

SCHEDULE 3

Regulations 8(3), 9(3) and 15(2)

GROUND FOR REJECTING AN INITIAL NOTICE, AN AMENDMENT NOTICE, OR A PLANS CERTIFICATE COMBINED WITH AN INITIAL NOTICE

Deficiencies in initial notice

Form

1. The notice is not in the prescribed form.

Wrong local authority

2. No part of the work described in the notice is to be carried out in the area of the local authority to whom the notice has been given.

Capacity of approved inspector

3. The person who signed the notice as approved inspector is not an approved inspector.

Deficiencies in information

Information about the proposed work

4. Neither the notice nor the accompanying plans and documents include—
 - (a) the location and a description of the work, including the use of any building to which the work relates;
 - (b) information needed by the local authority to decide whether the notice is to be rejected on ground 9, 10 or 11.

Notice of approval

5. In the case of a notice signed by an inspector approved in accordance with regulation 3(1) by a designated body, the initial notice is not accompanied by a copy of the notice of his approval.

Lack of declaration or undertakings

Insurance

6. The notice is not accompanied by a declaration signed by the insurer that a named scheme of insurance approved by the Secretary of State applies in relation to the work described in the notice.

Fire authority

7. The approved inspector will be obliged by regulation 13 to consult the fire authority before giving a plans certificate or final certificate, and the notice does not contain an undertaking to do so.

Independence

8. Except where the work described in the notice is stated in it to be minor work within the meaning of regulation 10(1), the notice does not contain a declaration by the approved inspector

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that he does not, and while the initial notice is in force will not, have any professional or financial interest in that work.

Deficiencies in the proposed work

Drain outfall

9. In the case of the erection or extension of a building, the local authority are not satisfied that either—

- (a) any proposed drain or private sewer will be deemed to be a satisfactory drain by virtue of section 21(4) and (5) of the Act, or
- (b) in the particular case they may properly dispense with any provision for drainage.

Building over sewers

10. The work described includes the erection of a building or extension over a sewer or drain shown on the relative map of sewers, and the local authority are not satisfied that in the circumstances of the particular case they may properly consent to the erection of the proposed building or extension either unconditionally or subject to compliance with any requirements imposed as a condition of accepting the notice.

Local enactments

11. The local authority are not satisfied that the work described will comply with any local enactment which requires or authorises them to reject plans submitted in accordance with building regulations.

Overlap with earlier notice

Earlier notice

12.—(1) Except where paragraph (2) applies, an initial notice (“an earlier notice”) has already been given in respect of any part of the work described in the notice.

(2) The ground in paragraph (1) does not apply if—

- (a) an earlier notice has ceased to be in force and the local authority have taken no positive step to supervise the work described in it; or
- (b) the notice is accompanied by an undertaking by the approved inspector who gave an earlier notice to the effect that he will cancel that notice as soon as the initial notice under consideration is accepted.