STATUTORY INSTRUMENTS

1967 No. 1645

BUILDING AND BUILDINGS

The Building (Third Amendment) Regulations 1967

Made - - - -	*7th November* 1967
Laid before Parliament	13*th November* 1967
Coming into Operation	15*th December* 1967

The Minister of Housing and Local Government, in exercise of the powers conferred on him under sections 61 and 62 of the Public Health Act 1936(a), as amended by section 11 of and Schedule 1 Part III to the Public Health Act 1961(b) and sections 4 and 6 of the Public Health Act 1961, and as read with the Transfer of Functions (Building Control) Order 1964(c), the Transfer of Functions (Building Control and Historic Buildings) Order 1966(d), and of all other powers enabling him in that behalf, after consultation with the Building Regulations Advisory Committee and such other bodies as appear to him to be representative of the interests concerned, hereby makes the following regulations:—

PART I

GENERAL

1. These regulations may be cited as The Building (Third Amendment) Regulations 1967 and shall come into operation on 15th December, 1967.

2.—(1) In these regulations, unless the context otherwise requires—

(*a*) " the principal regulations " means The Building Regulations 1965(e) as amended by The Building (Second Amendment) Regulations 1966(f), and other words and expressions have the same meaning as in the principal regulations;

(*b*) any reference to a regulation or Schedule shall be construed as a reference to a regulation of, or Schedule to, the principal regulations.

(2) The Interpretation Act 1889(g) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

3. These regulations shall not apply to any work which was—

(*a*) completed before the date of the coming into operation of these regulations; or

(*b*) completed after that date in accordance with plans deposited with the local authority before that date, with or without any departure or deviations from those plans;

and for the purpose of this regulation " work " means the erection of a building, the alteration or extension of a building, the execution of any works or the installation of any fittings.

(a) 1936 c. 49.
(b) 1961 c. 64.
(c) S.I. 1964/263 (1964 I, p. 457).
(d) S.I. 1966/692 (1966 II, p. 1558).
(e) S.I. 1965/1373 (1965 II, p. 3890).
(f) S.I. 1966/1144 (1966 III, p. 2750).
(g) 1889 c. 63.

PART II

AMENDMENTS OF THE PRINCIPAL REGULATIONS

4. In regulation A2(1) there shall be inserted after the definition of " combustible " the following definition:

" " garage " shall, unless otherwise expressly provided, include a carport;".

5. In regulation A2(5)(*b*) there shall be substituted for the words " the date of making these regulations, including any amendments thereto " the words " 31st October 1966, including any amendments, supplements and addenda thereto ".

6.—(1) In regulation A8(1) under CASE B there shall be substituted for the item " Part E (Structural fire precautions) except regulations E7 and E14 " the following item:

" In Part E (Structural fire precautions)—

(*a*) buildings or parts of buildings which, as so altered or extended as aforesaid, comprise not more than one basement storey, a ground storey and two upper storeys:

all regulations except regulations E7, E9(7), E10(4), E12 and E14

(*b*) other buildings or parts of buildings:

all regulations except regulations E7 and E14 ".

(2) In regulation A8(1) under CASE C there shall be substituted for the item " Part E (Structural fire precautions)." the following item:

" In Part E (Structural fire precautions)—

(*a*) in every case other than that mentioned under sub-paragraph (*b*) which immediately follows:

all regulations

(*b*) in any case where—

(i) a building or part of a building is changed as aforesaid to purpose group II (Institutional) from any other purpose group; and

(ii) the building or part in question, after any alteration or extension associated with the change of use has been effected, does not exceed 50 feet in height, measured in accordance with regulation E3:

all regulations except regulations E7, E9(7), E10(4) and E12 and except that regulation E5(1) shall not apply to require a minimum period of fire resistance for elements of structure below ground of more than 1 hour ".

7. In the Table to regulation B3—

(*a*) in the entry in column (2) in respect of item 6 (Softwood boarding) after the words " manufactured from " there shall be inserted the words " Californian redwood or "; and

(*b*) for each of the entries in columns (2) and (3) in respect of item 12 (Sheet steel) there shall be substituted both in column (2) and in column (3) the following entry—

" Unsuitable except galvanized sheet steel complying with Class A of BS 2989: 1958 or Type 200 of BS 3083: 1959, or sheet steel vitreous enamelled or coated with bitumen or other organic substance of like durability during the course of manufacture ".

8. In regulation C4(*a*) there shall be substituted for the reference " *BS 882: 1954* " the reference " *BS 882: 1965* ".

9. In regulation D7(*c*) there shall be substituted for the reference " *BS 882: 1954* " the reference " *BS 882: 1965* ".

10. After regulation D17 there shall be inserted the following regulation:

" *Deemed-to-satisfy provision for composite construction in structural steel and concrete*

D18. *The requirements of regulation D8 shall be deemed to be satisfied as to any composite construction in structural steel and concrete if the work complies with CP 117: Part 1: 1965.*".

