



14TH EDITION

THE BUILDING REGULATIONS

EXPLAINED AND ILLUSTRATED

M. J. Billington • S. P. Barnshaw • K. T. Bright • A. Crooks

WILEY Blackwell

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Preface to the fourteenth edition

The thirteenth edition of this book was published in 2007. Since then the Building Regulations have been consolidated and recast and published as the Building Regulations 2010. They came into force on 1 October 2010 and subsequently have been amended no fewer than 10 times. At the same time the Approved Inspector Regulations were also revised and consolidated, coming into force on 1 October 2010 and like the Principal Regulations, these have also been amended several times. To complicate matters further from, 31 December 2011 the responsibility for Building Regulations in Wales was transferred to the Welsh Government. From this date the Welsh Government has been able to amend the Building Regulations specifically for Wales.

At the same time as these changes to the Principal Regulations, many amendments have been made to the Approved Document guidance including the removal of Part N and Approved Document N (except in Wales!) and the inclusion of a new Part Q Security – Dwellings.

For this edition, we are delighted to welcome two new authors to the editorial team - Andy Crooks and Stephen Barnshaw, both of jhai Ltd. With the Regulations becoming ever more complicated it was thought necessary to enlist the expertise of practising professionals in the field of building control and we are grateful for all the hard work they have put in. Specifically, Andy has completely re-written Chapter 7 (Part B - Fire) and Stephen has revised and updated Chapter 10 (Sound Insulation – Part E), Chapter 11 (Ventilation – Part F), Chapter 12 (Sanitation, hot water safety and water efficiency – Part G), Chapter 14 (Combustion Appliances and Fuel Storage Systems – Part J) and Chapter 16 (Conservation of Fuel and Power – Part L).

In detail the following chapters have been completely re-written:

Chapter 5: Work under the supervision of a competent person – revised to take account of the expansion of the types of work now covered by competent person schemes, the consequent increase in their number and complexity and the revisions to the Government terms and conditions that control such schemes.

Chapter 6: Structural Stability – revised to reflect the increased reference to European codes and standards. In order to assist our readers by providing, where possible, as complete a guide to the regulations and Approved Documents as we can in one place, in the previous editions of this book we reproduced the original timber sizing tables from the 1992 edition of AD A. For copyright reasons we are unable to reproduce the Tables from the TRADA document that replaced those earlier AD A Tables and unfortunately, the tables from the 1992 edition no longer comply with Eurocode 5. For these reasons we have decided, reluctantly, not to reproduce the old Approved Document Tables.

Chapter 7: Fire. Fire safety legislation throughout England and Wales was consolidated between 2005 and 2013 with amendments to both the Building Regulations and a

great deal of other fire legislation. Reliance solely on Approved Document B (Volumes 1 and 2) can produce solutions that are unnecessarily complicated and/or expensive, therefore this chapter, whilst concentrating on the Approved Document B guidance, where applicable draws parallels with British Standard 9999 to illustrate the different approaches to design that exist. In December 2011, responsibility for building regulations was transferred to the Welsh Government. Therefore as discussed in some other chapters, the legislation, supporting guidance and enforcement standards in Wales will start to change in the next few years.

In respect of fire safety, this process has already started. The Domestic Fire Safety (Wales) Measure 2011, after being passed by the National Assembly for Wales, received Royal Assent on 7 April 2011. This Measure provides the Welsh Government with the ability to require that new homes are fitted with 'an effectively operating fire suppression system'.

Chapter 8: Materials, workmanship, site preparation and moisture exclusion – for materials and workmanship this chapter has been revised to reflect full implementation of European Regulation 305/2011/EU-CPR covering construction products, referred to as the Construction Products Regulations 2011.

Chapter 12: Sanitation, hot water safety and water efficiency. This chapter covering Part G and Approved Document G, came into force on 6 April 2010 and contained many significant changes from its predecessor to both the legal requirements and the technical guidance. These changes were reflected in a new format, in which AD G now consists of an introduction, six parts and three appendices. Part G now includes guidance on cold water supply and water efficiency in addition to the updated recommendations for hot water supply and systems and sanitary conveniences and washing facilities.

