

*Communities and Local
Government Common
Commencement Dates*

Statement of forthcoming regulations in 2007

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On 5th May 2006 the responsibilities of the Office of the Deputy Prime Minister (ODPM) transferred to the Department for Communities and Local Government.

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Introduction

This annual statement is intended to provide businesses with an indication of when new, amended or reduced requirements on them will be coming into effect over the coming year. These regulations will, wherever possible, be implemented on one of two 'Common Commencement Dates' (CCDs) each year. These are **6th April and 1st October**.

Every effort has been made to align to a CCD, but occasionally this does not prove possible. There are also some exceptions that readers should be aware of:

- EU regulations are exempt from CCDs due to the deadlines imposed when transposing Directives into UK law.
- CCDs do not apply to emergency legislation, where there would be a significant public cost or if it would cause detriment to a particular sector of business.

Changes to the Annual Statement

It should be noted that this statement provides an **indication of forthcoming regulations** and **is not a commitment by the Department to commence regulations as listed**. Certain measures may be deferred or, where necessary, brought forward. As such, this report will be updated in the summer and stakeholders are advised to sign up for our electronic news alerts to keep aware of developments in their area. This can be done at www.communities.gov.uk

Table of Forthcoming Regulations – 2007

POLICY AREA	TITLE	DESCRIPTION	IN FORCE DATE	FURTHER INFORMATION
Building Regulations	Electronic Communications	This Proposal is to amend the Building Act 1984 through legislation; the Building Regulations 2000 and the Building (Approved Inspectors) Regulations 2000, to enable the use of electronic communications for some of the applications and notices associated with the Building Regulations.	1 October 2007	
	Sustainable and Secure Buildings Act 2004	The proposal is to commence Section 7 of the Sustainable and Secure Buildings Act 2004, which amends Section 56 of the Building Act 1984. The aim is to make regulations which will require local authorities to keep a Register of their prescribed building control information and documents which relates to their own building control service as well as that of Approved Inspectors and Competent Persons.	1 October 2007	
	Amendment to Part B (Fire Safety) of the Building Regulations and Approved Document B	<p>The objective is to improve the overall level of fire safety in buildings in England and Wales where relevant building work is carried out by reducing the size and consequence of fires and thereby saving lives and preventing injuries.</p> <p>The Building and Approved Inspectors (Amendment) (No.2) Regulations 2006 (SI 2006/3318) introduce a new Regulation that requires builders/ developers of those buildings to which the Regulatory Reform (Fire Safety) Order (RR(FS)O) applies (i.e. non-domestic buildings and the common parts of blocks of flats) to pass on information about fire safety design and procedures for operating and maintaining the building's fire protective measures to the "relevant person". It also amends functional requirement B3, which deals with inhibiting the spread of fire within the structure of the building, so as to give explicit recognition of suitable automatic fire suppression systems (such as sprinklers).</p> <p>Changes to the guidance in Approved Document B will also come into effect on 6 April 2007. These address a wide range of issues, including the use of sprinklers and door-closing devices, changes to the guidance on domestic loft conversions, introduction of a maximum unsprinklered compartment size for single storey warehouses, new guidance on residential care homes and increased measures to assist firefighters dealing with fires in tall buildings.</p>	6 April 2007	WWW.COMMUNITIES.GOV.UK/BUILDINGREGS

POLICY AREA	TITLE	DESCRIPTION	IN FORCE DATE	FURTHER INFORMATION
	Code for Sustainable Home	The establishment of a sustainability rating system – the Code for Sustainable Homes (the Code); acting as a single national code for sustainability in new housing. The Code is based on the Building Research Establishment's Ecohomes standard; incorporating minimum standards in key resource efficiency criteria (including for energy and water efficiency). The code will be voluntary for the private sector from April 2007, with all new homes receiving Government funding having to meet Code level 3	April 2007	http://www.planningportal.gov.uk/england/professionals/en/1115314116927.html
	Mutual Recognition of Professional Qualifications	Mutual Recognition of Professional Qualifications by amendment to the Architects Act 1997	1 October 2007	
	Amendment of the energy efficiency and competent person scheme provisions of the Building Regulations	Amendments for clarity and practicality to the provisions on commissioning of fixed building services and on what work on such services needs to be notifiable in respect of the risks to health, safety or energy efficiency. Authorisation of further competent person schemes and extensions of others	April/May 2007	
	Commencement of building regulations enforcement provisions of Climate Change Act	The provision would allow local authorities a significantly longer period to take formal criminal enforcement action where the energy efficiency provisions of the Building Regulations had been breached.	1 October 2007	
Equality	(i) Commencement order; (ii) Questions and replies order, relating to Part 2 of the Equality Act 2006 ;	Commencement order to commence Part 2 of the Equality Act 2006 (prohibiting discrimination on grounds of religion or belief). The questions and replies order will provide a procedure for potential claimants to obtain information from those they consider may have discriminated against them on grounds of religion or belief.	Late April 2007	
	Sexual Orientation Regulations	The Equality Act 2006, includes a power in Part 3 that allows the Government to prohibit discrimination on the grounds of sexual orientation in the provision of goods and services by making regulations.	Late April 2007	http://www.womenandequalityunit.gov.uk/publications/sexoconsultpaper.pdf
Fire	Local Government (Best Value Authorities) (Power to Trade) (England) (Amendment) Order 2004 'Trading Order'	Amendment to allow for the combination of Devon and Somerset Fire and Rescue Authorities Proposal to amend the power as it is transitional – ceases midnight 29th Sept 2007. RIA and consultation will go out prior to decision.	6 April 2007 30 Sept 2007	http://www.opsi.gov.uk/si/si2004/20042307.htm and http://www.opsi.gov.uk/si/si2004/20042573.htm