11. In regulation E1(1) there shall be inserted after the definition of " height of a building " the following definition:

" " open carport " means a carport of not more than one storey which is open on two or more of its sides; and for the purpose of this definition a side which includes or consists of a door shall not for that reason be regarded as an open side;".

12. In the Table to regulation E2—

(*a*) in the third column at the end of each of the entries relating to purpose group I and purpose group VIII there shall be inserted an asterisk; and

(*b*) at the end of the Table there shall be inserted the following footnote:

" **Note: By regulation E18 certain small garages and open carports are treated as being of purpose group I.*".

13. In regulation E5(2)(*a*) there shall be inserted after item (ii) the following item:

"(iii) any compartment wall or compartment floor which separates a part of a building falling within purpose group II or III from any other part of the same building falling within a different purpose group from purpose group II or III shall have fire resistance of not less than 1 hour.".

14. In regulation E7—

(*a*) there shall be deleted from paragraph (1) the words " (other than a small garage which is a separate building and complies with the relevant requirements of E16) ";

(*b*) at the beginning of paragraph (1) there shall be substituted for the words " Any side of a building " the words " Subject to the provisions of regulations E16 and E17 concerning small garages and open carports, any side of a building "; and

(*c*) in paragraph (5)(*b*) there shall be substituted for the words in parenthesis the words " (other than a detached building which consists only of a garage or of an open carport or of both and complies with regulation E16 or E17 as the case may be) ".

15.—(1) In regulation E9(7)(*a*) there shall be inserted after the words " fire resistance of 1 hour or more " the words " (except where that requirement arises solely by virtue of regulation E5(2)(*a*)(iii)) ".

(2) In regulation E9(7) at the end of sub-paragraph (*a*) there shall be inserted the following proviso:

" Provided that the requirements of this sub-paragraph shall not apply to a floor (other than one which is over a basement storey) in a building which is of purpose group III and consists of flats or maisonettes and comprises not more than four storeys other than basement storeys.".

16. In regulation E11 there shall be substituted for paragraph (6) the following paragraph:

" (6) No part of a hinge on which a door to which this regulation applies is hung shall be made either of combustible material or of non-combustible material having a melting point less than 800 degrees centigrade.".

17. For regulation E12 there shall be substituted the following regulation:

" E12. Every stairway, including every landing thereof, shall be constructed of non-combustible materials except where the stairway is within either—

(*a*) a maisonette; or

(*b*) a building or compartment for the elements of structure of which the required fire resistance is less than 1 hour; or

(*c*) (where the stairway is not a protected shaft) a building or compartment of purpose group V (Shop):

Provided that nothing in this regulation shall have the effect of prohibiting the addition of any combustible material to the upper surface of any stairway or landing.".

18. In regulation E15 there shall be added after paragraph (5) the following paragraph:

" (6) Nothing in this regulation shall prevent any part of a roof being constructed of such glass or rigid polyvinyl chloride sheeting as cannot be designated in accordance with regulation E1(2) (but which, in the case of such sheeting, is classified as self-extinguishing when tested in accordance with method 508A of Part 5 of BS 2782: 1965) where either—

(*a*) that part of the roof is not less than 20 feet from any boundary; or

(*b*) that part of the roof is less than 20 feet from any boundary, and the roof is that of a garage, conservatory or outbuilding having a floor area not exceeding 400 square feet whether or not attached to or forming part of another building, or is the roof of, or a canopy over, a balcony, verandah, open carport, covered way or detached swimming pool.".

19.—(1) In regulation E16(1) there shall be inserted after the words " The following provisions " the words " (subject to the provisions of regulation E17 regarding small open carports)".

(2) In regulation E16 there shall be inserted after paragraph (4) the following paragraph:

" (4A) In the application of the foregoing paragraphs (3) and (4), any exposed surface of a frame member forming the structure of a wall shall not be deemed to be part of the internal surface of that wall.".

20. After regulation E16 there shall be inserted the two following regulations:

" *Small open carports*

E17.—(1) Any open carport (as defined in regulation E1(1)) which has a floor area not exceeding 400 square feet and complies with the conditions of this regulation shall not be required to comply with any regulation in this Part except regulation E15.

