

Part Final Certificates and Occupation of Buildings

Building Standards Guidance Note 20

Introduction



Requests for Part Final Certificates are becoming more common place. This guidance note looks to bring about a common understanding and interpretation of the approach Sweco Building Control should take.

Occupation prior to completion of works

[Regulation 19 Building \(Registered Building Control Approvers etc.\) \(England\) Regulations 2024](#) allows for the occupation of a building prior to completion but limits the period, of occupation without final certificate, to

- 4 weeks for works where the RRO applies, and;
- 8 weeks for other works

If the Final Certificate is not issued within the appropriate time limit the Initial Notice would cease to be in force.

Potentially an extension of time under Regulation 19 (7) could be applied for but care must be taken to ensure this is justifiable and the client is not “playing the system”.

Part Final Certificates

Sweco will issue Part Final Certificates, but the Duty Holders must document their approach to compliance of that part and its interaction with any incomplete elements of the building for consideration before we agree to the approach in principle.

Key considerations are:

1. The works subject to the Part Final Certificate must be clearly and precisely defined, it may be helpful for the Duty Holders to support their description with drawings marked to show the extent of the applicable works.
2. That the part subject to the request for a Final Certificate is complete and can be occupied safely and independently of any ongoing works on the remainder of the project. All parts of the Building Regulations need to be considered but particular care should be taken over Parts A, B, F, H, L, M, and S.

3. If required, the Fire Authority have been consulted prior to completion in accordance with [Regulation 9 The Building \(Registered Building Control Approvers etc.\) \(England\) Regulations 2024](#)
4. Consider all provisions under Regulation 4 of The Building (Registered Building Control Approvers etc.) (England) Regulations 2024 – Functions of the Approvers to ensure requirements can be met for the part of the building not just the whole. This may be seen as particularly problematic in terms of the provision of EPCs, but if the Duty Holders are seeking a Part Final Certificate, they must provide an EPC for the “completed part”
5. Has the PD and PC under the CDM Regulations made adequate provision to ensure the independence and safety of the “completed part” is maintained whilst site activity continues. Consideration should be made to ensure:
 - a) No site activity, delivery through common parts is undertaken
 - b) Maintenance of access for Fire Authority at all times, both inside and outside of the building (including site access)
 - c) Independence of all active fire systems and mechanical services serving the “completed part”
 - d) Maintaining structural integrity of the “completed part”
 - e) Maintaining drainage to “completed part”

As with a full Final Certificate, the Duty Holders must ensure that:

1. All relevant requirements, in terms provision of testing and information, Part 6 to Part 9 of the Building Regulations 2010 have been satisfactorily met.
2. The Duty Holders have provided their Declarations of Compliance 3 under [Regulation 18 The Building \(Registered Building Control Approvers etc.\) \(England\) Regulations 2024](#) with regards to “completed part”

RBIs are not duty bound to accept the request for the issue of a Part Final Certificate. Key to accepting the proposal is the Duty Holders evidencing that they have satisfactorily fulfilled their duty to plan, manage and monitor in relation to the request. It may be appropriate to remind the Duty Holders that they alone are responsible for allowing occupation and that this decision is subject to the same plan, manage and monitor principle.

The above is not an exhaustive list of considerations. At all times the RBI should be inquisitive. Where the RBI is uncertain about the appropriateness of giving a Part Final Certificate, the consideration should be peer reviewed by an Operations or Technical Director.

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