance of not less than 375 mm (measured at right angles to such upper surface).

(4) A separating wall shall not be required to comply with the provisions of paragraph (3)—

(a) if the buildings separated by the separating wall are so constructed that—

(i) any part of the roof which is within 1.5 m of the separating wall is designated AA, AB or AC; and

- (ii) the deck of such part of the roof is of solid or hollow slab construction of non-combustible material; and
 - (iii) the junction between the separating wall and such roof is fire-stopped;
- or
- (b) if—
 - (i) each of the buildings separated by the separating wall is of purpose group I, III, IV or VII; and
 - (ii) neither building exceeds 12.5 m in height; and
 - (iii) any part of the roof which is within 1.5 m of the separating wall is covered with non-combustible material or asphalt; and
 - (iv) the junction between the separating wall and the roof covering is fire-stopped;
- or
- (c) if—
 - (i) each of the buildings separated by the separating wall is a building of purpose group I having not more than three storeys; and
 - (ii) any part of the roof which is within 1.5 m from the separating wall is designated AA, AB or AC; and
 - (iii) the junction between the separating wall and the roof is fire-stopped.
- (5) If any external wall is carried across the end of a separating wall, such external wall and separating wall shall be bonded together or the junction of such walls shall be fire-stopped.
- (6) Any combustible material which is built into or carried through, across the end of or over the top of a separating wall shall not be of such a type or used in such a way as will render ineffective the resistance of that wall to the effects or spread of fire: Provided that—
- (a) if a building is constructed in compliance with the requirements of paragraph (4)(b), nothing in this paragraph shall prohibit the continuation over the top of the separating wall of—
 - (i) any boarding, with or without sarking felt or sarking paper, if such boarding is used as a base for the roof covering and the boarding is solidly bedded on mortar or other not less suitable material where it rests on the separating wall; or
 - (ii) any wood wool slabbing, with or without sarking felt or sarking paper, if the slabbing is solidly bedded on mortar or other not less suitable material where it rests on the separating wall; or
 - (iii) any tiling or slating battens (other than such battens used in connection with (ii) above), if the battens are solidly bedded on mortar or other not less suitable material where they rest on the separating wall and the space between them is filled with mortar or other not less suitable material up to the underside of the roof covering; and
 - (b) if a building is constructed in compliance with the requirements of paragraph (4)(c), nothing in this paragraph shall prohibit the roof covering from passing over the top of the wall or any combustible material falling within the provisions of sub-paragraph (a)(i), (ii) or (iii) from forming part of a roof which is designated AA, AB or AC.
- (7) Any separating wall shall be constructed wholly of non-combustible materials apart from any surface finish which complies with regulation E15 and the required fire resistance shall be attained independently of any such combustible surface finish: Provided that the requirements of this paragraph shall not apply to—
- (a) a wall separating buildings which are not divided into compartments and are within the limits of size indicated by the letter “x” in Part 1 of the Table to regulation E5; or
 - (b) a wall separating single storey buildings which are not divided into compartments and are within the limits of size indicated by the letter “z” in Part 2 of the Table to regulation E5.

(8) Any beam or column forming part of, and any structure carrying, a separating wall which is required to be constructed of non-combustible materials shall itself comply with the requirements of paragraph (7) as to non-combustibility.

Compartment walls and compartment floors

E9.—(1) Any compartment wall or compartment floor shall be imperforate with the exception of any one or more of the following—

- (a) (i) in the case of a compartment wall separating a flat or maisonette from any space in common use giving access to that flat or maisonette, an opening fitted with a door which complies with the requirements of regulation E11 and has fire resistance of not less than half an hour; or
- (ii) in any other case, an opening fitted with a door which complies with the requirements of regulation E11 and has fire resistance of not less than the minimum period required by regulation E5 for the wall or floor;
- (b) an opening for a protected shaft;
- (c) an opening for a ventilation duct (other than a duct in, or consisting of, a protected shaft) if any space surrounding the duct is fire-stopped and the duct is fitted with an automatic fire shutter where it passes through the wall or floor;
- (d) an opening for a pipe which complies with the requirements of regulation E12;
- (e) an opening for a chimney, appliance ventilation duct or duct encasing one or more flue pipes, in each case complying with the relevant requirements of paragraphs (5) and (6) and of Part L; or
- (f) an opening for a refuse chute which complies with the requirements of Part J.

(2) Where a compartment wall or floor joins any compartment wall, external wall or separating wall or any structure enclosing a protected shaft, such structures shall be bonded together at the junction or the junction shall be fire-stopped.

(3) Where any compartment wall forms a junction with a roof, such wall shall be carried above the upper surface of the roof covering for a distance of not less than 375 mm, measured at right angles to the surface of the roof, unless either—

- (a) the roof complies with the requirements of regulation E8(4)(a); or
- (b) the compartment wall is in a building of purpose group III, IV or VII not exceeding 12.5 m in height, and the roof complies with the requirements of regulation E8(4)(b)(iii) and (iv):

Provided that nothing in this paragraph shall prohibit the continuation over the top of the wall of any construction which complies with the requirements of regulation E8(6).

(4) Any combustible material which is built into or carried through or across the ends of any compartment wall or compartment floor or carried over the top of any compartment wall shall not be of such a type or used in such a way as will render ineffective the resistance of that wall or floor to the effects or spread of fire.

(5) If any chimney, appliance ventilation duct or duct encasing one or more flue pipes passes through a compartment floor or compartment wall—

- (a) any flue in the chimney; or
- (b) the passage in the appliance ventilation duct; or
- (c) the space within the duct encasing the flue pipe or pipes,

shall be separated from that compartment floor or compartment wall and from each compartment adjoining that floor or wall by non-combustible construction having fire resistance of not less than half the minimum fire resistance required by regulation E5 for the compartment floor or compartment wall through which it passes.