(2) The conditions of this regulation are as follows—

(a) that such carport is a detached building; or

(*b*) that such carport is part of a detached building which consists additionally only of a garage which also has a floor area not exceeding 400 square feet and would, if it were a separate building, comply with the provisions of E16; or

(*c*) that such carport is a single storey part of a building which consists additionally only either of a house alone, or of a house and garage (the garage having a floor area not exceeding 400 square feet) and that, if the presence of the carport were disregarded,—

(i) the house, where there is no garage, would comply with the requirements of regulation E7; or

(ii) the house and garage, if they would then constitute one building, would comply with the requirements of regulation E7; or

(iii) the house and the garage, if they would then constitute separate buildings, would comply with the requirements of regulations E7 and E16 respectively:

Provided that, where this regulation applies by virtue of the erection of an open carport as an extension to an existing house or garage or both, the conditions in sub-paragraphs (*b*) and (*c*) shall be applicable as though any reference therein to compliance with regulations E7 and E16, or either of them, were omitted.

Purpose group of small garages and open carports

E18. Notwithstanding the provisions of regulation E2, for the purposes of every relevant provision of this Part a detached building which consists only of a garage or of an open carport or of both, where the garage or the open carport or (as the case may be) each of them has a floor area not exceeding 400 square feet, shall be regarded as falling within purpose group I as set out in the Table to regulation E2.".

21. In regulation H2(*e*) there shall be substituted for the figure " 22½ " the figure " 22 ".

22. In regulation H4(1)(*a*) there shall be substituted for the figure " 22½ " the figure " 22 ".

23. In regulation L6(1)(*a*)—

(*a*) there shall be substituted for item (iii) the following item:

" (iii) glazed clay pipes and fittings complying with BS 65 & 540: 1966; or "; and

(*b*) item (iv) shall be deleted.

24. In regulation L8(*c*) there shall be substituted for the words " *18 Standard Wire Gauge* " the dimension " *0.048 inches* ".

25. In regulation L16—

(*a*) there shall be substituted for sub-paragraph (*a*) the following sub-paragraph:

" (*a*) glazed clay pipes and fittings which comply with BS 65 & 540: 1966 and are jointed and pointed with high alumina cement mortar;" and

(*b*) sub-paragraph (*b*) shall be deleted.

26. In regulation M7 there shall be substituted for the reference " BS 1250: Part I: 1962 ", where it appears both in proviso (ii) to paragraph (2) and in paragraph (3), the reference " BS 1250: Part 1: 1966 ".

27.—(1) In Schedule 1, PART A—BUILDINGS—

(*a*) in the entry relating to Class 5 in column (1) the words " or carport " shall be deleted;

(*b*) in the entry relating to Class 5 in column (4) there shall be substituted for the words "Regulation E16 " the words " Part E (subject where applicable to regulations E16 or E17 and E18) ";

(*c*) in the entry relating to Class 6 in column (1) after the words " A single storey building " there shall be inserted the words " (other than a building included in Class 7) "; and

(*d*) at the end of PART A there shall be added the entry relating to a new Class 7 which is set out in Schedule 1 to these regulations.

(2) In Schedule 1, PART B—WORKS AND FITTINGS in the first entry in column (1) there shall be substituted for the words " Classes 1, 2 and 4 " the words " Classes 1, 2, 4 and 7 ".

28. In Schedule 6, there shall be substituted for Table 5 the Table set out in Schedule 2 to these regulations.

SCHEDULE 1 Regulation 27(1)(*d*)

New entry to be inserted in Schedule 1, PART A—BUILDINGS, to the principal regulations

Class	(1)	(2)	(3)	(4)
7	A single storey glasshouse (not being a building within Class 1) if— (i) not less than three-quarters of its total external area is comprised of glass (including glazing bars); (ii) it is used solely for agriculture as defined in section 221(1) of the Town and Country Planning Act 1962(a); (iii) it is wholly detached from any other building which contains dwelling accommodation; and (iv) no part of it is within the permitted boundary of any building of purpose groups I or III (as determined by regulation E2) which has been or is being erected on land occupied in common with the glasshouse. For the purposes of sub-paragraph (iv) hereof " permitted boundary " means a notional line drawn round that other building at the least distance from every part of it which would ensure that if the line were the actual boundary and that building were newly constructed, then there would be no contravention of regulation E7 in relation to it.	Regulations A9 and A10	Regulation B1 (in so far as it relates to matters governed by Part L) Regulation B4	Part L

(a) 1962 c. 38.