Chapter 14: Combustion appliances and fuel storage systems – revised to reflect the expansion of Part J in 2010 to seven parts with a new requirement covering the provision of carbon monoxide alarms in dwellings where solid fuel appliances are installed. To incorporate this requirement adjacent to the existing requirement for the discharge of products of combustion involved a reordering of the numbering in respect of the various parts.

Chapter 15: Protection from falling, collision and impact. This chapter now incorporates the changes to the Building Regulations in 2013 which extended the Approved Document to Part K (ADK) to incorporate some of the provisions for stairs and ramps previously included in the 2004 edition of Approved Document to Part M (ADM 2004). The new 2013 edition of AD K was also extended to include all of the requirements for manifestation that had previously been shared by AD M and the Approved Document to Part N (ADN). These changes to AD K and AD M in 2013 and a rationalisation of the overlapping guidance covered within them, allowed the withdrawal of AD N.

The changes to AD M in 2013 have subsequently been subsumed into the 2015 edition of Part M and the 2015 edition of Approved Document M. However, caution should be exercised since the changes made in 2013 to Parts K and M and the withdrawal of Part N and the introduction of Part M 2014 and its Approved Document (ADM 2015) apply only to England. They do not apply to Wales. Whilst Wales is in the process of reviewing these and other Regulations, the versions of Parts K, M and N that are relevant in Wales at the time of publication of this book are those that were in force in England and Wales prior to April 2013.

Chapter 16: Conservation of fuel and power. This chapter has been revised to describe the continuing trend towards higher standards of energy conservation thereby ensuring compatibility with the European Energy performance of Buildings Directive (EPBD) and the national government's stated objective to achieve a zero carbon standard for new dwellings by 2016 and in new non-domestic buildings by 2019.

Chapter 17: Access to and use of buildings. See the paragraph on chapter 15 above to see the main changes brought about in Part M and chapter 17. All the substantive changes made in AD M relate to the guidance for 'Buildings other than dwellings' (Regulations M1, M2 and M3). The guidance relating to 'dwellings' (Regulation M4) has been amended to reflect the baseline mandatory requirements only and does not address the optional enhanced requirements.

Chapter 18: Electrical safety – renumbered from the former chapter 19 to reflect the deletion of Part N and its inclusion in chapter 15. The latest 2013 revision of Approved Document P came into force on 6 April 2013. The main changes brought about by the 2013 amendment include changes in the legal requirements as follows:

- The range of electrical installation work that is notifiable (where there is a requirement to certify compliance with the Building Regulations) has been reduced.
- An installer who is not a registered competent person may use a registered third party to certify notifiable electrical installation work as an alternative to using a building control body.
- Approved Document P now refers to BS 7871:2008 incorporating Amendment No. 1:2011.

Chapter 19: Security – this chapter covers the new Part Q of Schedule 1 to the 2010 Regulations (as amended) and is concerned with the prevention of unauthorised access to new dwellings. It was introduced in the Building Regulations &c. (Amendment) Regulations 2015 (SI 2015 No. 767). The amendment regulations came into force generally on 18 April 2015; however, Part Q did not come into force until 1 October 2015. It follows the lead of the Scottish Executive where security provisions have been part of the Scottish Building Regulations and Standards for a number of years.

Appendix: Local Acts of Parliament- this appendix has been omitted from the 14th edition of this book as all of the former local act provisions have now been incorporated into the building regulations or have been repealed.

As always, the aim of this book is to provide a convenient and straightforward guide and reference to a complex and constantly evolving subject. It must be stressed that this book is a guide to the Regulations and approved and other documents, and is not a substitute for them. We hope that it may shed light on some of the more obscure and difficult to understand parts of the source documents. It should also be stressed that the guidance in the Approved Documents is not mandatory and differences of opinion can quite legitimately exist between controllers and developers or designers as to whether a particular detail in a building design does actually satisfy the mandatory functional requirements of the Building Regulations.

The intended readers of this book are all those concerned with building work – architects and other designers, building control surveyors, members of competent person schemes, building surveyors, clerks of works, services engineers and contractors etc. – as well as

their potential successors, the current generation of students on built environment and architectural courses. This book is designed to be of use to both students and teachers and it is gratifying that successive editions are widely adopted by various academic institutions and professional bodies.