(6) If any chimney, appliance ventilation duct or duct encasing one or more flue pipes forms part of a compartment wall—

- (a) any flue in the chimney; or
- (b) the passage in the appliance ventilation duct; or

(c) the space within the duct encasing the flue pipe or pipes, shall be separated from any compartment adjoining that wall by non-combustible construction having, at any level, fire resistance of not less than half the minimum fire resistance required by regulation E5 for the compartment wall at that level.

(7) Any compartment wall or compartment floor which is required by regulation E5 to have fire resistance of one hour or more (except where that requirement arises solely by virtue of proviso (c) to regulation E5(2)), shall be constructed wholly of non-combustible materials apart from—

- (i) any floor finish; or
- (ii) any surface finish to a wall or ceiling which complies with the requirements of regulation E15; or
- (iii) any ceiling which complies with the description specified in the Table to regulation E6;

and, apart from any such ceiling, the required fire resistance of the wall or floor shall be obtained without assistance from any combustible material permitted by this sub-paragraph:

Provided that the requirements of this paragraph shall not apply to—

- (a) the following walls and floors in a building or part of purpose group III which consists of flats or maisonettes—
 - (i) if that building has three storeys or that part is separated as described in regulation E5(1)(b) and has three storeys, any wall or floor other than a wall within a basement storey or a floor immediately over a basement storey;
 - (ii) if that building has four storeys or that part is separated as described in regulation E5(1)(b) and has four storeys, any floor other than a floor immediately over a basement storey; and
- (b) any existing floor in a building or part of purpose group IV, V, VI, VII or VIII which is altered or extended if, after alteration or extension, that building does not exceed 15 m in height or that part is separated as described in regulation E5(1)(b) and does not exceed 15 m in height.

(8) Any beam or column forming part of, and any structure carrying, any compartment wall or compartment floor which is required to be constructed of non-combustible materials, shall itself comply with the provisions of paragraph (7) as to non-combustibility.

Protected shafts

E10.—(1) In this regulation, “protecting structure” means any wall or floor or other structure which encloses a protected shaft other than—

- (a) a wall which also forms part of an external wall, separating wall or compartment wall; or
- (b) a floor which is also a compartment floor or a floor laid directly on the ground; or
- (c) a roof.

(2) No protected shaft shall be constructed for use for any purposes additional to those specified in regulation E1(1) other than for the passage of a pipe or duct or as sanitary accommodation or washrooms, or both.

(3) Subject to the provisions of this regulation, any protected shaft shall be completely enclosed.

(4)(a) Any protecting structure which is required by regulation E5 to have fire resistance of one hour or more shall be constructed wholly of non-combustible materials apart from any surface finish which complies with the requirements of regulation E15:

Provided that the requirements of this sub-paragraph shall not apply to protecting structure which is situated within the ground storey or an upper storey of a building or part of purpose group III consisting of flats or maisonettes if that building has three storeys or that part is separated as described in regulation E5(1)(b) and has three storeys.

(b) Any beam or column forming part of, and any structure carrying, protecting structure which is required to be constructed of non-combustible materials shall itself comply with the provisions of sub-paragraph (a) as to non-combustibility.

(5) Any wall, floor or other structure enclosing a protected shaft but not being protecting structure may contain such openings as shall be in accordance with other provisions of these regulations.

(6) There shall be no opening in any protecting structure other than any one or more of the following—

- (i) an opening for a pipe which complies with the requirements of regulation E12;
- (ii) an opening fitted with a door which has fire resistance complying with the provisions of paragraph (7) and complies with the provisions of regulation E11;
- (iii) (if the protected shaft contains a lift) an opening which complies with the provisions of paragraph (8); and
- (iv) (if the protected shaft serves as, or contains a ventilating duct) an inlet to or outlet from that duct or an opening for that duct.

(7) Any door fitted in an opening in protecting structure shall have fire resistance for the following minimum period—

- (a) if the protected shaft is in a building of purpose group III, IV or VII and is wholly or partly above the level of the adjoining ground, not less than half an hour; or
- (b) in any other case, either not less than half the period required by other provisions of this Part for the protecting structure surrounding the opening or not less than half an hour (whichever is the greater).

(8) Any protected shaft containing a lift or lifts—

- (a) shall be ventilated to the external air by means of one or more permanent openings situated at the top of the shaft and having a total unobstructed area of not less than 0.1 m² for each lift in the shaft; and
- (b) shall not contain any pipe conveying gas or oil or any ventilating duct; and
- (c) may have an opening in its protecting structure for the passage of the cables operating the lift into the room containing the lift motor:

Provided that if the opening is at the bottom of the shaft the opening shall be as small as practicable.

(9) (a) If a protected shaft serves as, or contains, a ventilating duct—

- (i) the duct shall be fitted internally with automatic fire shutters so constructed, at such intervals and in such positions as may be necessary to reduce so far as practicable the risk of fire spreading from a compartment to any other compartment, or such other provision shall be made as will reduce such risk so far as practicable; and
- (ii) the duct shall not be constructed of, or lined with, any material which substantially increases such risk.

(b) In addition, in the case of a protected shaft containing a ventilating duct, the shaft shall be so constructed with additional barriers to fire between the duct and the shaft as may be necessary to reduce so far as practicable the risk of fire spreading from a compartment to any other compartment.

(10) If a protected shaft consists of a stairway, it shall not contain any pipe conveying gas or oil or any ventilating duct.

Fire-resisting doors

E11.—(1) This regulation shall apply to any door which is required by the provisions of this Part to have fire resistance.

