

Guidance on the introduction of new Building Regulations with effect from 1st October 2023

The Building Regulations 2010 as amended in 2023 introduced the role of dutyholders.

There are three new dutyholders 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 tell us that all dutyholders 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, residential homeowners are referred to as Domestic Clients.**

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 dutyholders 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.

This guide sets out the duties of each stakeholder

Clients (including domestic clients) need to ensure that those they appoint are competent (have the necessary, skills, knowledge, experience and behaviours) or if they appoint an organisation, the organisational capability, to carry out the design work and building work they are engaged to do and only undertake work within the limits of that competence.

A duty holder can be an organisation or an individual, and a duty holder can carry out the role of more than one duty holder, provided they have the skills, knowledge, experience and (if an organisation) the organisational capability and competence necessary to carry out those roles.

Main duties of each stakeholder

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 – what they must do

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.

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

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.

The responsibilities of Clients other than Domestic Clients can be found further down this document.

Principal Designers (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.

Main duties – what they must do

- 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.
- Ensure that they, and all those working on the project, co-operate, communicate and co-ordinate their work with the client, the Principal Contractor, and other designers and contractors.
- Liaise with the Principal Contractor and share information relevant to the building work Assist the client in providing information to others.

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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 – what they must do

- 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 co-ordinate 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 – what they must do

- 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.
- 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
- Cooperate and share information with other relevant dutyholders.

To help all dutyholders, overleaf we have provided a summary of our two submission routes.

When a Client or domestic Client instructs Building Control, they will be able to choose one of two submission routes:

[Make a Full Plans Application or submit a Building Notice](#)

It is common practice for a Client/Domestic Client to delegate the submission of the relevant paperwork to their Principal Designer or Principal Contractor. The table below provides a quick summary to help you choose the best route

Note a Building Notice cannot be used for works to commercial properties.	Full Plans Application Usually submitted by Principal Designer	Building Notice Usually submitted by the Domestic Client or their Principal Contractor
Plans	Projects where a Client/Domestic Client has appointed a Principal Designer to provide them with detailed construction/structural plans and designs. These will be in addition to those provided to your Local Planning Authority	Projects where there are no detailed plans and designs, or they are limited to structural drawings. There are some projects where a Building Notice is not permissible, and we will advise you should the circumstances arise.
Project Types	New Dwellings Extensions New Garages Flats All works related to commercial buildings	Simple projects in domestic buildings such as: New Dwellings Extensions New Garages Removal of internal walls Garage Conversions Replacement windows & doors not carried out by a competent person
Dutyholders	Client/Domestic Client Principal Designer Principal Contractor (usually appointed after the Full Plans Application is submitted)	Domestic Clients Principal Designer is a structural engineer Principal Contractor (This person is likely to be the key contact for the Domestic Client)
Fees – The total fees payable for each route is the same, but there are some differences.	Fees are payable in 2 stages Stage 1 when Full Plans Application is submitted Stage 2 when work commences on site	All Fees are submitted when a Building Notice is submitted.
Timescales – Once a Full Plans application or Building Notice has been validated you have three	This route is used when the project is not commencing for some months and you may still be going through the planning process.	This route is used when the project is starting within a matter of weeks. You will have obtained your planning approval if required and may have engaged a

years for the work to commence on site.	Although you have appointed a designer, you may still have to appoint your Principal Contractor.	Structural Engineer to provided calculations, but you do not require detailed construction plans to be checked by us.
End of Project	<p>A Final Inspection must be booked within 5 days of work completing.</p> <p>All registrations that are required such as those needed for electrical and boiler competent persons must be completed and notified to us.</p> <p>All documentation including final plans are held by the Client/Domestic Client.</p> <p>Once a satisfactory final inspection has been completed we will issue a Completion Certificate to the Client/Principal Client. This is an important document which will be needed if the property is sold or re-mortgaged.</p>	

All applications that are validated by us from 1 October onwards will be treated under the regulations that are now in force, including those that were submitted prior to this date for which an "On Hold" email was sent.