



February 2021

31 Building Control Authorities Promoting a Culture of Compliance with the Building Regulations

The CCMA/NBCMP "Framework for Building Control Authorities V1.1 2016"

provides guidance on roles and functions regarding administration and monitoring compliance with:

- Building Control Act 1990-2014
- Building Control Regulations
- Building Regulations
- Section 11 Inspections & Information requests
- Section 8 Enforcement
- Section 17 prosecutions
- [Statutory Building Register](#).



Maya's Kevin Cooke BCO

BCAs are the designated enforcement authorities for:

- Market Surveillance and EU (Construction Products Regulations (SI No. 225 of 2013).
- Building Energy Rating- EU (Energy Performance of Buildings Regulations (SI No. 243 of 2012);
- Registration of multi-storey -LG (Multi-storey Buildings) Act 1988.



Kildare County Council

NBCMP Team-Mairéad Phelan, Sabrina McDonnell, Richard Butler, Éanna Ó Conghaile, Shirley Lambe, Kelda Minjon
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3 PALACE STREET
DUBLIN 2

- Building Control-Fit for Purpose - **P.1**
 - Construction Products-Fit for Use **P.1**
 - Smart Regulation-Compliance Support **P.2**
 - IS-BCMS, Construction Activity & Brexit **P.3**
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Where there is Construction so should there be Inspections

D1 Materials and workmanship. All works to which these Regulations apply shall be carried out with proper materials and in a workmanlike manner.

D2 Letterplates. A letter plate aperture shall be so positioned at a reasonable height above ground level so as not to endanger the health and safety of persons using such apertures.

D3 Definitions:
 "proper materials" means materials which are fit for the use for which they are intended and for the conditions in which they are to be used, and includes materials which:
 (a) bear a CE Marking in accordance with the provisions of the Construction Products Regulation;
 (b) comply with an appropriate harmonised standard or European Technical Assessment in accordance with the provisions of the Construction Products Regulation; or
 (c) comply with an appropriate Irish Standard or Irish Agrément Certificate or with an alternative national technical specification of any State which is a contracting party to the Agreement on the European Economic Area, which provides in use an equivalent level of safety and suitability;

"Construction Products Regulation" means Regulation (EU) No. 305/2011 of the European Parliament and of the Council of 9 March 2011 laying down harmonised conditions for the marketing of construction products and repealing Council Directive 89/106/EEC.

"Agreement on the European Economic Area" means the Agreement on the European Economic Area between the European Union, its Member States and the Republic of Iceland, the Principality of Liechtenstein and the Kingdom of Norway as published in the Official Journal of the European Communities (OJ L No. L1 03.01.1994, page 3).

S.I. No. 224/2013 - Building Regulations (TGD Part D Amendment)

Building Regulations (Building Regulations) are made for the health, safety, and welfare of people in or about buildings, conservation of fuel and energy and access for all.

A construction product used in a building works must be fit for the purpose and conditions it is to be used and must be properly installed in a workmanlike manner.

This means, the construction product must be durable, safe, hygienic and sustainable for the lifetime of the building works which in this case is 50-60 years!

To comply with Building Regulations Part D (Materials and Workmanship) all works "shall be carried out with proper materials and in a workmanlike manner".

Furthermore, **"proper materials" means materials which are fit for the use for which they are intended and for the conditions in which they are to be used**, and includes materials which:

(a) bear a CE Marking in accordance with the provisions of the Construction Products Regulation (CPR);

(b) comply with an appropriate harmonised standard or European Technical Assessment in accordance CPR; or

(c) comply with an appropriate Irish Standard or Irish Agrément, which provides in use an equivalent level of safety and suitability.

***** Mairéad Phelan

"Construction Products Regulation" EU 305 of 2011, prescribes BASIC REQUIREMENTS FOR CONSTRUCTION WORKS. Construction works as a whole and in their separate parts must be fit for their intended use, taking into account in particular the health and safety of persons involved throughout the life cycle of the works. Subject to normal maintenance, construction works must satisfy these basic requirements for construction works for an economically reasonable working life."

