

2024 No. 645

BUILDING AND BUILDINGS, ENGLAND AND WALES

The Building (Amendment) (England) Regulations 2024

<i>Made</i> - - - -	<i>14th May 2024</i>
<i>Laid before Parliament</i>	<i>15th May 2024</i>
<i>Coming into force</i> - -	<i>1st October 2024</i>

The Secretary of State makes these Regulations in exercise of the powers conferred by section 1 of, and paragraphs 7, 8 and 10 of Schedule 1 to, the Building Act 1984 (a).

The Secretary of State has consulted the regulator and such other persons as the Secretary of State considers appropriate in accordance with section 120B of the Building Act 1984(b).

Citation, commencement, extent, application and interpretation

1.—(1) These Regulations may be cited as the Building (Amendment) (England) Regulations 2024.

(2) These Regulations come into force on 1st October 2024.

(3) These Regulations extend to England and Wales and apply to buildings and building work in England.

(4) In this regulation “building” and “building work” have the meanings given in regulation 2(1) of the Building Regulations 2010(c).

Amendments to the Building Regulations 2010

2.—(1) The Building Regulations 2010 are amended as follows.

(2) In regulation 3(3) (meaning of building work), after “Part M (access to and use of buildings)”, insert on a new line “Part T (Toilet Accommodation)”.

(3) In regulation 6(1)(a) (requirements relating to material change of use), after “S2 (infrastructure for the charging of electric vehicles)” insert on a new line “T1 (Toilet Accommodation)”.

(4) In Schedule 1 (requirements) after Part S insert the following new Part—

(a) 1984 c.55. Section 1 was amended by section 1(1) to (3) of the Sustainable and Secure Buildings Act 2004 (c.22) and by paragraph 2 of Schedule 5 to the Building Safety Act 2022 (c.30).
(b) Section 120B was inserted by paragraph 77 of Schedule 5 to the Building Safety Act 2022 (c.30).
(c) S.I. 2010/2214 as amended by S.I. 2021/1392 and 2023/911. There are other amending instruments, but none are relevant to this instrument.

“PART T TOILET ACCOMMODATION

- T1.**—(1) Toilet accommodation in Requirement T1 does not apply to—
buildings other than dwellings—
- (a) must consist of—
 - (i) reasonable provision for male and female single-sex toilets, or
 - (ii) where space precludes provision of single-sex toilets, universal toilets, and
 - (b) may consist of universal toilets in addition to single-sex toilets.
- (2) In this requirement—
“single-sex toilet” means toilet facilities which—
- (a) are intended for the exclusive use of persons of the same sex, and
 - (b) provide washbasins and hand-drying facilities in—
 - (i) either the toilet room or cubicle, or
 - (ii) a separate area intended for use only by persons of that sex.
- “universal toilet” means toilet facilities which—
- (a) are provided in a fully enclosed room which contains a water-closet and washbasin and hand-drying facilities, and
 - (b) is intended for individual use by persons of either sex.
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Transitional provision

3.—(1) The amendments made by regulation 2 do not apply in relation to building work on a particular building where a building notice, an initial notice, or an application for building control approval with full plans, has been given to the relevant authority in respect of that building before 1st October 2024 and either the building work to which it relates is sufficiently progressed before that day or is sufficiently progressed within the period of 6 months beginning on that day.

(2) For the purpose of this transitional provision, building work is to be regarded as ‘sufficiently progressed’—

- (a) where the building work consists of the construction of a building, when the pouring of concrete for the permanent placement of the trench, pad or raft foundations has started, or the permanent placement of piling has started,

- (b) where the building work consists of work to an existing building, when that work has started, or
- (c) where the building work consists of a material change of use of a building, when work to effect that change of use has started.

(3) In this regulation, “application for building control approval with full plans”, “building notice”, “initial notice” and “relevant authority” have the meanings given in regulation 2(1) of the Building Regulations 2010.

Signed by authority of the Secretary of State for Levelling Up, Housing and Communities

Lee Rowley
Minister of State

14th May 2024

Department for Levelling Up, Housing and Communities

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Building Regulations 2010 (S.I. 2010/2214) as they apply in relation to England to set requirements in respect of toilet accommodation in buildings other than dwellings.

Regulation 2(4) inserts a new Part T into Schedule 1 (requirements) to the Building Regulations 2010 to require male and female single-sex toilets in buildings other than dwellings. Universal toilets may be provided in addition to single-sex toilets or where space precludes provision of single-sex toilets. Limits on the application of this requirement exclude en-suite facilities in individual rooms for residential purposes, residential rooms in care homes, schools and premises used wholly or mainly for early years provision and cellular accommodation in custodial facilities.

Regulation 3 contains transitional provisions. The new requirement will not apply where a building notice, an initial notice, or an application for building control approval with full plans, has been given to the relevant authority in respect of that building, before the day the Regulations come into force and the work has either started by that day or starts in the 6 months following that day.

An impact assessment of the effect that this instrument will have on the costs to business, the voluntary sector and the public sector is available with the explanatory memorandum for these Regulations at www.legislation.gov.uk. A copy is also available from the Department of Levelling Up, Housing and Communities, 2 Marsham Street, London SW1P 4DF.

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