
STATUTORY INSTRUMENTS

2010 No. 2215

The Building (Approved Inspectors etc.) Regulations 2010

[^{F1}PART 3

Supervision of Work by [^{F1}Approver]s

[^{F1}^{F2} Approver]'s consultation with the fire and rescue authority

12.—(1) This regulation applies where an initial notice is to be given or has been given in relation to the erection, extension or material alteration of a relevant building or in relation to building work in connection with a relevant change of use of a building and Part B of Schedule 1 to the Principal Regulations imposes requirements in relation to the work.

(2) Where this regulation applies, the [^{F2}approver] shall consult the fire and rescue authority—

- (a) before or as soon as practicable after giving an initial notice in relation to the work;
- (b) before or as soon as practicable after giving a relevant amendment notice in relation to the work;
- (c) before giving a plans certificate (whether or not combined with an initial notice); and
- (d) before giving a final certificate.

(3) An [^{F2}approver] who is required by paragraph (2) to consult the fire and rescue authority shall give to the fire and rescue authority—

- (a) in a case where the [^{F2}approver] is consulting them in connection with an initial notice or an amendment notice, sufficient plans to show whether the work would, if carried out in accordance with those plans, comply with the applicable requirements of Part B of Schedule 1 to the Principal Regulations; and
- (b) in a case where the [^{F2}approver] is consulting them in connection with the giving of a plans certificate, a copy of the plans in relation to which the [^{F2}approver] intends to give the certificate.

(4) An [^{F2}approver] who is required by paragraph (2) to consult the fire and rescue authority—

- (a) shall have regard to any views they express; and
- (b) shall not give a plans certificate or a final certificate until 15 days have elapsed from the date on which the [^{F2}approver] consulted them, unless they have expressed their views to the [^{F2}approver] before the expiry of that period.

(5) Where a local enactment would, if plans were deposited in accordance with building regulations, require the local authority to consult the fire and rescue authority before or during the carrying out of any work, the [^{F2}approver] shall consult the fire and rescue authority in a manner similar to that required by the enactment.

(6) In this regulation—

Changes to legislation: There are currently no known outstanding effects for the The Building (Approved Inspectors etc.) Regulations 2010, Section 12. (See end of Document for details)

- (a) a “relevant building” is a building or any part of it to which the Regulatory Reform (Fire Safety) Order 2005 ^{M1} applies, or will apply after the completion of building work;
- (b) a “relevant change of use” is a material change of use where, after the change of use takes place, the Regulatory Reform (Fire Safety) Order 2005 will apply, or continue to apply, to the building or any part of it;
- (c) a “relevant amendment notice” is an amendment notice where any of the work specified in the initial notice, as varied by the amendment notice, being work which could not have been carried out under the original notice (“additional work”), concerns the erection, extension or material alteration of a relevant building or is building work in connection with a relevant change of use of a building and Part B of Schedule 1 to the Principal Regulations imposes requirements in relation to the additional work.]

Textual Amendments

- F1** Regulations revoked (E.) (6.4.2024) by The Building (Registered Building Control Approvers etc.) (England) Regulations 2024 (S.I. 2024/110), regs. 1(3), **43(a)(i)** (with regs. 44-47)
- F2** Word in reg. 12 substituted (25.4.2024) by The Building Safety Act 2022 (Commencement No. 5 and Consequential Amendments) (Wales) Regulations 2024 (S.I. 2024/447), regs. 1(1), **3(d)** (with reg. 6)

Marginal Citations

- M1** S.I. 2005/1541.

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