



Common Commencement Dates: Statement of forthcoming regulations in 2008



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Introduction

This annual statement by Communities and Local Government is intended to provide our business stakeholders with an indication of when new, amended or reduced requirements on them will be coming into effect over the coming year.

Wherever possible, these regulations will be implemented on one of two 'Common Commencement Dates' (CCDs) each year. These are **6th April and 1st October**.

The Department makes effort to align forthcoming regulations to a CCD, but occasionally this does not prove possible.

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 autumn 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 our website: www.communities.gov.uk

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.

However, for completeness, we have also included measures that are not subject to CCD provisions.

Table of Forthcoming Regulations – 2008				
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 2008	
	Registers of building control information	The proposal is to make regulations under section 91A of the Building Act 1984, to require local authorities to keep a register of prescribed building control information which relates to their own building control service as well as that of Approved Inspectors and Competent Persons.	6 April 2008	
	Amendment of the energy efficiency and competent person scheme provisions of the Building Regulations	A deregulatory measure amending, for clarity and practicality, the provisions relating to commissioning of fixed building services and to which work on such services needs to be notified to a building control body (based on the risks to health, safety or energy efficiency). Authorisation of new competent person schemes and extensions of others.	Part on 1 January 2008, remainder on 6 April 2008	

Table of Forthcoming Regulations – 2008 *(continued)*

POLICY AREA	TITLE	DESCRIPTION	IN FORCE DATE	FURTHER INFORMATION
	Designation of building regulations provisions to which a longer time to prosecute contraventions applies	Designation, under powers in section 35A of the Building Act 1984, of certain climate change related provisions of building regulations for which local authorities have an increased time period to commence prosecutions for breaches.	6 April 2008	
	CO ₂ emission calculation schemes	Regulations to merge Building Regulations regulation 17C and 17F schemes for the calculation of CO ₂ emissions for new buildings.	1 July 2008	
Planning and Minerals	Town and Country Planning (General Permitted Development) (Amendment) Order 2008	Adds World Heritage Sites to the list of areas in which some restrictions are imposed on development permitted without the need for planning permission	October 2008	
	Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008	These regulations deregulate to some extent the current regulations by removing some of the burdens on local authorities in preparing Development Plan Documents.	7 April 2008	

Table of Forthcoming Regulations – 2008 <i>(continued)</i>				
POLICY AREA	TITLE	DESCRIPTION	IN FORCE DATE	FURTHER INFORMATION
	Town and Country Planning (General Development Procedure) (England) (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.	April 2008	www.communities.gov.uk/archived/publications/planningandbuilding/standardapplicationforms
	The Town and Country Planning (Determination of Appeals by Appointed Persons) (Prescribed Classes) (Amendment) (England) Regulations 2008.	To extend the range of types of planning appeal which the Secretary of State for Communities and Local Government can transfer to Inspectors for decision.	May 2008	

Table of Forthcoming Regulations – 2008 *(continued)*

POLICY AREA	TITLE	DESCRIPTION	IN FORCE DATE	FURTHER INFORMATION
	The Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations 2008	This instrument makes amendments to the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 1989 (SI 1989/193) (“the 1989 Regulations”). It increases the level of fees payable to local planning authorities in England for planning applications, deemed planning applications, and applications for consent to display advertisements, made on or after 6 April 2008. It creates a new fee for a Request for confirmation of compliance with conditions. It also removes the obsolete fee for an application to renew a planning permission, which is no longer possible.	April 2008	
	The Town and Country Planning (General Permitted Development) (England) Order 2008.	This will provide permitted development rights for certain forms of microgeneration development for domestic use.	April 2008	

