

East Midlands Building Consultancy

Guidance Note – New Regulations

INTRODUCTION OF NEW BUILDING REGULATIONS WITH EFFECT FROM 1ST OCTOBER 2023

The Building Regulations 2010 as amended in 2023 introduced the role of duty holders. There are three new duty holders defined in the amended regulations:

- Client, including Domestic Clients – Previously known as the Applicant.
- Principal Designer – Previously known as the Agent.
- Principal Contractor – Previously known as the Builder.

The regulations require that all duty holders are obliged to have arrangements and systems in place to plan, manage and monitor both the design work and the building work to ensure compliance with building regulations. This includes residential homeowners who may be embarking on a project for the first time.

The duty to ensure compliance remains with those who procure the building work and those who have key roles in the design and construction process and who are responsible for ensuring that building work is designed and built to be compliant with building regulations.

The duty holders are required to work together to ensure that the project complies with the requirements of the regulations and ultimately ensures that the Building Control Body can issue its completion certificate which demonstrates compliance.

Stakeholder's Duties

Domestic Clients – A domestic client means a client for whom a project is being carried out which is not in the course or furtherance of a business of that client.

Main duties – Where there is more than one person working on different aspects of the project, a Domestic Client should appoint a Principal Designer to be in control of design work and a Principal Contractor to be in control of the building work. If a Domestic Client does not appoint either a Principal Designer or Principal Contractor, then the designer in control of the design phase of the project is the principal designer and the contractor in control of the construction phase of the project is the principal contractor.

The Domestic Client must provide building information that they have, or it would be reasonable for them to obtain, to designers and contractors working on the project.

The Domestic Client must cooperate with anyone working on or in relation to the project to the extent necessary to enable them to comply with their duties or functions.

Principal Designer's (PD) – A designer appointed by the client/domestic client in projects involving more than one contractor. They can be an organisation or an individual with sufficient knowledge, experience and ability to carry out the role.

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Main duties – Plan, manage and monitor the design work during the design phase, take all reasonable steps to ensure the design work carried out by them and anyone under their control is planned, managed and monitored so that the design is such that, if built, it would comply with all relevant requirements of the building regulations.

The Principal Designer should ensure that they, and all those working on the project, co-operate, communicate and coordinate their work with the client, the Principal Contractor, and other designers and contractors.

The Principal Designer should liaise with the Principal Contractor and share information relevant to the building work Assist the client in providing information to others.

Principal Contractors (PC) – A contractor appointed by the client to coordinate the construction phase of a project where it involves more than one contractor.

Main duties – Plan, manage and monitor the design work during the building work, cooperate with the client, the Principal Designer, and other designers and contractors to the extent necessary to ensure that the work complies with all relevant requirements of the building regulations, ensure that they, and all those working on the project, co-operate, communicate and coordinate their work with the client, the Principal Designer, and other designers and contractors, liaise with the Principal Designer and share information relevant to the building work, assist the client in providing information to others

Client – Organisations or individuals for whom a construction project is carried out that is done as part of a business.

Main duties – Make suitable arrangements for planning, managing and monitoring a project, including the allocation of sufficient time and resource, to deliver compliance with building regulations. In practice, this means appointing the right people, with the right competencies (the skills, knowledge, experience and behaviours) for the work and ensuring those they appoint have systems in place to ensure compliance with building regulations.

Where there are several firms working on different aspects of the project, the client will need to appoint a Principal Designer to be in control of design work and a Principal Contractor to be in control of the building work.

The Client should provide building information to every designer and contractor on the project and have arrangements to ensure information is provided to designers and contractors to make them aware that the project includes any existing or proposed higher-risk building work

The Client should cooperate and share information with other relevant duty holders. To help all duty holders, overleaf we have provided a summary of our two submission routes.

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If you are unsure whether or not the work you propose requires approval please contact East Midlands Building Consultancy for advice. If you carry out work which requires approval without first submitting an application, you will not benefit from having the work independently inspected and you risk enforcement action. The lack of a completion certificate from the Council may affect the future sale of your home.

Please note that these guidance notes are for advice only and may not cover all situations. It is your responsibility to ensure that they are appropriate for use in your particular circumstance.

For further information contact East Midlands Building Consultancy.