An economically reasonable working life is 50-60 years!

To ensure a proper standard of workmanship, it is essential that people carrying out construction works are **competent**, which is defined in the Building Control Regulations as a person **"possessing sufficient training, experience and knowledge appropriate to the nature of the work he or she is required to perform and having particular regard to the size and complexity of such works."**

We all need to start questioning competency!!! When a person buys a kettle, they will ensure that it has the correct CE markings, warranty, energy efficiency and lifespan certificates; and that it is safe to use, made, and sold by competent people. The rules are the same for the products of construction, i.e. houses, and other buildings.

Things to Check - Houses, and other Buildings:

- Evidence or Certification of compliance with:
 - a) Building Regulations &
 - b) Building Control Regulations
- NSAI Agrément Certificates (IAB Ref. No.)
- CE Markings Documentation and Declaration of Performances for bricks, pipes, slates etc.
- Other third-party ancillary certification e.g.
 - Groundwork & Drainage
 - Brickwork/Blockwork
 - Roof
 - Plumbing; Electrics; Carpentry
 - Heating
 - Radon Protection etc.
- Professional Registers - Competency of your building Designer, Builder Manufacturers and Suppliers; Installers registers, Air Tightness Register, Sound Testing Register, PV Solar etc.



Recent Amendments to TGD C

'Technical Guidance Document (TGD) C – Site Preparation and Resistance to Moisture (1997) (Amendments 2020)' has been amended -ref. DHLGH website [here](#).

Part C requires that construction of buildings should be such as to prevent moisture and contaminants (e.g. Radon) from entering the fabric of the building for its' life of 60 years.

Amendments include improved grading of underfloor fill for Radon extraction; and reduced radon levels in the workplaces.

Transitional Arrangements

Document applies to works commenced on or after **1 November 2020**. TGD C, dated 1997 revised in 2004 and 2008 ceases to have effect from that date. However, the 2008 document may continue to be used, **where the works commence on or before 31 October 2020.**

Changes to Paragraph 2.7 Radon

Changes to paragraph 3.1.4 (b)

NEW Paragraph 3.1.4 (d):

(d) Hardcore should be placed as outlined in Diagram 4, and be graded in accordance with S.R. 21:2014+A1:2016, as follows:

T0 Struct Suitably graded structural unbound granular fill (hardcore) material (0/125 mm), for use at depths greater than 900 mm below the radon barrier/Damp Proof Membrane (DPM).

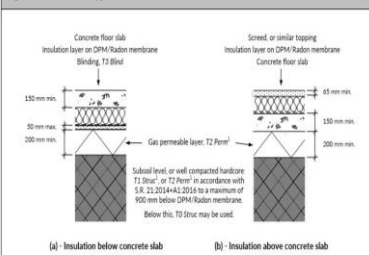
T1 Struct Structural unbound granular fill (hardcore) material is an all-in graded aggregate (0/32 mm) or gravel (0/40 mm) to facilitate placing and compactability.

T2 Perm Suitably graded unbound granular fill (hardcore) material (4/40 mm) to facilitate the free movement of gas within the hardcore layer.

T3 Blind Fine aggregate (0/4 mm, GF80), for blinding the top surface of the Annex E granular fill.

Diagram 4

Diagram 4 Ground Supported Floor Par 3.1.4



NOTES:
1 In well compacted layer(s) not exceeding 225mm.

Standards and References

Delete: SR21: 2004+A1: 2007 and replace with: S.R. 21:2014+A1:2016

Delete: The Radiological Protection Act, 1991 (Ionising Radiation) Order, 2000, Statutory Instrument No.125 of 2000 and replace with: The Radiological Protection Act 1991 (Ionising Radiation) Regulations 2019, Statutory Instrument No. 30 of 2019
<https://assets.gov.ie/100136/0825dd2c-31ca-4cf4-8787-479cc33e11f7.pdf>

Smart Regulation-Compliance Support



Monaghan County Council Building Control Team - Promoting Compliance through on-site Inspections
Dermot Brannigan CFO and Kieran Gallagher

TGD H – Part H - Drainage and Waste Water Disposal 2010

Access & Branch Design



1.2.2.8 Sizes of branch pipes: Pipes serving a single appliance should have at least the same diameter as the appliance trap (see Table 2). If a pipe serves more than one appliance and is unventilated, the diameter should be at least the size shown in Table 3.