We are grateful to Tim Burgin at jhai Ltd for his invaluable help with the diagrams for Chapter 7. As always, we are especially grateful to Paul Sayer, Publisher (Civil Engineering and Construction) at John Wiley & Sons Ltd and his editorial team, for their help, patience and interest during the production of this edition.

The law is stated on the basis of cases reported and other material available to us on 1 October 2016.

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Stop press

As often happens, as we were about to go to press a new Part R – *Physical infrastructure for high-speed electronic communications networks* came into force on 1 January 2017. It applies in England and to building work carried out on excepted energy building in Wales as defined in the Welsh Ministers (Transfer of Functions) (No.2) Order 2009.

It contains one regulation R1 entitled '*In-building physical infrastructure*'

R1 states:

- (1) Building work must be carried out so as to ensure that the building is equipped with a high-speed-ready in-building physical infrastructure, up to a network termination point for high-speed electronic communications networks.
- (2) Where the work concerns a building containing more than one dwelling, the work must be carried out so as to ensure that the building is equipped in addition with a common access point for high-speed electronic communications networks.

The requirement applies to building work that consists of:

- (a) The erection of a building; or
- (b) Major renovation works to a building.

The practical effect of R1 is that a duct must be provided from the service provider's access point in the building to where the occupier's network termination point is sited. Where a standard copper telephone cable is installed and connected to the service provider's fibre network this will satisfy the requirement.

Acknowledgements

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All other documents referred to in the text are fully cited and may be obtained from the usual technical bookshops.



Legal and administrative

1

Building control: An overview

1.1 Introduction

The building control system in England and Wales was radically revised in 1985. After a long period of gestation, Building Regulations were laid before Parliament and came into general operation on 11 November 1985. They applied to Inner London from 6 January 1986. Subject to specified exemptions, all building work (as defined in the regulations) in England and Wales is governed by Building Regulations.

Wales has its own regulations, and from 31 December 2011, the responsibility for Building Regulations in Wales was transferred to the Welsh Government. From this date the Welsh Government is able to amend them specifically for Wales.

The current regulations are the Building Regulations 2010 which came into force on 1 October 2010. The 2010 Regulations have been amended ten times since then, the latest being the Building Regulations &c. (Amendment) Regulations 2015 (SI 2015/767) which came into force at various times between 18 April 2015 and 31 December 2015, and the provisions of all these amendments are reflected in this book. It should be noted that SI 2015/767 does not apply in relation to any building in Wales other than an 'excepted energy building' as defined in the Schedule to the Welsh Ministers (Transfer of Functions) (No. 2) Order 2009.

A separate system of building control applies in Scotland and in Northern Ireland.

The power to make Building Regulations is vested in the Secretary of State by section 1 of the Building Act 1984 which sets out the basic framework. Building Regulations may be made for the following broad purposes:

- Securing the health, safety, welfare and convenience of people in or about buildings and of others who may be affected by buildings or matters connected with buildings.
- Furthering the conservation of fuel and power.
- Preventing waste, undue consumption, misuse or contamination of water.

The 2010 Regulations are relatively short and contain no technical detail. That is found in a series of Approved Documents and certain other non-statutory guidance, all of which refer to other non-statutory documents such as National Standards, European Standards, European Technical Approvals or Technical Specifications (e.g. British Standards, Agrément Certificates), with the objective of making the system more flexible and easier to use.

The 2010 Regulations implement the final conclusions of a major review of both the technical and procedural requirements.

A significant feature of the system is that there are alternative systems of building control – one by local authorities and the other a private system of certification which relies on ‘approved inspectors’ operating under a separate set of regulations called The Building (Approved Inspectors, etc.) Regulations 2010. These regulations have also been amended since 2010. These set out the detailed procedures for operating the system of private certification and came into effect at the same time as the main regulations. Since April 2002 a further system of approval has been added whereby certain competent persons can self-certify their work as complying with the Building Regulations. This system is fully discussed in Chapter 5.

1.2 The Building Act 1984

The Building Act 1984 received the Royal Assent on 31 October 1984 and the majority of its provisions came into force on 1 December 1984. It consolidated most, but not all, of the primary legislation relating to building which was formerly scattered in numerous other Acts of Parliament. Since 1984 the Act has been amended on numerous occasions by a variety of other statutory provisions. The comments in this section reflect the state of the Act at the date of this publication.

