

1980 No. 286

BUILDING AND BUILDINGS

The Building (Prescribed Fees) Regulations 1980

<i>Made</i>	- - - -	3rd March 1980
<i>Laid before Parliament</i>		11th March 1980
<i>Coming into Operation</i>		1st April 1980

The Secretary of State for the Environment, in exercise of the powers conferred—

- (a) by sections 61 and 62 of the Public Health Act 1936(a); and
 - (b) by section 4(2) and 4(5) of the Public Health Act 1961(b) and now vested in him(c); and
 - (c) by sections 62(3) and 76(4) of the Health and Safety at Work etc. Act 1974,(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(e) hereby makes the following regulations—

Title and commencement

1. These regulations may be cited as the Building (Prescribed Fees) Regulations 1980 and shall come into operation on 1st April 1980.

Application

2. The provisions of these regulations shall not apply in Inner London.

Interpretation

3. In these regulations, unless the context otherwise requires—
 - “plans” includes drawings of any other description and also specifications or other information in any form and any reference to the deposit of plans shall be construed accordingly; and
 - “the principal regulations” means the Building Regulations 1976(f) and other words and expressions have the same meaning as in the principal regulations;

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- (a) 1936 c. 49; sections 61 and 62 were substituted by the Health and Safety at Work etc. Act 1974, section 61(1).
 - (b) 1961 c. 64; section 4(2) was amended by the Health and Safety at Work etc. Act 1974, section 61(3) and Schedule 6, Part I, paragraph 4(a).
 - (c) S.I. 1970/1681.
 - (d) 1974 c. 37.
 - (e) Section 9(3) was amended by the Health and Safety at Work etc. Act 1974, section 61(3) and Schedule 6, Part I, paragraph 8.
 - (f) S.I. 1976/1676, as amended by S.I. 1978/723.

“work” means the erection of a building, the alteration or the extension of a building, the execution of works, the installation of a fitting or the making of a material change of use.

Transitional provisions

4. The fees prescribed by these regulations in respect of the passing or rejection of plans or the inspection of work shall not be payable in relation to any project for which plans were first deposited before 1st April 1980.

Charging of prescribed fees

5. A local authority is hereby authorised to charge fees prescribed in the Schedule to these regulations for the performance of their following prescribed functions—

- (a) the passing or rejection of plans relating to their own schemes, or the passing or rejection, in accordance with section 64 of the Public Health Act 1936(a), of plans deposited with them; and
- (b) the first inspection in connection with the principal regulations of any building for which such plans have been deposited.

Payment of prescribed fees

6.—(1) Where a local authority require payment of prescribed fees under these regulations in their district, the provisions of this regulation shall have effect.

(2) The prescribed fee shall be payable by the person (including a local authority) by whom or on whose behalf the work is to be carried out.

(3) The prescribed fee payable shall be that shown in the relevant column of the Table set out in the Schedule to these regulations in relation to the reasonable estimate of the cost of those elements of the work which are subject to the provisions of the principal regulations but such estimate shall exclude the cost of—

- (a) any decorations or fittings (other than those which are subject to the provisions of the principal regulations);
- (b) the insertion of insulating material in the construction of a new cavity wall; and
- (c) any professional fees paid to an architect, quantity surveyor or any other person.

(4) The prescribed fee for the function referred to in regulation 5(a) shall be payable at the time the plans for the project are first deposited and shall be accompanied by the estimate referred to in paragraph (3) and where more than one building is shown on the plans, separate estimates for each such building shall be supplied.

(5) In the absence of an estimate referred to in paragraph (4) (and fee if appropriate) the plans shall not be treated as having been deposited, in accordance with the principal regulations, for the purposes of section 64 of the Public Health Act 1936 until such time as such estimate and appropriate fee have been received by the local authority.

(6) A local authority may not charge a further fee for the passing or rejection

(a) Section 64 was amended by the Public Health Act 1961, sections 10 and 11 and Schedule 1, Part III.

of plans deposited after rejection or of further plans with departures or deviations for essentially the same project.

(7) The prescribed fee for the function referred to in regulation 5(b) shall be payable on demand immediately after the local authority carry out a first inspection of the building for which plans have been deposited.

(8) Where for any reason a local authority fail to give notice of passing or rejection of plans within the period prescribed for the purposes of section 64(2) of the Public Health Act 1936 they shall refund any fee received to the person by whom or on whose behalf it was paid.

SCHEDULE

Regulation 6.

TABLE OF PRESCRIBED FEES

Estimate of cost of relevant work	Fee payable on deposit of plans in £	Fee payable after first inspection in £
under £1,000	0	0
£1,000 and under £2,000	10	15
£2,000 and under £3,000	10	20
£3,000 and under £4,000	14	28
£4,000 and under £5,000	18	36
£5,000 and under £6,000	21	42
£6,000 and under £7,000	24	48
£7,000 and under £8,000	27	54
£8,000 and under £9,000	30	60
£9,000 and under £10,000	33	66
£10,000 and under £12,000	36	72
£12,000 and under £14,000	42	84
£14,000 and under £16,000	47	94
£16,000 and under £18,000	53	106
£18,000 and under £20,000	58	116
£20,000 and under £25,000	64	128
£25,000 and under £30,000	75	150
£30,000 and under £35,000	86	172
£35,000 and under £40,000	98	196
£40,000 and under £45,000	108	216
£45,000 and under £50,000	116	232
£50,000 and under £60,000	130	260
£60,000 and under £70,000	155	310
£70,000 and under £80,000	175	350
£80,000 and under £90,000	190	380
£90,000 and under £100,000	210	420
£100,000 and under £140,000	230	460
£140,000 and under £180,000	300	600
£180,000 and under £240,000	370	740
£240,000 and under £300,000	460	920
£300,000 and under £400,000	550	1,100
£400,000 and under £500,000	700	1,400
£500,000 and under £700,000	820	1,640
£700,000 and up to and including £1,000,000...	1,070	2,140
Thereafter, for each additional £100,000 or part thereof an additional	200	400

Signed by authority of
the Secretary of State
3rd March 1980.

John Stanley,
Minister for Housing and Construction
Department of the Environment.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations, which are made under section 62(3) of the Health and Safety at Work etc. Act 1974, and other powers, prescribe the fees payable to local authorities for the performance of functions of theirs relating to building regulations.

The functions for which fees may be charged are prescribed in Regulation 5.

Regulation 6(3) provides that the appropriate fee is to be calculated in relation to the reasonable estimated cost of the work which is subject to the provisions of the building regulations. The scale of fees is fixed by Regulations 5 and 6(3) and the Schedule to these Regulations.

Regulations 6(4) and (7) indicate when the fees are to be paid.

Regulation 6(5) provides for the situation where the estimate and appropriate fee have not been received by the local authority.

Regulation 6(6) provides that no further fee shall be charged in relation to projects the plans of which have already been subject to a fee under these Regulations.

Regulation 6(8) provides for the refund of a fee where a local authority has failed to give a notice under section 64(2) of the Public Health Act 1936.