(2) In this regulation—

“automatic self-closing device” does not include rising butt hinges except in relation to a door to which paragraph (5) applies; and

“electro-magnetic or electro-mechanical device susceptible to smoke” refers only to any such device which will allow the door held open by it to close automatically upon the occurrence of each or any one of the following—

- (i) detection of smoke by automatic apparatus suitable in nature, quality and location;
- (ii) manual operation of a switch fitted in a suitable position;
- (iii) failure of electricity supply to the device, apparatus or switch;
- (iv) if a fire alarm system is installed in the building, operation of that system.

(3) (a) Any door to which this regulation applies shall (subject to paragraph (7)) be fitted with an automatic self-closing device.

(b) No means of holding any such door open shall be provided other than a fusible link or, if the door is so constructed and installed that it can readily be opened manually, an electro-magnetic or electro-mechanical device susceptible to smoke.

(c) No part of a hinge on which any such door is hung shall be made either of combustible material or of non-combustible material having a melting point less than 800°C.

(4) Any door fitted in an opening which is provided as a means of escape in the event of fire or might be so used shall be so constructed and installed that it can readily be opened manually and shall not be held open by any means other than an electro-magnetic or electro-mechanical device susceptible to smoke:

Provided that there may also be installed so as to close the same opening a door which cannot readily be opened manually if—

- (i) such door is fitted with an automatic self-closing device and is held open by a fusible link;
- (ii) the manually openable door has fire resistance of not less than half an hour; and
- (iii) the required fire resistance is achieved by the two doors together.

(5) Any door to which reference is made in regulation E9(1)(a)(i), E13(2)(b) or E18(6)(c)(ii) shall be either a single leaf door swinging in one direction only or a double leaf door each leaf of which swings in the opposite direction from the other leaf.

(6) Any door which is fitted in protecting structure (as defined in regulation E10(1)) and is not required by the provisions of regulation E10(7) to have fire resistance of more than half an hour may consist of any single or double leaf door (the leaf or each leaf of which swings in one or both directions), other than a double leaf door both leaves of which swing in one and the same direction and have rebated meeting stiles, if—

- (a) the door opens into a hall, lobby or corridor enclosed by walls or partitions having fire resistance of not less than half an hour; and
- (b) the clearance between the leaf or leaves of any such doors and its frame and (if the floor has two leaves) between the leaves is as small as is reasonably practicable.

(7) Notwithstanding paragraph (3)(a), a door which is not fitted with a self-closing device may be installed in an opening in the structure which encloses a protected shaft containing exclusively a lift or lifts if either—

- (a) the door has fire resistance for a period of not less than half an hour and there is also installed so as to close the same opening another door which is fitted with an automatic self-closing device, is held open by a fusible link and has fire resistance for a period not less than that prescribed by the relevant provisions of this Part for the structure surrounding the opening; or
- (b) (unless the opening is in a compartment wall and is one of two openings provided at the same level to allow access to a lift from different sides) the door has fire resistance for a period not less than that prescribed by relevant provisions of this Part for the structure surrounding the opening.

(8) Without prejudice to the requirements of paragraphs (4) to (7), two fire-resisting doors (each being either a single or a double leaf door) may be installed in an opening if each by itself is capable of closing the opening and the required fire resistance is achieved by the two doors together.

Penetration of elements of structure by pipes

E12.—(1) In this regulation “pipe”—

- (a) excludes a flue pipe and any pipe used for ventilation purposes other than a ventilating pipe as defined in regulation N2(1); and
- (b) includes pipe fittings and accessories.

(2)(a) Subject to the provisions of paragraph (3), the nominal internal diameter of that part of a pipe which passes through—

- (i) an opening in a separating wall; or
- (ii) an opening in a compartment wall or compartment floor other than any such opening which is wholly enclosed within a protected shaft; or
- (iii) an opening in protecting structure,

shall not exceed the relevant dimension prescribed in the Table to this regulation:

Provided that if, on either side of the structure penetrated and within a distance of 1 m (measured along the pipe) from the point of penetration, the pipe which penetrates the structure, being of specification (a), is connected to a pipe of specification (b) or (c) or, being of specification (b), is connected to a pipe of specification (c), the maximum internal diameter of the pipe shall be determined as though it were of the same specification as the pipe to which it is connected.

(b) Any opening shall be as small as is reasonably practicable and shall be fire-stopped around the pipe.

(3) Notwithstanding the requirements of paragraph (2)(a), a pipe which forms part of an above ground drainage system comprising pipes which comply with specification (b) in the Table and have a nominal internal diameter not exceeding 150 mm in the case of a stack pipe or 100 mm in the case of a branch pipe may pass through an opening in a separating wall between houses or an opening in a compartment wall or compartment floor between flats or maisonettes if—

- (a) the pipe, being a stack pipe, is contained in each storey within an enclosure or, being a branch pipe, discharges into a stack pipe contained within an enclosure formed in part by the wall penetrated by the branch pipe;
- (b) any such enclosure—
 - (i) extends, in each storey, from the floor to the ceiling of that storey or, if the ceiling is suspended beneath a floor, to that floor;
 - (ii) has each side formed by a separating wall, compartment wall or external wall or by casing;
 - (iii) has an internal surface, excluding any supporting members, which complies with the requirements for Class 0 specified in regulation E15(1)(e);
 - (iv) has no access panel situated in a bedroom or circulation space; and
 - (v) is not used for any other purpose except to accommodate pipes conveying water;

- (c) any such casing—
- (i) is imperforate except for any opening made for the passage of a pipe or fitted with an access panel;
 - (ii) consists of any material other than sheet metal; and
 - (iii) (including any access panel) has fire resistance of not less than half an hour; and
- (d) any opening made for the passage of a branch pipe through a side of an enclosure or for the passage of a stack pipe through a floor at the base or top of an enclosure (including, in the case of a maisonette, any floor within the dwelling) is as small as is reasonably practicable and is fire-stopped around the pipe.