Part I of the Building Act 1984 is concerned with Building Regulations and related matters, whilst Part II deals with the system of private certification discussed in Chapter 4. Other provisions about buildings are contained in Part III which, amongst other things, covers drainage and the local authority’s powers in relation to dangerous buildings, defective premises, etc.

The provisions of the 1984 Act are of the greatest importance in practice, and many of them are referred to in this and the subsequent chapters.

‘Building’ is defined in the 1984 Act in very wide terms. A building is ‘any permanent or temporary building, and, unless the context otherwise requires, it includes any other structure or erection of whatever kind or nature (whether permanent or temporary)’. ‘Structure or erection’ includes a vehicle, vessel, hovercraft, aircraft or other movable object of any kind in such circumstances as may be prescribed by the Secretary of State. The Secretary of State’s opinion is, however, qualified. The circumstances must be those which ‘in [his] opinion ... justify treating it ... as a building’.

The result of this definition is that many things which would not otherwise be thought of as a building may fall under the Act – fences, radio towers, silos, air-supported structures and the like.

In the past, doubt has been cast over the status of structures such as residential park homes and marquees. Provided that a residential park home conforms to the definition given in the Caravan Sites and Control of Development Act 1960 (as augmented by the Caravan Sites Act 1968), it is exempt from the definition of ‘building’ contained in the regulations, and according to the *Manual to the Building Regulations*, a marquee is not regarded as a building.

Happily, as will be seen, there is a more restrictive definition of ‘building’ for the purposes of the 2010 Regulations, but a comprehensive definition is essential for general

purposes, e.g. in connection with the local authority's powers to deal with dangerous structures. Hence the statutory definition is necessarily couched in the widest possible terms. In general usage (and at common law) the word 'building' ordinarily means 'a structure of considerable size intended to be permanent or at least to last for a considerable time' (*Stevens v. Gourelly* (1859) 7 CBNS 99), and considerable practical difficulties arose as to the scope of earlier Building Regulations which the 1984 definition has removed.

In *Seabrink Residents Association v. Robert Walpole Campion and Partners* (1988) (6-CLD-08-13; 6-CLD-08-10; 6-CLD-06-32), for example, the High Court held that walls and bridges on a residential development were not subject to the then Building Regulations 1972 because they were not part of 'a building'. The development was not to be considered as a homogenous whole. The then regulations, said Judge Esyr Lewis QC, were 'concerned with structures which have walls and roofs into which people can go and in which goods can be stored'. Each structure in the development must be looked at separately to see whether the regulations applied. 'Obviously a wall may be part of a building and so, in my view, may be a bridge.'

1.3 The linked powers

Local authorities exercise a number of statutory public health functions in conjunction with the process of building control, although these have been reduced in recent years, for example, controls on construction of drains and sewers. These provisions are commonly called 'the linked powers' because their operation is linked with the local authority's building control functions, both in checking deposited plans or considering a building notice, and under the approved inspector system of control. Many of the former linked powers have been brought under the Building Regulations, but local authorities are responsible for certain functions now found in the 1984 Act. In those cases, the local authority must reject the plans (or building notice) or the approved inspector's initial notice if relevant compliance is not achieved or else must impose suitable safeguards. The relevant provisions are:

- (a) Section 21 – Provision of drainage. Although subsections (1) and (2) of this section have been replaced by requirement H1 of Schedule 1 to the Building Regulations 2010 (see Chapter 13, section 13.3), a local authority (or on appeal a magistrates' court) may still require a proposed drain to connect with a sewer where that sewer is within 100 feet of the site of the building. In cases where the sewer is located more than 100 feet from the site of the building, the local authority may still require connection to that sewer if they undertake to bear the additional cost (i.e. for the length of drain in excess of 100 feet) of construction, maintenance and repair. Disputes regarding the cost of the additional work may be referred to the magistrates' court. Additionally, the local authority can insist that the drainage connects to a nearby public sewer. Disputes under section 21 are dealt with by a magistrates' court. A related provision is section 98 of the Water Industry Act 1991 under which owners or occupiers of premises can require the water authority to provide a public sewer for domestic purposes in their area, subject to various conditions which can include in an appropriate case the making of a financial contribution.