Table of Forthcoming Regulations – 2008 <i>(continued)</i>				
POLICY AREA	TITLE	DESCRIPTION	IN FORCE DATE	FURTHER INFORMATION
Housing	The Disabled Facilities Grants (England) Order 2008	A Statutory Instrument to increase the maximum grant limit for a Disabled Facilities Grant to £30,000, revoking SI 2001/4036. The Order also specifies further purposes for which a grant must be approved subject to the provisions of the Housing Grants, Construction and Regeneration Act 1996 (“the 1996 Act”) – this will allow DFG for access to the garden which is not currently a mandatory provision.	April 2008	
	The Houses in Multiple Occupation (Specified Educational Establishments) (England) Regulations 2008	The Order will update educational establishments to the list of buildings exempt from mandatory licensing.	October 2008	

Table of Forthcoming Regulations – 2008 *(continued)*

POLICY AREA	TITLE	DESCRIPTION	IN FORCE DATE	FURTHER INFORMATION
	The Home Information Pack (Amendment) Regulations 2008	<p>Home Information Pack regulations will be amended to require all sellers of new homes that apply for Building Control approval for their development on or after 1 May 2008 to include in the Home Information Pack either a Code sustainability certificate (where the home has been designed and assessed against the Code) or a nil-rated certificate (when a home has not been assessed against the Code).</p> <p>The regulation also amends the Home Information Pack (No.2) Regulations 2007 to extend until 31 December 2008 the exemption that allows insurance cover to be substituted in searches from personal search companies where LAs deny access to records.</p>	31 March 2008	The Code came into effect in England on 10 April 2007 as a voluntary national sustainability standard, following extensive consultation with environmental groups and the home building and wider construction industries. It is a key part of our package of measures to reduce carbon dioxide emissions and tackle climate change.

Table of Forthcoming Regulations – 2008 <i>(continued)</i>				
POLICY AREA	TITLE	DESCRIPTION	IN FORCE DATE	FURTHER INFORMATION
Business Rates	The Rating (Empty Properties) Act 2007 Consequential Amendments (England) Order 2007	This Statutory Instrument makes the necessary changes to secondary legislation that are required as a direct consequence of the reforms brought into effect by the Rating (Empty Properties) Act 2007. The Order ensures that the secondary legislation concerned with rates for unoccupied property reflects these reforms. The Order will affect the Non-Domestic Rating (Chargeable Amounts) (England) Regulations 2004, which provide for a transition scheme for rates; the Non-Domestic Rating (Collection and Enforcement) (Local Lists) Regulations 1989; and the Non-Domestic Rating (Collection and Enforcement) (Miscellaneous Provisions) Regulations 1990.	24 March 2008	The reforms in the 2007 Act will take effect from 1 April 2008, the beginning of the local government financial year. The consequential amendments made by the order take effect to the same timetable.
	The Council Tax and Non-Domestic Rating (Demand Notices) (England) (Amendment) Regulations 2008	The amendments will ensure that the information given to rate payers about their rates liability reflects the reforms made by the Rating (Empty Properties) Act 2007. We are taking this opportunity to make some other minor amendments to the information provided on small business rate relief. We are also planning to make some minor changes to improve the clarity of the Regulations and ensure that comparative information is given in respect of council tax in authorities subject to restructuring from April 2009.	1st April 2008	The changes made by these regulations must be in force for the beginning of the local government financial year on 1 April 2008.

Table of Forthcoming Regulations – 2008 *(continued)*

POLICY AREA	TITLE	DESCRIPTION	IN FORCE DATE	FURTHER INFORMATION
	The Non-Domestic Rating (Unoccupied Property) (England) Regulations 2008	These will replace the Non-Domestic Rating (Unoccupied Property) Regulations 1989. The principal changes will be the abolition of the permanent exemption from empty property rates for industrial properties and its replacement with a six month exemption, as announced in the 2007 Budget, and the introduction of a permanent exemption from rates for empty properties owned by companies in administration, following the outcome of consultation on empty property rates.	1st April 2008	The reforms to empty property rates will take effect from 1 April 2008, the beginning of the local government financial year. These regulations must therefore take effect to that timetable.
	The Central Rating List (England) (Amendment) Regulations 2008	These regulations will amend Regulation 8 of the Central Rating List (England) Regulations 2005 to provide the long term rating solution for unbundled local loops. The current provisions which designate British Telecommunications Plc as the rateable occupier of unbundled local loops are time-limited to end on 31 March 2008. We are also taking this opportunity to update the list of designated persons in relation to the occupation of various pipelines.	1 April 2008	These regulations must be in force by the beginning of local government finance year on 1 April 2008.