TABLE TO REGULATION E12
(Maximum nominal internal diameter of pipes)

Specification of pipe (1)	Maximum nominal internal diameter of pipe (in mm) (2)
(a) Pipe made of any non-combustible material which, if exposed to a temperature of 800°C, will not soften and will not fracture to such an extent as to permit flames or hot gases to pass through the wall of the pipe	150
(b) Pipe made of lead or aluminium or alloy thereof; asbestos-cement pipe; or unplasticised polyvinyl chloride pipe complying with BS 4514: 1969	100 if it penetrates structure (other than a separating wall) enclosing a protected shaft not regularly used for the passage of people 38 in all other cases
(c) Pipe made of any other material	38

Stairways

E13.—(1) Every stairway (including any landing thereof) which forms part of a building shall, whether the stairway is internal or external, be constructed of non-combustible material except—

- (a) an internal stairway which is situated—
- (i) within a maisonette; or
 - (ii) within any storey which comprises elements of structure for which the fire resistance required by this Part is less than one hour; or
 - (iii) within the ground storey or an upper storey of a building or part of purpose group III which consists of flats or maisonettes if that building has not more than three storeys or that part is separated as described in regulation E5(1)(b) and has not more than three storeys; or
 - (iv) within a building or compartment of purpose group V but not within a protected shaft; or
- (b) an external stairway which is situated between the ground and a floor or flat roof the level of which, at the head of the stairway, is not more than 6 m above the finished surface of the ground adjoining the foot of the stairway:

Provided that nothing in this paragraph shall prohibit the addition of any combustible material to the upper surface of any stairway or landing.

(2) In any building of purpose group I which has three or more storeys, any internal stairway (including any hall or landing associated therewith and any part of a floor which affords passage between flights of the stairway) shall be separated from all other parts of the building by structure complying with the following requirements—

- (a) the structure shall have fire resistance for not less than the minimum period required by regulation E5 for elements of structure forming part of the storey in which it is situated; and
- (b) any opening in the structure which gives access to a habitable room or kitchen shall be fitted with a door which has fire resistance of not less than half an hour and complies with the requirements of regulation E11.

Fire-stopping

E14.—(1) Any fire stop required by the provisions of this Part shall be so formed and positioned as to prevent or retard the passage of flame.

(2) Any fire stop shall—

- (a) if provided around a pipe or duct, be made of non-combustible material or (if it is in a floor or wall constructed of combustible material) of timber not less than 38 mm thick and be so constructed as not to restrict essential thermal movement; and
- (b) if provided in a cavity, be made of non-combustible material or (if it is in a floor or wall constructed of combustible material) of timber not less than 38 mm thick.

(3) Any fire stop formed as a seal at the junction of two or more elements of structure shall be made of non-combustible material if all such elements are required by this Part to be non-combustible.

(4) Any cavity in an element of structure which—

- (a) is continuous throughout the whole or part of such element; and
- (b) has a surface of combustible material exposed within the cavity which is of a class lower than Class O in regulation E15,

shall be fire-stopped—

- (i) at any junction with another element of structure or with a ceiling under a roof; and
- (ii) in such a position that there is no continuous cavity (without a fire stop) which in one plane exceeds either 8 m in a single dimension or 25 m² in area,

but nothing in this paragraph shall prohibit the insertion of combustible filling in a cavity.

Restriction of spread of flame over surfaces of walls and ceilings

E15.—(1) For the purposes of this regulation and the Table thereto—

- (a) “ceiling” includes any soffit and any rooflight, skylight, or other part of a building which encloses and is exposed overhead within a room, circulation space or protected shaft;

“circulation space” means any space which is solely or predominantly used as a means of access between a room and a protected shaft or between either a room or a protected shaft and an exit from the building or compartment;

“small room” means a room which is totally enclosed and has a floor area not exceeding that specified in column (2) of the Table to this regulation, according to the purpose group of the building or compartment; and

“trim” means any architrave, cover mould, picture rail, skirting or similar narrow member;

- (b) any reference to the surface of a wall shall be construed as a reference to that surface excluding the surface of any door, door frame, window, window frame, fireplace surround, mantelshelf, fitted furniture or trim;
- (c) any reference to the surface of a ceiling shall be construed as a reference to that surface excluding the surface of the frame of any rooflight or skylight;

- (d) any part of a ceiling which slopes at an angle of 70° or more to the horizontal and is not part of a rooflight or skylight shall be deemed to be a wall;
- (e) any reference to a surface being of Class O shall be construed as a requirement that—
- (i) the material of which the wall or ceiling is constructed shall be non-combustible throughout; or
 - (ii) the surface material (or, if it is bonded throughout to a substrate, the surface material in conjunction with the substrate) shall, if tested in accordance with BS 476: Part 6: 1968, have an index of performance (I) not exceeding 12 and a sub-index (i_1) not exceeding 6:

Provided that the face of a plastics material having a softening point less than 120°C if tested by method 102C of BS 2782: 1970 shall not be regarded as a surface of Class O unless—

- (i) the material is bonded throughout to a substrate which is not a plastics material and the material in conjunction with the substrate satisfies the test criteria prescribed in (ii) above; or
 - (ii) the material satisfies the test criteria prescribed in (ii) above and is used as the lining of a wall so constructed that any surface which would be exposed if the lining were not present satisfies the said test criteria and is the face of a material other than a plastics material having a softening point less than 120°C;
- (f) any reference to a surface being of a class other than Class O shall be construed as a requirement that the wall or ceiling shall be so constructed that a specimen constructed to the same specification, if exposed to test by fire in accordance with BS 476: Part 7: 1971, would comply with the test criteria as to surface spread of flame specified in relation to that class:

Provided that a wall or ceiling shall be deemed to have a surface of the requisite class if it is constructed to the same specification as that of a specimen which prior to 31st August 1973 was either proved to satisfy the relevant test criteria prescribed in clause 7 of BS 476: Part 1: 1953 or was assessed by an appropriate authority as capable of satisfying those criteria;

and

- (g) in relation to a requirement that a surface shall be of a class not lower than a specified class, Class O shall be regarded as the highest class followed in descending order by Class 1, Class 2, Class 3 and Class 4.