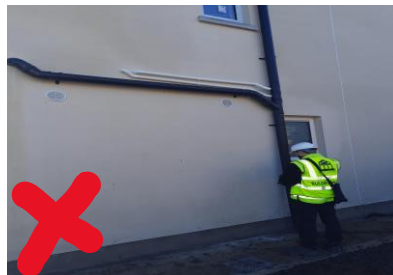
Appliance	Max Number to be connected	OR	Max length of branch (m)	Min size of pipe (mm)	Gradient limits (fall per metre)	
					min (mm)	max (mm)
sinks	8	15	100	9	to	90
urinals:						
bowls	5	5	*	50	to	90
stalls	6	*	65	18	to	90
Washbasins	4	4	50	18	to	45

Note:
* No limitation as regards venting but should be as short as possible.

Non – Compliant Examples



1.2.2.17 Rodding points should be provided to give access to any lengths of branch pipes which cannot be reached by removing traps.



Kieran Gallagher MCC inspecting for compliance with Part H.



Smart Regulation

The purpose of regulation in a civilised society is for the health and safety of the citizen and the protection of the environment. Smart regulation embraces the different actors in the regulation process allowing for a collaborative and coordinated approach to regulation. Smart regulation acknowledges that controls are not only exercised by the Building Control Authorities, but also through self-regulation and by third parties such as companies and public interest groups.

The NBCO and the 31 Building Control Authorities work with Owners, Designers, Builders, Assigned Certifiers and Suppliers of Construction Products to promote compliance with the building regulations. Product suppliers have a vested interest also in ensuring that their products are used correctly in the construction process and not damaged in the process; and where we find damaged or misused products during our site visits, we are now also contacting the suppliers and manufacturers of these products, who in turn are encouraged to promote compliance, through education and training in the correct use of these products in buildings. Manufacturers and suppliers are encouraged to acknowledge their duty of care in placing these products on the market.

Monaghans' Kieran Gallagher inspecting



BREXIT AND NEW ARRANGEMENTS FOR THE MARKET SURVEILLANCE OF CONSTRUCTION PRODUCTS

The Minister for HLGH, in exercise of the powers conferred on him by Section 133(1) of the Withdrawal of the United Kingdom from the European Union (Consequential Provisions) Act 2020 (No. 23 of 2020), has made Regulations known as **S.I. No. 682 of 2020- Withdrawal of the United Kingdom from the European Union (Consequential Provisions) Act 2020 (Construction Products – Market Surveillance) Regulations 2020**. These regulations prescribed DCC-NBCO as a competent authority for the purposes of carrying out the functions of a market surveillance authority under the **European Union (Construction Products) Regulations 2013 (S.I. No. 225 of 2013)** Building control authorities continue to be designated the market surveillance authorities for construction products and will be supported by DCC-NBCO.



Part J - The Requirement

J2(b) Warning of release of Carbon Monoxide. Reasonable provision shall be made to avoid danger to the health and safety of the occupants of a dwelling caused by the release of carbon monoxide from heat producing appliances.



EI207 / EI208 Carbon Monoxide Alarm Series

Two separate and distinct situations.

Situation 1:

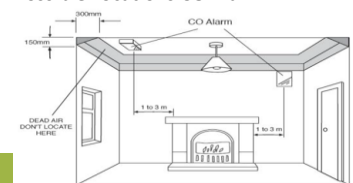
Where a new or replacement open-flued or fuelless combustion appliance, not designed solely for cooking purposes, is installed in a dwelling, a carbon monoxide (CO) alarm should be provided:

- in the room where the appliance is located, and
- either inside each bedroom or, within 5 m (16 ft.) of the bedroom door, measured along the path of the corridor.