POLICY AREA	TITLE	DESCRIPTION	IN FORCE DATE	FURTHER INFORMATION
Housing	Residential Leasehold Reform – Summaries of Tenants’ Rights and Obligations	Commonhold & Leasehold Reform Act 2002 – Implementing the statutory requirement for landlords to provide tenants with a summary of their rights and obligations in relation to service charges when demanding service charges & prescribing content and minor matters of form in regulations for this, and for the summary of rights and obligations that is already being sent by landlords to tenants when demanding an administration charge.	1 October 2007	http://www.communities.gov.uk/index.asp?id=1151708
	Home Information Packs	The aim of the Home Information Pack programme is to make buying and selling a home simpler, quicker and less stressful for consumers. By ensuring that the key information is provided at the outset, the process should be more transparent, fewer transactions should fail and wasted cost should be reduced. Including Energy Performance Certificates with Home Information Packs should encourage buyers and sellers to improve the energy efficiency of their homes, reducing carbon emissions.	1 June 2007	http://www.homeinformationpacks.gov.uk/home.aspx
	Tenancy Deposit Scheme	Introduction of an affirmative and negative statutory instrument (“SI”), which are necessary to implement tenancy deposit protection (“TDP”) in England and Wales. Clauses aim to remove the risk of: <ul style="list-style-type: none"> • misappropriation of tenants’ deposits by landlords and letting agents; • misappropriation by their agents of money belonging to landlords; and • tenants defaulting on their last month’s rent and the consequential risk that landlords will have to cover costs for damage and cleaning. 	6 April 2007	http://www.communities.gov.uk/index.asp?id=1152035
	Student Accommodation	Accommodation Codes of Management Practice. replace SI 2006 No. 647 – The Houses in Multiple Occupation (Specified Educational Establishments) (England) (No. 2) Regulations 2006	6 April 2007	
	Houses in Multiple Occupation (HMO) Licensing – Converted Blocks of Flats (Section 257) Regulations	Remainder of the provisions in the Housing Act 2004 relating to Section 257 HMOs and applying licensing and management regulations to those buildings.	6 April 2007	

POLICY AREA	TITLE	DESCRIPTION	IN FORCE DATE	FURTHER INFORMATION
	Houses in Multiple Occupation (HMO) Licensing – Rent Repayment Orders Regulations	These Regulations supplement the provisions in Parts 2 and 3 of the Housing Act 2004 which give power to local housing authorities to apply to a residential property tribunal for a rent repayment order (RRO) to be made in respect of a building required to be licensed under Part 2 or 3 of the Act, but which is not so licensed.	6 April 2007	
Local Government	The Best Value Authorities Staff Transfers (Pensions) Direction 2006)	To issue Directions under section 101 of the Local Government Act 2003 to protect Best Value authority employees' pension terms when the business in which they work is transferred from one employer to another and the business retains its identity.	6 April 2007	
Planning and Minerals	Town and Country Planning (Control of Advertisements) (England) Regulations 2007	To provide a system of advertisement control that is both responsive to the needs of the outdoor advertising industry and sensitive to the needs of the environment in cities, towns and the countryside.	6 April 2007	http://212.100.250.130/index.asp?id=1501750
	Town and Country Planning (General Permitted Development) (Amendment) Order 2007	Tightens controls on demolition of sports buildings.	1 October 2007	http://www.communities.gov.uk/pub/907/GeneralPermittedDevelopmentOrder1995AConsultation_id1501907.pdf
	Town and Country Planning (General Development Procedure) (Amendment) Order 2007	This will ensure consistency in the planning process by introducing a standard application form for planning and associated consents and validation checklists of additional information to accompany applications.	1 October 2007	http://www.communities.gov.uk/index.asp?id=1145441
GLA/Regeneration	The Urban Regeneration Agency (London Development Agency) Transfer Scheme 2000 Order	The order modifies a transfer scheme from English Partnerships to the LDA on 22 June 2000, made under the GLA Act 1999. The effect of the modification is to ensure that powers under schedule 6 of the RDA Act 1998 apply to the land subject to the 2000 transfer	May 2007	
GLA Bill	The Town and Country Planning (Mayor of London) Order 2007	The Order sets out the detailed arrangements for the Mayor of London's new power to determine planning applications of potential strategic importance. The new power is included in the GLA Bill currently before Parliament. The Order was published in draft on 9 January and will be subject to further consultation before being finalised. It will come into force either in October 2007 or April 2008, depending on the Parliamentary progress of the GLA Bill.	1 October 2007	http://www.gos.gov.uk/gol/Planning/?a=42496