(2) The surface of a wall or ceiling in a room, circulation space or protected shaft shall be of a class not lower than that specified as relevant in the Table to this regulation:

Provided that—

- (i) a wall may have a surface of any class not lower than Class 3 to the extent permitted by paragraph (3); and
- (ii) a ceiling may either have a surface of any class not lower than Class 3 to the extent permitted by paragraph (4) or may consist of plastics material to the extent permitted by regulation E16.

(3) Any part of the surface of a wall in a room may be of any class not lower than Class 3 if the area of that part (or, if there are two or more such parts, the total area of those parts) does not exceed the lesser of the following—

- (a) half the floor area of the room; or
- (b) (in the case of a building or compartment of purpose group I, II, or III) 20 m² or (in any other case) 60 m².

(4) Any part of the surface of a ceiling may be of any class not lower than Class 3 if that part of the surface is the face of a layer of material the other face of which is exposed to the external air and—

- (a) (i) the ceiling is that of a room in a building or compartment of purpose group II, III, IV, V or VII or that of a circulation space in a building or compartment of any purpose group; and

- (ii) the area of that part does not exceed 2.5 m²; and
- (iii) the distance between that part and any other such part is not less than 3.5 m; or
- (b) (i) the ceiling is that of a room in a building or compartment of purpose group VI or VIII; and
- (ii) the area of that part does not exceed 5 m²; and
- (iii) the distance between that part and any other such part is not less than 1.8 m; and
- (iv) that part and all other such parts are evenly distributed over the whole area of the ceiling and together have an area which does not exceed 15% of the floor area of the room; or
- (c) the ceiling is that of a balcony, verandah, open carport, covered way or loading bay which (irrespective of its floor area) has at least one of its longer sides wholly and permanently open; or
- (d) the ceiling is that of a garage, conservatory or outbuilding which (irrespective of whether it forms part of a building or is a building which is attached to another building or wholly detached) has a floor area not exceeding 40 m².

TABLE TO REGULATION E15
(Surfaces of walls and ceilings)

Purpose group of building or compartment (1)	Maximum floor area of small room (in m ²) (2)	Class of surface for both walls and ceilings (except where separately specified)		
		Small rooms (see col. (2)) (3)	Rooms other than small rooms (4)	Circulation spaces and protected shafts (5)
I (Small residential)— House having not more than two storeys ...	4	3	(Wall) 1 (Ceiling) 3	(Wall) 1 (Ceiling) 3
Any other house ...	4	3	1	0
II (Institutional) ...	4	1	(Wall) 0 (Ceiling) 1	0
III (Other residential) ...	4	3	1	0
IV (Office) ...	30	3	1	0
V (Shop) ...	30	3	1	0
VI (Factory) ...	30	3	1	0
VII (Assembly) ...	30	3	1	0
VIII (Storage and general)	30	3	1	0

Exceptions permitting ceilings to consist of plastics materials

E16.—(1) The provisions of regulation E15(1) shall apply for the interpretation of this regulation.

(2) Any part of the ceiling of a room or circulation space may consist of—

- (a) rigid polyvinyl chloride sheeting which is classified as self-extinguishing when tested in accordance with method 508A of BS 2782: 1970 if the face of the sheeting which is not the surface of the ceiling is exposed to the external air; or

- (b) one or more panels of such plastics materials as are permitted by paragraph (3) if the upper and lower surfaces of any part of the ceiling which is not formed by a panel of plastics material and the surfaces of all other parts of the structure which enclose the space over the ceiling are of a class not lower than that prescribed in the Table to regulation E15 for the ceiling of such a room or circulation space.
- (3) Panels to which paragraph (2)(b) refers may consist of one or more sheets or membranes of either—
- (a) polyvinyl chloride which has a degree of flammability of not more than 75 mm when tested in accordance with method 508C of BS 2782: 1970 or which has very low flammability when tested and classified in accordance with method 508D of BS 2782: 1970, if—
- (i) the nominal thickness of the sheet or membrane (or, if a panel consists of two or more sheets or membranes, their nominal aggregate thickness) does not exceed 1 mm; and
 - (ii) no panel has an area exceeding 4 m²; or
- (b) any plastics material which has a softening point of not more than 120°C when tested by method 102C of BS 2782: 1970 and a burning rate of not more than 50 mm/min when tested in a thickness of 3 mm in accordance with method 508A of BS 2782: 1970, if—
- (i) the nominal thickness of the sheet or membrane (or, if a panel consists of two or more sheets or membranes, their nominal aggregate thickness) does not exceed 3 mm;
 - (ii) the aggregate area of the plastics material, if situated in a building or compartment of purpose group II, III or VII, does not exceed 30% of the floor area of the room or 15% of the floor area of the circulation space, as the case may be, or, if situated in a building or compartment of any other purpose group, does not exceed 50% of the floor area of the room or 15% of the floor area of the circulation space, as the case may be;
 - (iii) no panel has any side exceeding 5 m in length or an area exceeding 4 m² if situated in a room or 2 m² if situated in a circulation space; but if two or more panels are grouped so that each is less than 575 mm from another, the said maximum dimensions shall be applied to the smallest rectangle which would wholly enclose all such panels; and
 - (iv) every panel is loosely mounted in such a way that it will fall out of its mountings when softened by heat.