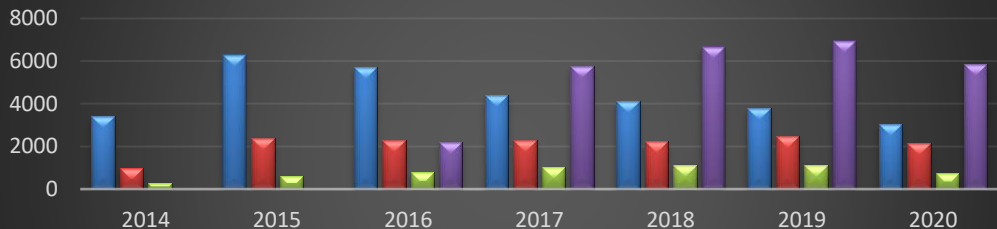
Situation 2

Where a system chimney is being used, with any heat producing appliance and the flue passes within or over a habitable room, (whether encased or not), then a CO alarm should be fitted in the room.

Possible Locations CO Alarm



COMMENCEMENT NOTICES BY TYPE BY YEAR



- Commencement Notice With Supporting Compliance Documentation
- Commencement Notice Without Supporting Compliance Documentation
- Seven Day Notice
- Commencement Notice with Opt -Out Declaration

Construction Activity to end of December 2020

Commencement Notice Type - from 1st January 2020	End Oct. 2020	End Nov. 2020	End Dec. 2020
Commencement Notice with Opt Out Declaration	5,233	5,567	5,839
Commencement Notice Without Compliance Documentation	1,905	2,067	2,171
7 Day Notice	627	677	732
Commencement Notice with Compliance Documentation	2,596	2,830	3,054
Total Commencement Notices All types	10,361	11,141	11,796
CRM stakeholder queries - closed-i.e. phone, info@localgov.ie	4318 - Freshdesk Closed Cases	4879 - Freshdesk Closed Cases	5317 - Freshdesk Closed Cases
From Inception (2014)	End Oct. 2020	End Nov. 2020	End Dec. 2020
Customers-Registered users	126,174	127,3030	128,136
Compliance Documents	1,628,271	1,665,453	1,695,980
Certificate of Compliance of Completion	28,180	28,964	29,549
Application Type - Valid/Invalid -From 1st January 2020	End Oct. 2020	End Nov. 2020	End Dec. 2020
Fire Safety Certificates FSC, FSC-RV, FSC-RG	137	99	152
Disability Access Certificates DAC, DAC-RV	87	51	97
Dispensation / Relaxation	3	3	4
Application Type - RI/FI/TA	End Oct. 2020	End Nov. 2020	End Dec. 2020
Fire Safety Certificates FSC, FSC-RV, FSC-RG	79	86	122
Disability Access Certificates DAC, DAC-RV	21	17	27
Dispensation / Relaxation	1	1	1
Application Type - Granted/Refused/Granted with Conditions/Recommended	End Oct. 2020	End Nov. 2020	End Dec. 2020
Fire Safety Certificates FSC, FSC-RV, FSC-RG	322	534	593
Disability Access Certificates DAC, DAC-RV	264	431	491
Dispensation / Relaxation	15	19	19
Total Application All Types	929	1,231	1,506

QUESTION - IS A UKCA (UK CONFORMITY ASSESSED) A CE MARKING UNDER CONSTRUCTION PRODUCTS REGULATIONS (CPR)?

ANSWER: In the context of marketing of construction products, the UKCA (UK Conformity Assessed) marking is a new UK marking that is used for products (including construction products) being placed on the market in Great Britain (England, Wales and Scotland). It covers the same range of construction products which (under the CPR) require CE Marking when placed on the EU Market i.e. those covered by harmonised technical specifications.