Table of Forthcoming Regulations – 2008 <i>(continued)</i>				
POLICY AREA	TITLE	DESCRIPTION	IN FORCE DATE	FURTHER INFORMATION
Local Government Pensions	Local Government Pension Scheme (Benefits, Membership & Contributions) (Amendment) Regulations 2008 (draft title)	Provision of third tier ill health benefits	1 April 2008	www.xoq83.dial.pipex.com/
	The Local Government Pension Scheme (Amendment) Regulations 2008 (draft title)	Various minor and technical amendments to the Local Government Pension Scheme	1 April 2008 (with varying coming into effect dates)	www.xoq83.dial.pipex.com/
GLA	The Town and Country Planning (Mayor of London) Order 2008	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 Act 2007	6 April 2008	

European Regulations (Exempt from coming into force on a Common Commencement Date)

POLICY AREA	TITLE	DESCRIPTION	IN FORCE DATE	FURTHER INFORMATION
Planning and Minerals	The Town and Country Planning (Environmental Impact Assessment) (Mineral Permissions and Amendment) (England and Wales) Regulations 2008	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.	6 April 2008	
	The Town and Country Planning (Environmental Impact Assessment) (Amendment) (England) Regulations 2008	These proposed amending regulations comply with two ECJ judgments made in May 2006 whose effect, in the case of outline planning applications, is to allow environmental impact assessment (EIA) to be carried out at reserved matters stage.	May 2008	

European Regulations (Exempt from coming into force on a Common Commencement Date) (continued)				
POLICY AREA	TITLE	DESCRIPTION	IN FORCE DATE	FURTHER INFORMATION
Building Regulations/ Energy Performances	The Energy Performance of Buildings (Certificates and Inspections) (England and Wales) (Amendment) Regulations 2008	Amend the Energy Performance of Buildings Regulations to provide different fees for lodgement of different types of documents on the register of EPCS and to allow access to the register for Local Authority Building Control Bodies.	6 April 2008	
Architects	The Architects (Recognition of European Qualifications) Regulations	Regulations to transpose the European Directive on the recognition of professional qualifications in respect of architects.	March/April 2008	

European Regulations (Exempt from coming into force on a Common Commencement Date) (continued)

POLICY AREA	TITLE	DESCRIPTION	IN FORCE DATE	FURTHER INFORMATION
<p>Regional, Urban & Economic Policy</p>	<p>The European Regional Development Fund (Implementation) London Programme Regulations 2007</p>	<p>The Structural Fund Regulations, (EC) No 1083/2006 (“the General Regulation”); and (EC) No 1828/2006 (“the Implementing Regulation”) develop a legislative framework, under section 2(2) of the European Communities Act 1972, for regulating the relationship between the ‘Managing Authority’ (ie CLG) and ‘Intermediate Bodies’ designated under Article 59(2) of the General Regulation.</p> <p>On 23 October 2006, the Department of Trade and Industry published for consultation the UK’s National Strategic Reference Framework for EU Structural Funds 2007-2013.</p> <p>The Government’s response to the consultation was published on 23 October. It said that “the responsibility of the ERDF should rest with the RDAs.”</p> <p>In practice, that means that each RDA will be the Intermediate (ie Article 59 (2)) Body responsible for the ERDF operational programme for its region (two programmes in the South West).</p>	<p>July 2008</p>	<ul style="list-style-type: none"> – The SI and Schedule for London will specify two intermediate bodies: the GLA and the LDA, reflecting London’s status as a regional government. – Complexities arise over the application or otherwise of the GLA Act 1999 to ERDF – An informal consultation with the GLA and LDA is continuing <p>As a result (and depending also on the date London’s operational programme is adopted), the SI for London may not be laid in time to come into force in 2007.</p>