Roofs

- E17.**—(1) No part of the roof of a building which—
- (a) has a cubic capacity exceeding 1500 m³; or
 - (b) is wholly or partly of purpose group VI or VIII; or
 - (c) is a house in a continuous terrace of more than two houses,
- shall be so constructed as to be designated BD, CA, CB, CC, CD, DA, DB, DC or DD, or be covered with thatch or wood shingles.
- (2) Any part of a roof which is designated BA, BB or BC shall be not less than 6 m from any point on a boundary.
- (3) Any part of a roof which is designated AD, BD, CA, CB, CC or CD or is covered with thatch or wood shingles shall be not less than 12 m from any point on a boundary unless such part is—
- (a) of an area not exceeding 3 m²; and
 - (b) separated from any other part of the same roof which is so designated or covered with thatch or wood shingles by an area of roof which is at least 1.5 m wide and which is covered by non-combustible material,

in which case such designated part or part covered with thatch or wood shingles shall be not less than 6 m from any such point.

(4) Any part of a roof which is designated DA, DB, DC or DD shall be—

- (a) not less than 22 m from any point on a boundary; and
- (b) of an area not exceeding 3 m²; and
- (c) separated from any other part of the same roof which is so designated by an area of roof which is at least 1.5 m wide and covered with non-combustible material.

(5) If any part of a roof cannot be designated under regulation E1(4) on account of the low softening temperature of its covering material, such part shall be not less than 12 m or twice the height of the building (whichever is the greater) from any point on a boundary, unless such part is—

- (a) of an area not exceeding 3 m²; and
- (b) separated from any other part of the same roof which is covered with the same material or any other material which for the same reason cannot be so designated by an area of roof which is at least 1.5 m wide and covered with non-combustible material,

in which case such part shall be not less than 6 m from any such point.

(6) Nothing in this regulation shall prevent any part of a roof being constructed of such glass or rigid polyvinyl chloride sheeting as cannot be designated in accordance with regulation E1(4) (but which, in the case of such sheeting, is classified as self-extinguishing when tested in accordance with method 508A of BS 2782: 1970) where either—

- (a) that part of the roof is not less than 6 m from any boundary; or
- (b) that part of the roof is less than 6 m from any boundary and the roof is that of a garage, conservatory or outbuilding having a floor area not exceeding 40 m² (whether or not attached to or forming part of another building) or is the roof of, or a canopy over, a balcony, verandah, open carport, covered way or detached swimming pool.

Small garages

E18.—(1) The following provisions (subject to the provisions of regulation E19 regarding small open carports) shall apply to any garage which has a floor area not exceeding 40 m².

(2) If such garage is a separate building and—

- (a) is not less than 2 m from any boundary and any house within the boundary; or
- (b) (being less than 2 m from any boundary) complies with the requirements of paragraph (3); or
- (c) (being less than 2 m from any house within the boundary) complies with the requirements of paragraph (4),

it shall not be required to comply with any regulation in this Part except regulation E17 and any other provisions expressly referred to in this regulation.

(3) Any such garage which is less than 2 m from any boundary shall be so constructed that any part of an external wall which is less than 2 m from the boundary is externally non-combustible and the walls of the garage have an internal surface which fulfils the requirements for Class O specified in regulation E15(1)(e).

(4) Any such garage which is less than 2 m from any house within the same boundary shall be so constructed that any part of an external wall which is less than 2 m from such house is externally non-combustible and the walls of the garage have an internal surface which fulfils the requirements for Class O specified in regulation E15(1)(e);

but these requirements shall not apply if every part of any external wall of such house which is less than 2 m from the garage—

- (a) is externally non-combustible; and
- (b) has resistance to external fire of not less than half an hour; and
- (c) has no unprotected area which exceeds 0.1 m² or is less than 1.5 m from any other unprotected area in that part.

(5) In the application of the foregoing paragraphs (3) and (4), any exposed surface of a frame member forming the structure of a wall shall not be deemed to be part of the internal surface of that wall.

(6) If a garage to which paragraph (1) applies is attached to or forms part of a house, it shall be so constructed that—

- (a) any floor immediately over such garage has fire resistance of not less than half an hour; and
- (b) any wall between such garage and such house has fire resistance of not less than half an hour; and
- (c) any opening in such wall is—
 - (i) at its lowest point, not less than 100 mm above the level of the garage floor; and
 - (ii) fitted with a door, shutter or cover which has fire resistance of not less than half an hour and complies with the requirements of regulation E11.

Small open carports

E19.—(1) Any open carport (as defined in regulation E1(1)) which has a floor area not exceeding 40 m² and complies with the conditions of this regulation shall not be required to comply with any regulation in this Part except regulation E17.

(2) The conditions of this regulation are as follows—

- (a) that such carport is a detached building; or
- (b) that such carport is part of a detached building which consists additionally only of a garage which also has a floor area not exceeding 40 m² and would, if it were a separate building, comply with the provisions of regulation E18; or
- (c) that such carport is a single storey part of a building which consists additionally only either of a house alone or of a house and garage (the garage having a floor area not exceeding 40 m²) and that, if the presence of the carport were disregarded—
 - (i) the house, where there is no garage, would comply with the requirements of regulation E7; or
 - (ii) the house and garage, if they would then constitute one building, would comply with the requirements of regulation E7; or
 - (iii) the house and the garage, if they would then constitute separate buildings, would comply with the requirements of regulations E7 and E18 respectively.