Whilst there is scope for dual marking on construction products, the UKCA marking (as any third country marking) can be affixed to a product which bears the CE Marking provided that such marking does not create confusion with the CE Marking. This confusion may either refer to the meaning or the form of CE marking (Article 30(5) of Regulation 765/2008). Therefore, the UKCA marking as well as any other information concerning UK legislation must be separate from the CE Marking and information concerning EU legislation. This applies also to the Declaration of Performance under EU law.

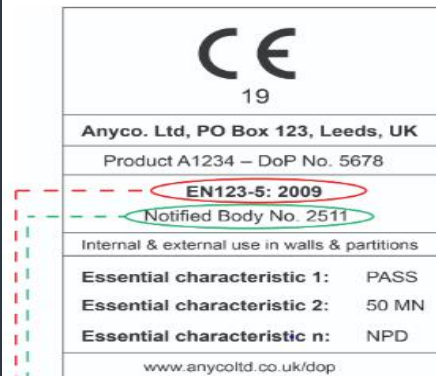
Where building control officers come across a construction product labelled with UKCA by itself i.e. without a CE Marking, this would indicate that the construction product has been marketed unlawfully. The suggested action to take is as follows:

1. Building Control Officers (BCO)/ Authorised Officers (AO) should bring the matter to the attention of National Building Control Office (DCC-NBCO) (support@nbco.gov.ie), who can liaise with the BCO/AO and make follow up enquiries with the economic operator/ enforcement, as necessary.

2. In accordance with the DCC-NBCO Memo of Understanding with Customs, DCC-NBCO may need to supply Customs with specific details of construction products they require to be controlled by Customs. A general risk-based intervention may be considered:

- a. Where construction products are identified to bear UKCA marking and the CE Marking/ DoP is absent, such products should not be cleared for free circulation until DCC-NBCO has indicated that the product can be released.

What to look for on the CE marking of a construction product



How to know if a construction product is certified by a UK 'notified body'

- Visit the Nando CPR database: <https://ec.europa.eu/growth/tools-databases/nando/>
- Click "Body". From the CE marking find the "Notified Body No."
- On the Nando webpage use the "Country" column to identify the country in which the "notified body" is registered.
- How to find an EU-27 (EU country after the UK leaves the EU) "notified body" for a product with a harmonised standard
- On the Nando CPR database, click "Construction products", then click "Regulation (EU) No 305/2011 - Construction Products".
- Click "Standard" (from the bar above the "Bodies" heading).
- Click "Harmonised Standards". Using the product's Standard, find and click on the correct Standard, found under the "Code" column on the webpage.
- Use the "Country" column to find a "notified body" from an EU-27 country.



Search and explore data from NBCO

Search for data.

Categories
[Commencement Notice](#), [Certificates of Compliance on Completion](#), [Online Assessment](#)

<https://data.nbco.gov.ie/>

Open Data Portal

Wicklow Building Control Promoting Compliance Anne Fegan and Tony McManus.
 As long as construction continues so shall inspections!



Search the Statutory Register here

Any- Enter search word

About BCMS

Welcome to the Building Control Management System (BCMS). A commencement notice is required to give notice to Building Control Authorities of the erection of such buildings, or classes of works, or the carrying out of such works, or classes of works, as may be specified in the regulations. Note that each party (owner, designer, builder and assigned certifier) to the notice must first register with the BCMS. A building or works may also require a Fire Safety Certificate Application, a Disability Access Certificate Application and a Certificate of Compliance on Completion. The Building Control (Amendment) Regulations SI 9 of 2014 recommends this BCMS site as the preferred means of electronic building control administration.

COVID-19 - CRITICAL NOTICE

Please Note: Having regard to the immediate, exceptional and manifest risk posed to human life and public health by the spread of Covid-19, you should refer to Section 62(2) of S.I. 4 of 2021 HEALTH ACT 1947 (SECTION 31A - TEMPORARY RESTRICTIONS) COVID-19 (NO. 10) (AMENDMENT) REGULATIONS 2021 located here, prior to submission.



