

**NOTIFICATION REQUIREMENTS FOR CONTROLLED SERVICES AND FITTINGS****Purpose**

BCA technical guidance notes are for the benefit of its members and the construction industry to provide information, promote good practice and encourage consistency of interpretation for the benefit of our clients. They are advisory in nature, and in all cases the responsibility for determining compliance with the Building Regulations remains with the building control body concerned.

This guidance note is based upon information available at the time of issue and may be subject to change. The Approved Documents should be consulted for full details in any particular case.

Introduction

This note was originally issued jointly by Competent Person Scheme operator BESCA and LABC to help with correct and consistent advice to building owners, homeowners and contractors regarding the options that are available to ensure correct notification procedures are followed when carrying out work on a controlled service or fittings.

Information from BESCA suggests that building owners etc. may be advised that work to a controlled service or fitting does not require notification under the Building regulations. This is incorrect. Where work to a controlled service is not notified it is, in effect non compliant as the notification process has not been completed.

Such non compliance work may resurface as a problem when the property or building is being sold or rented.

Key Issues

Since April 2006 any service or fitting to which Part L imposes a requirement, is defined as a controlled service, and is building work that must be notified in accordance with requirements of the regulations.

Work which has been installed in accordance with regulation 12, or is not the subject of an Initial Notice, is not therefore fully compliant with the Building Regulations until the work has been reported to local authority building control.

Such work may include installation or replacement of the following:-

- Windows
- Heating appliances, heating systems and/or components
- Air conditioning appliances and systems
- Ventilation appliances and systems
- Hot water heating appliances and storage equipment.
- Microgeneration or renewable source electricity, heating or cooling systems.

The person carrying out the work may choose any one of the following options available for giving notice necessary to satisfy building regulations.

Local Authority Full Plans Route

Work to the controlled service or fitting is specified as part of a Full Plans Application, deposited with a local authority.

Local Authority Building Notice Route

Give a building Notice to the local authority which includes a description of the work to be carried out on the controlled service or fitting.

Approved Inspector Initial Notice Route

The work to the controlled service or fitting is included as part of the work subject to an Initial Notice jointly served on a local authority.

Self Certification Schemes

Only where work is to be carried out under a competent persons scheme, it is not necessary to notify building control in advance of work being carried out. Provided that work is of a type set out in column 1 of Schedule 3 to the Regulations and is carried out by a person registered with a relevant self-certification (competent persons) scheme as set out in column 2 of that Schedule.

A competent person is a business that has been adjudged to be sufficiently competent to self certify that certain types of work as described in Schedule 3 of the regulations complies with the building Regulations of England and Wales.

A competent person must be registered with a scheme relevant to the type of work being carried out, that has been approved by the Department for Communities and Local Government.

Where work is carried out by a person registered with a competent person scheme, Regulation 20 of the Building regulations 2010 and Regulation 20(1) of the Building (Approved Inspectors etc.) Regulations 2010 require that the occupier of the building be given, within 30 days of the completion of the work, a certificate confirming that the work complies with all the applicable Building Regulation requirements. There is also a requirement that the BCB be given a notice that this has been done, or a copy of the certificate, again within 30 days of the completion of the work.

These certificates and notices are usually made available through the scheme operator. BCBs are authorised to accept these certificates as evidence of compliance with the requirements of the Building regulations. However, local authority inspection and enforcement powers remain unaffected, although they would normally only be used in response to a complaint that work does not comply.