SCHEDULE 2

Regulation 28

Table to be substituted for Table 5 in Schedule 6 to the principal regulations

TABLE 5

BEAMS SUPPORTING JOISTS TO WHICH TABLES 1 AND 3 RELATE

(1) Nominal size of beam in inches	(2) Dead load in pounds per square foot supported by joist as calculated for the purposes of Tables 1 or 3													
	Not more than 10							More than 10 but not more than 20						
	Spacing of beams													
	4 ft.	5 ft.	6 ft.	7 ft.	8 ft.	9 ft.	10 ft.	4 ft.	5 ft.	6 ft.	7 ft.	8 ft.	9 ft.	10 ft.
	Maximum span of beam													
	ft. in.	ft. in.	ft. in.	ft. in.	ft. in.	ft. in.	ft. in.	ft. in.	ft. in.	ft. in.	ft. in.	ft. in.	ft. in.	ft. in.
2 × 9	5 10	5 0	4 3	3 8	3 2	2 10	2 7	3 2	2 7	2 2	1 10	1 8	1 5	1 4
2½ × 7	4 6	4 1	3 5	2 11	2 7	2 4	2 1	2 7	2 1	1 9	1 6	1 4	1 2	1 1
2½ × 8	5 10	5 8	5 7	5 5	5 4	5 3	5 2	5 4	5 2	4 4	3 8	3 3	2 11	2 7
2½ × 9	7 2	7 0	6 10	6 8	6 6	6 5	6 3	6 6	6 3	6 0	5 10	5 2	4 7	4 2
3 × 7	5 5	5 3	5 2	5 1	5 0	4 11	4 10	5 0	4 10	4 8	4 6	4 1	3 7	3 3
3 × 8	6 11	6 8	6 6	6 5	6 3	6 2	6 0	6 3	6 0	5 10	5 7	5 5	5 3	5 2
3 × 9	8 6	8 3	8 0	7 10	7 7	7 3	6 11	7 7	7 3	7 0	6 9	6 6	6 4	6 2

Given under the official seal of the Minister of Housing and Local Government on 7th November, 1967.

(L.S.)

Anthony Greenwood,
Minister of Housing and Local Government.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These regulations make further amendments to The Building Regulations 1965 ("the 1965 regulations"), as already amended by The Building (Second Amendment) Regulations 1966. These further amendments are, by virtue of Part I, brought into operation on 15th December, 1967 but do not apply to work which has been completed, or for which plans have been deposited with local authorities, before that date.

Part II contains the amendments. Regulations 4, 11, 12, 14, 19(1), 20 and 27(1)(*a*) and (*b*) constitute a connected series of amendments concerning garages and carports. The principal purpose, which is effected by regulation 20, is to permit small ' open ' carports (defined as those with two or more open sides), which either stand alone or are attached to houses or garages, to be in general relieved from compliance with the greater part of the fire precaution requirements. Consequential and clarifying amendments are included in connection with this principal purpose. In all other cases carports will be subject to (or relieved from) the same general requirements as are garages.

Regulation 5 permits account to be taken of the latest editions, including any amendments, supplements or addenda, of British Standards, Codes of Practice or other publications, published up to 31st October 1966. Regulations 8, 9, 23, 25 and 26 substitute references to later versions of certain British Standards specifically mentioned in the 1965 regulations.

Regulation 6 modifies the fire precaution requirements which apply where houses are converted into flats or maisonettes, or where houses or other buildings become used for institutional purposes (such as old people's homes). Where, in the first case, the converted house has no more than one basement and three other storeys, or where, in the second case, the house or building in question does not exceed 50 feet in height, the necessity for certain existing structure to be rebuilt of non-combustible material is removed. In the second case also, the required minimum period of fire resistance of structure below ground is reduced to 1 hour.

Regulation 7 modifies in two respects the list of materials prescribed as unsuitable for use as the weather-resisting part of external walls or of roofs of permanent buildings. Californian redwood is accepted for walls, without the existing necessity of impregnation, and the description of galvanized sheet steel accepted for walls and roofs is rewritten in terms more conformable with the appropriate British Standards.

Regulation 10 introduces the appropriate Code of Practice of 1965 relating to composite construction in structural steel and concrete as an acceptable method of satisfying the requirements for structural stability where this means of construction is used.

Regulations 13 and 15(1) ensure that compartment walls or compartment floors, which divide a part of a building used for residential or institutional purposes from the rest of the building and which at present need only have fire resistance of half an hour, must in future have fire resistance of not less than 1 hour; but do so without requiring that they must in consequence be also non-combustible.

Regulation 15(2) removes the requirement for non-combustibility of compartment floors (except over basements) in blocks of flats or maisonettes having four storeys or less above ground.

Regulation 17 restates the requirements for non-combustibility in stairways, but adds to existing exemptions a stairway in a shop, where the stairway is not a protected shaft.

Regulation 18 removes an existing restriction on the use, in certain cases, of rigid polyvinyl chloride sheeting or thin glass for roofs.

Regulations 27(1)(*c*) and (*d*) and 27(2) and Schedule 1 provide for glasshouses which comply with a certain specification and certain conditions to be added to the list of buildings which are exempted from the greater part of the regulations—in this case, the more significant regulations with which compliance is still required are those relating to chimneys, flue pipes, etc.

Regulation 28 and Schedule 2 substitute a new table for one of those which specify acceptable dimensions for structural work of timber in order to correct erroneous figures which appear in the existing table.

In addition regulations 16, 19(2), 21, 22 and 24 make minor adjustments of detail in various particular provisions.