- (b) Section 22 – Drainage of building in combination. The powers of a local authority under section 21 are extended by this section so that, where two or more buildings are involved, the local authority may require them to be drained in combination (instead of each making a separate connection) into an existing sewer. As for section 21, the drain may be constructed by the owners (or by the local authority on their behalf) and the expenses of construction, maintenance and repair may be proportioned between each owner and the local authority as appropriate. Disputes regarding the cost of the apportionment may be referred to the magistrates' court.
- (c) Section 25 – Provision of water supply. This section requires the local authority to reject plans of a house submitted under the Building Regulations unless they are satisfied with the proposals for providing the occupants with a sufficient supply of wholesome water for domestic purposes, by pipes or otherwise. The water supply can be provided in any of the following ways:
- by connecting the house to a water supply provided by a water undertaker (i.e. a mains supply);
 - where it is not reasonable to connect to a mains supply (in remote country districts there may be no mains supply) by taking the water into the house by means of a pipe (e.g. from a well or spring);
 - where circumstances exist which make either of the foregoing solutions unreasonable, the supply of water may be located within a reasonable distance of the house.

This last solution is interesting when considered against the requirements of paragraph G5 of Schedule 1 to the Building Regulations. G5 demands that in a dwelling a *'bathroom must be provided containing a wash basin and either a fixed bath or shower bath'*. It is difficult to see how this could be achieved if a water supply is not provided in the dwelling.

The wholesomeness of water is judged by reference to section 67 of the Water Industry Act 1991 (standards of wholesomeness of water) as read with regulations made under that Act (i.e. the Water Supply (Water Quality) Regulations 2001). Disputes are determined by the magistrates' court. A related provision is section 37 of the Water Industry Act 1991, which enables a landowner who proposes to erect buildings to require the water authority to lay necessary mains for the supply of water for domestic purposes to a point which will enable the buildings to be connected to the mains at a reasonable cost, a provision which is of considerable use to developers.

1.4 Building Regulations

The Secretary of State is given power to make comprehensive regulations about the provision of services, fittings and equipment in or in connection with buildings, as well as about the design and construction of buildings. A very comprehensive list of the subject matter of Building Regulations is contained in Schedule 1 of the 1984 Act. The Regulations are supported by Approved Documents, giving 'practical guidance' (see section 2.3).

Building Regulations may include provision as to the deposit of plans of executed, as well as the proposed work, for example, where work has been done without the deposit of plans or there has been a departure from the approved plans. Broad powers are given to make Building Regulations about the inspection and testing of work and the taking of samples.

Prescribed classes of buildings, services, etc. may be wholly or partially exempted from regulation requirements. Similarly, the Secretary of State may, by direction, exempt any particular building or buildings at a particular location.

Schedule 1 of the 1984 Act is a flexible provision and covers the application of the regulations to existing buildings. It enables regulations to be made regarding not only alterations and extensions but also the provision, alteration or extension of services, fittings and equipment in or in connection with existing buildings. It also enables the regulations to be applied on a *material change of use* as defined in the regulations and, very importantly, makes it possible for the regulations to apply where reconstruction is taking place, so that the regulations can deal with the whole of the building concerned and not merely with the new work.

The 1984 Act contains enabling powers for the making of regulations on a number of procedural matters (Fig. 1.1).

The regulations made and currently in force are:

- The Building Regulations 2010 (as amended)
- The Building (Approved Inspectors, etc.) Regulations 2010 (as amended)
- The Building (Local Authority Charges) Regulations 2010
- The Building (Inner London) Regulations 1985

Most of these regulations have been amended, in some cases several times, and care should be taken to ensure that the most recent amendments are being used.

