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SCHEDULES

SCHEDULE 4

PROVISIONS CONSEQUENTIAL UPON PUBLIC BODY'S NOTICE

Public body's plans certificates

- 2 [F1(1) In this Part a “public body’s plans certificate” means a certificate by a public body that the relevant conditions are met in relation to the work specified in the certificate (which must be work in relation to which the public body has given a public body’s notice).
- (1A) The relevant conditions are that the public body—
- (a) is satisfied that—
 - (i) a competent person has inspected full plans of the work, or
 - (ii) a competent person has inspected plans of the work which the public body is satisfied, in the light of that inspection, are sufficient for the purposes of giving a public body’s plans certificate in relation to the work,
 - (b) is satisfied in the light of that inspection that the plans are not defective,
 - (c) is satisfied in the light of that inspection that work carried out in accordance with the plans would not contravene any provision of building regulations, and
 - (d) has complied with any prescribed requirements as to consultation or otherwise.
- (1B) “Competent person” means a servant or agent of the public body who is competent to assess the plans.
- (1C) If the relevant conditions are met, the public body may give a public body’s plans certificate to the local authority.
- (1D) A public body’s plans certificate must be in the prescribed form.]
- (2) Building regulations may authorise the giving of a public body’s notice combined with a public body’s plans certificate, and may prescribe a single form for such a combined notice and certificate; and where such a prescribed form is used—
- (a) a reference in this Schedule or in any other provision of Part II of this Act to a public body’s notice or to a public body’s plans certificate includes a reference to that form, but
 - (b) should the form cease to be in force as a public body’s notice by virtue of paragraph 1(1) above, nothing in that paragraph affects the continuing validity of the form as a public body’s plans certificate.
- (3) A public body’s plans certificate—
- (a) may relate either to the whole or to part only of the work specified in the public body’s notice concerned, and

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- (b) does not have effect unless it is accepted by the local authority to whom it is given.
- (4) A local authority to whom a public body's plans certificate is given—
 - (a) may not reject the certificate except on prescribed grounds, and
 - (b) shall reject the certificate if any of the prescribed grounds exists.
- (5) Unless, within the prescribed period, the local authority to whom a public body's plans certificate is given give notice of rejection, specifying the ground or grounds in question, to the public body by which the certificate was given, the authority are conclusively presumed to have accepted the certificate.
- (6) [^{F2}If it appears to a local authority by whom a public body's plans certificate has been accepted that the work to which the certificate relates has not been commenced within the period of three years beginning on the date on which the certificate was accepted, the authority may rescind their acceptance of the certificate by notice, specifying the ground or grounds in question given to the public body.]
- [^{F3}(7) Building regulations may make further provision about public body's plans certificates, including in particular provision—
 - (a) requiring a public body's plans certificate to be given to the local authority in prescribed cases;
 - (b) about the consequences of failing to comply with such a requirement (for example, for a public body's notice to cease to have effect in whole or in part);
 - (c) requiring a public body's plans certificate stating that the condition in [sub-paragraph \(1A\)\(a\)\(ii\)](#) is met to include prescribed information about the further plans that the public body considers need to be provided.]

Textual Amendments

- F1** Sch. 4 para. 2(1)-(1D) substituted for Sch. 4 para. 2(1) (6.4.2023 for specified purposes except in relation to W., 5.9.2023 for W. for specified purposes) by Building Safety Act 2022 (c. 30), ss. 49(3)(a), 170(4)(b)(c); S.I. 2023/362, reg. 3(1)(v); S.I. 2023/914, reg. 2(b)(xii)
- F2** Sch. 4 para. 2(6) omitted (6.4.2023 for specified purposes except in relation to W., 5.9.2023 for W. for specified purposes, 1.10.2023 in so far as not already in force except in relation to W.) by virtue of Building Safety Act 2022 (c. 30), ss. 36(11), 170(4)(b)(c); S.I. 2023/362, reg. 3(1)(o); S.I. 2023/914, reg. 2(b)(iii); S.I. 2023/993, reg. 2(g) (with regs. 3, 5)
- F3** Sch. 4 para. 2(7) inserted (6.4.2023 for specified purposes except in relation to W., 5.9.2023 for W. for specified purposes) by Building Safety Act 2022 (c. 30), ss. 49(3)(b), 170(4)(b)(c); S.I. 2023/362, reg. 3(1)(v); S.I. 2023/914, reg. 2(b)(xii)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 1(1A)(d) inserted by [2015 c. 7 s. 37\(2\)](#)
- s. 44(11) inserted by [2004 c. 22 s. 3\(8\)](#)
- s. 79A inserted by [2023 asc 3 Sch. 13 para. 65](#)
- s. 91B inserted by [2022 c. 30 Sch. 5 para. 56](#)
- s. 95(5) inserted by [2022 c. 30 s. 60\(2\)](#)
- s. 105C inserted by [2022 c. 30 s. 58](#)
- s. 116(3)-(6) inserted by [2022 c. 30 s. 45\(2\)\(d\)](#)
- s. 117(A1)(A2) inserted by [2022 c. 30 s. 45\(3\)\(b\)](#)
- s. 118(1A) inserted by [2022 c. 30 s. 45\(4\)\(b\)](#)
- s. 131A inserted by [2022 c. 30 s. 59](#)
- s. 131B inserted by [2022 c. 30 s. 60\(3\)](#)
- Sch. 1 para. 7A inserted by [2015 c. 7 s. 37\(4\)](#)