Provided that, where this regulation applies by virtue of the erection of an open carport as an extension to an existing house or garage or both, the conditions in subparagraphs (b) and (c) shall be applicable as though any reference therein to compliance with regulations E7 and E18, or either of them, were omitted.

Purpose group of small garages and open carports

E20. Notwithstanding the provisions of regulation E2, for the purposes of every relevant provision of this Part a detached building which consists only of a garage or of an open carport or of both, where the garage or the open carport or (as the case may be) each of them has a floor area not exceeding 40 m², shall be regarded as falling within purpose group I as set out in the Table to regulation E2.

Regulation 17

SCHEDULE 2

PART TO BE INSERTED AFTER PART E OF THE PRINCIPAL REGULATIONS

PART EE

MEANS OF ESCAPE IN CASE OF FIRE

Application of Part EE

EE1. This Part shall apply to—

- (a) any part of a building which consists of a flat or maisonette so situated that its floor or, in the case of a maisonette, at least one of its floors is 4.5 m or more above the surface of the ground adjacent to any side of the building; and
- (b) any building, or part of a building, which falls (in accordance with regulation E2) within purpose group IV or V other than any such building or part or portion thereof which consists of—
 - (i) a shop having a sales floor area not exceeding 280 m² per floor on not more than three storeys one of which may be a basement storey; or
 - (ii) an office having more than four storeys (including any basement storey or storeys) served by only one stairway.

Interpretation of Part EE

EE2.—(1) In this Part—

“basement storey” has the meaning ascribed to that expression in regulation E1(1);

“building” excludes any partially exempted building as defined in regulation A5(2); and

“office” and “shop” respectively include “premises used for office purposes” and “shop premises” as defined in column (3) of the Table to regulation E2.

(2) The exclusions in regulation EE1(b) are without prejudice to any requirements under the Offices, Shops and Railway Premises Act 1963(a).

(3) In so far as regulation EE3 necessitates structural fire precautions, its requirements shall be additional to those of Part E.

Provision of means of escape

EE3. In any building or part of a building to which this regulation applies there shall be provided—

- (a) means of escape consisting of exits and escape routes of such number, size, layout, design and construction as may reasonably be required in the circumstances of the case to enable the occupants to reach a place of safety in the event of fire; and
- (b) such other works (other than means of fighting fire) as may be necessary for securing that such means of escape can be safely and effectively used at all material times.

Deemed-to-satisfy provisions for the provision of means of escape

EE4. Without prejudice to the requirements of Part E, the requirements of regulation EE3 shall be deemed to be satisfied if the building or part of a building complies with the relevant recommendations of CP3: Chapter IV: Part 1: 1971 (flats and maisonettes), CP3: Chapter IV: Part 2: 1968 (shops and departmental stores) or CP3: Chapter IV: Part 3: 1968 (office buildings) as the case may be.

SCHEDULE 3

Regulation 36

NEW SCHEDULE TO BE ADDED AFTER SCHEDULE 12 TO THE PRINCIPAL REGULATIONS

SCHEDULE 13

Regulation A2(7)(b)

AMENDMENTS TO PUBLICATIONS TO WHICH SPECIFIC REFERENCE IS MADE IN THE BUILDING REGULATIONS 1972 AS AMENDED BY THE BUILDING (FIRST AMENDMENT) REGULATIONS 1973

Table A. British Standards

Publication (1)	Amendment slip		Context (4)
	Serial number (2)	Reference number (3)	
BS 41: 1964	—	—	L8 (a) L16 (b)
BS 65 & 540: Part 1: 1971	—	—	L6 (1)(a)(iii) L16(a)
BS 144: 1954	1	PD 4833	Schedule 4, Table 3, item 1
BS 449: Part 2: 1969	1 2 3	AMD 416 AMD 523 AMD 661	D9 Schedule 8, Part V, section A(A), item 1(b) Schedule 8, Part V, section B(A), item 1(b)
Supplement No. 1 (PD 3343) to BS 449: Part 1: 1970	1	AMD 734	
Addendum No. 1 (PD 4064) to BS 449: Part 1: 1970	1 2	PD 4390 AMD 735	
BS 476: Part 1: 1953	1 2	AMD 409 AMD 686	E1 (5), proviso (i) E15 (1) (f), proviso
BS 476: Part 3: 1958	1	PD 3276	E1 (4)
BS 476: Part 4: 1970	—	—	A2 (1)
BS 476: Part 6: 1968	1	AMD 549	E7 (4), proviso E15 (1)(e)(ii)
BS 476: Part 7: 1971	—	—	E15 (1)(f) and proviso thereto
BS 476: Part 8: 1972	—	—	E1 (5)