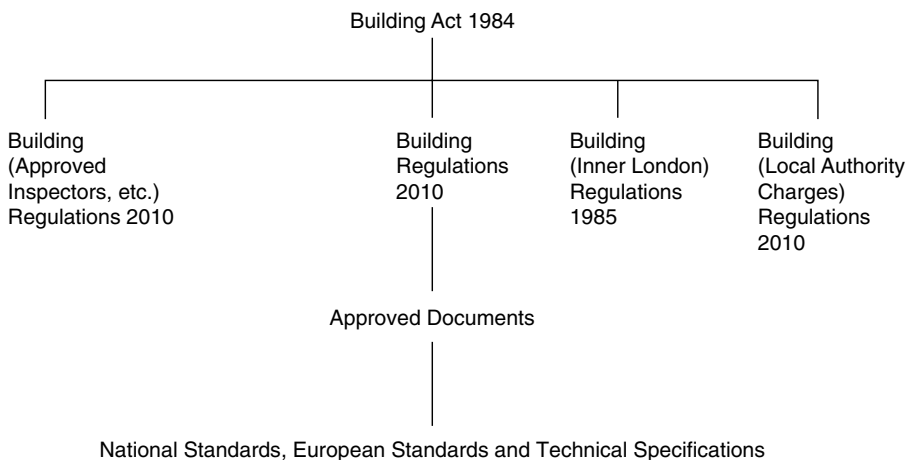


Fig. 1.1 Building control: the legislative scheme.

1.5 Building Regulations: Exemptions

1.5.1 Crown immunity

The Building Regulations do not apply to premises which are occupied by the Crown. It is an established rule of statutory interpretation that the Crown is not bound by an Act of Parliament except by express provision or necessary implication. Therefore, an Act of Parliament must specifically state that the Crown is covered by the provisions in order that it be bound by them, and, in fact, there is a provision in section 44 of the Building Act 1984 to apply the substantive requirements of the regulations to Crown buildings but this has never been activated.

In practice, it is normal for government department building work to be designed and constructed in accordance with the Building Regulations. In some areas the plans and particulars may even be submitted to the local authority for comment, although it is more usual for these to be scrutinised by specialist companies (replacing the service which was formally given by the Property Services Agency) who will also carry out on-site inspections of the works in progress. Even so, such companies have no legal control over the work and cannot take enforcement action in the event of a breach of the Regulations.

Interestingly, Crown premises are not exempt from control under the Regulatory Reform (Fire Safety) Order 2005, which replaced the former fire certification system under the Fire Precautions Act 1971. However, where independent inspection is needed of such premises, they are inspected *not* by the relevant fire and rescue authority but by the Crown Premises Inspection Group within the Home Office Fire Service Inspectorate, a bureaucratic anomaly, which has attracted much criticism. Unfortunately, the powers of entry to premises contained in the former 1971 Act (and now contained in the Regulatory Reform (Fire Safety) Order 2005) do not apply to premises occupied by the Crown.

According to the Building Act 1984, a Crown building is defined as ‘*a building in which there is a Crown interest or a Duchy interest*’. This definition necessitates the following additional definitions:

Crown interest means – ‘*an interest belonging to Her Majesty in right of the Crown, or belonging to a government department, or held in trust for Her Majesty for the purposes of a government department*’

Duchy interest means – ‘*an interest belonging to Her Majesty in right of the Duchy of Lancaster, or belonging to the Duchy of Cornwall*’.

Examples of Crown buildings include not only the Royal Palaces, the Houses of Parliament, 10 Downing Street, etc. but also all government offices (such as local Job Centres) across England and Wales.

Over the years a number of bodies have lost Crown immunity. These include:

- Health Service Premises – under the provisions of section 60 of the National Health Service and Community Care Act 1990, health service bodies are no longer regarded as the servant or agent of the Crown in respect of land over which they have powers of disposal or management or which is otherwise used or occupied by them. Subsection

(7) of section 60 defines *Health Service Bodies* in relation to England and Wales as a Family Health Services Authority, the Dental Practice Board and the Public Health Laboratory Service Board. In practice, this covers regional, district and special health authorities and means that health service buildings are now subject to the full substantive and procedural provisions of building, planning and fire precautions legislation enforceable by local authorities.

- The Metropolitan Police – although no longer regarded as servants or agents of the Crown, the Metropolitan Police Authority has been exempted from having to comply with the procedural requirements of the Building Regulations, using the powers available under section 5 of the Building Act 1984 (exemption of public bodies from the procedural requirements and enforcement of Building Regulations). However, it is still required to comply with the substantive or technical requirements of the Regulations. As an exempt body the Metropolitan Police Authority is also exempt from enforcement procedures by local authorities. Instead, the Metropolitan Police Authority as a ‘*Public Body*’ is bound by the provisions of the Building Act 1984, section 54 (Supervision of their own work by public bodies) and by Part VII (Public Bodies) of the Building (Approved Inspectors, etc.) Regulations 2010 (as amended).