European Regulations

POLICY AREA	TITLE	DESCRIPTION	IN FORCE DATE	FURTHER INFORMATION
Building Regulations	Energy Performance of Buildings Directive (EPBD) in England and Wales.	Articles 7–10 cover energy performance certificates for buildings and arrangements for boilers and air conditioning systems, which may include regular inspections, together with the arrangements for training and accreditation of suitable experts to provide the certificates and inspections. They are to be implemented by an SI using the powers established by the European Communities Act. SI is to be laid by 1st April 2007 with a roll out of the various requirements CIF between 1 June 2007 and January 2009.	1 April 2007	
Equality	The Sex Discrimination Act 1975 (Amendment) Regulations 2007	Will be made under S2(2) of the European Communities Act 1972. They will implement EU Directive 2004/113/EC implementing the principle of equal treatment between men and women in the access to and supply of goods and services. Since 1975 it has generally been unlawful under domestic legislation for providers of goods, facilities and services, in both the public and private sectors, to discriminate on grounds of sex. These regulations will amend the existing definition of indirect discrimination and clarify that harassment on grounds of sex is also unlawful. This change will bring consistency to the law that applies to goods and service providers who are also employers. The Directive also reflects European Court of Justice case law, which has established that discrimination on the grounds of gender reassignment, and on grounds of pregnancy and maternity constitutes discrimination on grounds of sex and the implementing regulations will amend UK law to make this explicit.	21 December 2007.	
Planning and Minerals	The Environmental Impact Assessment and Habitats (Extraction of Minerals by Marine Dredging) Regulations	These will replace an existing voluntary procedure by a statutory procedure for determining applications to dredge for minerals and, in so doing, formally transpose the EIA and Habitats Directive provisions for this sector.	March 2007	http://www.communities.gov.uk/index.asp?id=1504822

POLICY AREA	TITLE	DESCRIPTION	IN FORCE DATE	FURTHER INFORMATION
	The Town and Country Planning (Environmental Impact Assessment) (Amendment) (England) Regulations 2007	These proposed amending regulations would deal with reviews of old mineral permissions which are currently 'stalled' for want of environmental information and would apply sanctions to make the application of the Environmental Impact Assessment Directive to all reviews of mineral permissions as effective as possible	June 2007	http://www.communities.gov.uk/index.asp?id=1505253
	Control of Major-Accident Hazards Regulations	<p>To give effect to the changes to planning requirements arising from Directive 2003/15/EC amending Council Directive 96/82/EC on the control of major-accident hazards involving dangerous substances (the Seveso II Directive).</p> <p>The amendments are largely technical and scientific, designed to broaden the scope and improve the effectiveness of the Directive in preventing major accidents and limiting their consequences. However, a key feature is the revised classification and definition of some dangerous substances and preparations, and changes to qualifying quantities that determine whether an establishment falls within scope of the Directive.</p>	October 2007	http://www.communities.gov.uk/pub/781/ThePlanningControlofMajorAccidentHazardsRegulations2005PDF341Kb_id1147781.pdf
Regional, Urban & Economic Policy	The European Regional Development Fund Implementation Scheme	This SI will be made under section 2 (2) of the European Communities Act 1972 to implement certain provisions of EC regulations on structural funds and that they are properly fulfilled by a body outside central government (Regional Development Agencies).	July or October 2007	