SCHEDULE 13—continued
Table A. British Standards—continued

Publication (1)	Amendment slip		Context (4)
	Serial number (2)	Reference number (3)	
BS 567: 1968	—	—	L16 (e)(i)
BS 690: Part 1: 1963	1 2	PD 6302 AMD 758	Table to B3, item 13
BS 715: 1970	—	—	L16 (c)
BS 747: Part 2: 1970	—	—	Schedule 10, Part I, Note Schedule 10, Part IV(B), Note
BS 835: 1967	—	—	L8 (b) L16 (e)(i)
BS 881 & 589: 1955	—	—	Schedule 4, preamble, (i) Schedule 6, rule 2, Note beneath List of Species of Timber
BS 882: 1965	—	—	C4(a) D7(c)
BS 913: 1954	—	—	Schedule 4, Table 3, item 1
BS 1105: 1963	—	—	Schedule 8, Part V, section B(B), item 7
BS 1142: Part 2: 1971	—	—	Table to B3, item 7
BS 1181: 1971	—	—	L6 (1)(a)(i) L14 (1)(a)(iii)
BS 1243: 1972	—	—	Schedule 7, rule 11 (2)
BS 1250: Part 1: 1966	—	—	M8 (3)(b)(ii) M8 (4), proviso
BS 1297: 1970	—	—	Schedule 6, rule 2(b)(i)
BS 2750: 1956	1	PD 5065	G6 (2)
BS 2782: 1970	1 2	AMD 936 AMD 999	E15 (1)(e), proviso E16 (2)(a), (3)(a) and (3)(b) E17 (6)
BS 2989: 1967	—	—	Table to B3, item 12
BS 3051: 1972	—	—	Schedule 4, Table 3, item 2
BS 3083: 1959	—	—	Table to B3, item 12
BS 3452: 1962	—	—	C5 (d)
BS 3590: 1970	—	—	Schedule 8, Part VII, footnote † Schedule 8, Part VIII, footnote "A"
BS 4036: 1966	—	—	Table to B3, item 13
BS 4072: 1966	—	—	B5 (a) C5 (d)

SCHEDULE 13—*continued*
Table A. *British Standards—continued*

Publication (1)	Amendment slip		Context (4)
	Serial number (2)	Reference number (3)	
BS 4471: Part 1: 1969	1	AMD 750	A2 (11)(b)(ii)
BS 4514: 1969	1	AMD 712	Table to E12, specification (b)
BS 4543: 1970	1 2	AMD 749 AMD 919	L22 (2)(a) and (2)(d)
BS 4876: 1972	—	—	M5 (1)

Table B. *British Standard Codes of Practice*

Publication (1)	Amendment slip		Context (4)
	Serial number (2)	Reference number (3)	
CP 3: Chapter IV: Part 1: 1971	1	AMD 851	EE4
CP 3: Chapter IV: Part 2: 1968	—	—	EE4
CP 3: Chapter IV: Part 3: 1968	1	PD 6407	EE4
CP 3: Chapter V: Part 1: 1967	1 2 3	AMD 141 AMD 587 AMD 1024	D2 (2)(a) and (2)(b) H7
CP 3: Chapter V: Part 2: 1972	1	AMD 645	D2 (2)(c)
CP 101: 1972	—	—	D6
CP 111: Part 2: 1970	1	AMD 744	D15 (a)
CP 112: 1952	1	PD 5570	D14 (a) and (b) Schedule 6, rule 2(a)
CP 112: Part 2: 1971	—	—	D14 (a) and (b) Schedule 6, rule 2(a) and Note beneath List of Species of Timber
CP 114: Part 2: 1969	—	—	D5 D11
CP 115: Part 2: 1969	—	—	D12
CP 116: Part 2: 1969	—	—	D13 D21 (1)
CP 116: Addendum No. 1: 1970	—	—	D13 D21 (1) and (2)
CP 117: Part 1: 1965	—	—	D18
CP 118: 1969	—	—	D10 (1) and (2)
CP 144: Part 3: 1970	—	—	Table to B3, item 5 Schedule 10, Part IV B, item 1

SCHEDULE 13—*continued*Table B. *British Standard Codes of Practice—continued*

Publication (1)	Amendment slip		Context (4)
	Serial number (2)	Reference number (3)	
CP 221: 1960	—	—	Table to B3, item 11
CP 402. 201: 1952	1 2 3	PD 2998 PD 4054 PD 5724	E4(1), proviso Table to E5, Part 1, footnote y
CP 2004: 1972	—	—	D4

Table C. *Other Publications*

Publication (1)	Amendment slip		Context (4)
	Serial number (2)	Reference number (3)	
*Standard Industrial Classification, Third Edition, 1968	—	—	Schedule 1, Part A, Class 8

*Issued by the Central Statistical Office

24th July 1973.

Geoffrey Rippon,
Secretary of State for the Environment.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Building Regulations 1972. They come into operation on 31st August 1973, but do not apply to work which has been completed, or for which plans have been deposited with a local authority, before that date.

The principal amendments deal with—

- (a) an extension of the range of building types in respect of which local authorities acting under delegated powers may in certain circumstances dispense with or relax the provisions relating to structural fire precautions in buildings (Regulation 7);
- (b) the substitution of a revised Part E (Structural fire precautions). Some of the previous provisions remain; but elsewhere there have been drafting changes and various substantive changes. The main substantive changes include (i) provisions permitting the use in certain circumstances of electro-mechanical or electro-magnetic devices susceptible to smoke to hold fire-resisting doors open, and (ii) amendments to the provisions relating to the penetration of structure by pipes imposing more onerous requirements on pipes made of non-combustible materials which would soften or fracture at a temperature of 800°C and less stringent requirements on pipes of certain combustible materials, in particular, those made of unplasticised polyvinyl chloride (Regulation 16 and Schedule 1);
- (c) the introduction for the first time of regulations (Part EE) relating to means of escape in case of fire from certain flats, maisonettes, offices and shops in new buildings (Regulation 17 and Schedule 2);
- (d) the introduction of provisions requiring the erection of barriers around floors and roofs of buildings used as vehicle parks (Regulation 18);
- (e) amendments permitting certain domestic oil-burning appliances to be exempted from some of the provisions for the prevention of fire which have applied hitherto (Regulation 25); and
- (f) an amendment restricting the types of gas appliance which may be installed in a bathroom for heating water for a bath (Regulations 26 and 27).

Also, references to various technical publications which are incorporated with the Building Regulations 1972 have been brought up to date as at 30th September 1972.

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