Finally, the reorganisation of the Post Office has meant that, whilst the Royal Mail was regarded as Crown property after privatisation in 2013 this is no longer the case. Post Office Counters is not regarded as Crown property.

1.5.2 Building Act exemptions

Taken together, the Building Act 1984 and the Building Regulations 2010 (as amended) exempt certain uses of buildings and many categories of work from control as is illustrated by the following examples.

- As a result of the repeal of regulation 8 of the Education (Schools and Further and Higher Education) Regulations 1989, maintained schools in England ceased to have exemption from the Building Regulations from 1 April 2000. A similar situation has existed in Wales since 1 January 2002 following the passing of the Education (Schools and Higher and Further Education) (Amendment) (Wales) Regulations 2001. As a result, building works at schools are now treated in the same way as in other user groups and are subject to normal building control procedures. This is a change in the approval process, meaning that building regulation submissions in respect of work to maintained schools now have to be made to the appropriate building control body (local authority or Approved Inspector) but does not affect the standards applicable to schools. The change does not affect in any way the status of the Education (School Premises) Regulations 1999, which continues to apply to all schools. These regulations cover general standards of provision of facilities, such as:
 - in day schools, accommodation for washrooms, medical purposes, staff, cloakrooms, canteens, etc.;
 - in boarding schools, accommodation for sleeping, washing (including bathrooms), living (for study outside school hours and for social purposes), preparing and consuming meals, medical purposes, staff and storage.

They also cover general constructional requirements such as:

- structural stability;
- weather protection;
- means of escape in case of fire and other health, safety and welfare issues;
- acoustics, lighting, heating and ventilation;
- water supplies and drainage.

For many years, constructional standards for schools were set by the former Department for Education and Science (DfES) in England (now the Department for Education (DfE)) and the National Assembly for Wales in Wales, the most recent ones being the School Premises Regulations 2012 which came into force on 31 October 2102. Virtually all of the requirements of these standards for school buildings have now been incorporated into the building regulation Approved Documents, which sometimes refer to DfE *Building Bulletins* as alternatives to the normal Approved Document guidance. For example:

- Ventilation provisions in schools can be made in accordance with the guidance in DfE Building Bulletin 101, *Ventilation of school buildings* (http://www.nfan.co.uk/pdfs/building_bulletin_school_buildings.pdf), and in The Education (School Premises) Regulations 1999. In spaces where noxious fumes may be generated, additional provision for ventilation should be made and may require the use of fume cupboards. Fume cupboards in schools should comply with DfE Building Bulletin 88, *Fume cupboards in schools*, 1998.
- For acoustics, Approved Document E (*Resistance to the passage of sound*) refers the reader to Building Bulletin 93 (*The acoustic design of schools*) for guidance on acoustic conditions and disturbance by noise (see Chapter 10, section 10.11).

Care should be taken to use the most recent edition of these alternative sources of guidance since they are regularly updated by DfE.

Further information on alternative sources of guidance can be obtained from the Schools Assets Team, Education Funding Agency, Area D, Ground Floor, Mowden Hall, Staindrop Road, Darlington, Co Durham DL3 9BG. Tel (01325) 735791. E-mail: schoolsassets.EFACapital@education.gsi.gov.uk.

- *Statutory undertakers and other public bodies* – Under section 4 of the Building Act 1984, a building belonging to a statutory undertaker, the United Kingdom Atomic Energy Authority, or the Civil Aviation Authority is exempt from the application of Building Regulations, provided that the building in question is held or used by them for the purposes of their undertaking.

‘Statutory undertaker’ as defined in section 126 of the Building Act 1984 (as amended) means ‘*persons authorised by an enactment or statutory order to construct, work or carry on a railway, canal, inland navigation, dock harbour, tramway or other public undertaking*’.

From this definition it is clear that Post Offices (i.e. the actual high street ‘shops’ where the public resort for postal services) are no longer regarded as statutory undertakers within the meaning of section 126; consequently they are now required to comply with the Building Regulations, including submissions of work to the appropriate building control body. Interestingly, Royal Mail (which deals with the collection, sorting and delivery of mail) was still regarded as a Crown body until privatisation in 2013 and is therefore no longer exempt from compliance with the Building Regulations.