Standard Recommendation
S.R. 82:2017

Slating and Tiling - Code of Practice

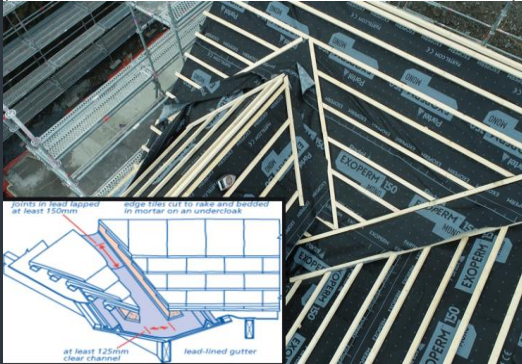


Photo taken By NBCO Drone

Section 5 of S.R. 82 Outlines: The Design recommendations
General considerations: The criteria, taken into account when designing and/or selecting products for roof construction, should include but are not be limited to:

- structural stability;
- weathertightness;
- ventilation;
- shape and size of roof;
- durability;
- control of condensation, thermal performance and hygrothermal factors; and
- health and safety considering fire, sound, and impact resistance.

NOTE 1 Buildings near sources of noise can require the acoustic properties of the roof to be addressed at the design stage.

NOTE 2 I.S. EN 15026 gives guidance hygrothermal performance of building components and building elements

Assessment of exposure to local wind-driven rain and wind

Figure 1 shows a map of the Republic Ireland divided into two zones based on exposure to local wind-driven rain and wind. The two zones are moderate and severe. Figure 1 is based on driving rain data from the S Walsh (2010). This map may be used when designing buildings up to 12 m ridge height above adjoining ground level.

Slating & Tiling in Ireland- S.R. 82:2017

Never start a building without first referring to S.R. 82 i.e. the guidelines for the materials, design, application, and workmanship of slates, tiles, fittings and accessories. It gives guidance on pitched roofs and vertical cladding applications not exceeding 10 storeys etc.; and for every location in Ireland guidance on considerations for rain and wind resistance, durability, control of condensation, fire resistance, environmental and, health and safety issues. Standard Recommendation 82:2017 slating and tiling code of practice (S.R. 82) formally replaced Irish Code of Practice ICP 2:2002 slating and tiling on 1st January 2018.



Figure 1

Moderate exposure zone

Moderate exposure to wind-driven rain applies in districts where the driving rain index is less than 5 m²/sec/year and wind speeds of less than 26 m/s. These are shown in Figure 1. In districts of moderate exposure, buildings which stand above their surroundings, or buildings of any height on hill slopes or hill tops, should be regarded as having a severe exposure.

Severe exposure zone

Severe exposure to wind-driven rain always applies in districts where the driving rain index is equal to or greater than 5 m²/sec/year and wind speeds greater than 26 m/s. These are shown in Figure 1.

S. Walsh (2010). Driving Rain Index for Republic of Ireland. Met Éireann, Climatology Note No 13

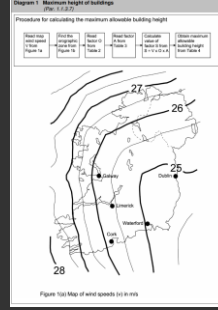
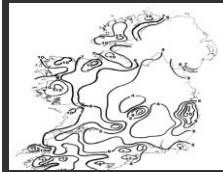


Figure 1 (a)

Education & Training

IT Carlow - LEVEL 7 CERTIFICATE IN BUILDING CONTROL MANAGEMENT Education Award by Engineers Ireland.

@itcarlow link [here](https://www.itcarlow.ie/study/lifelong-learning/extended-campus/extended-campus-application-form.htm) for Extended Campus Application Form.

<https://www.itcarlow.ie/study/lifelong-learning/extended-campus/extended-campus-application-form.htm>



National Building Control Office Eventbrite www.eventbrite.ie

Spring Series 2021 Webinars

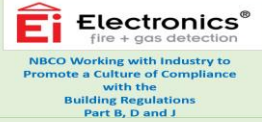
Don't miss these important events - follow us on Eventbrite, and you will be notified when we publish a new event. Log on now to follow. We will be publishing our next event shortly.

Webinar 14th January 2021
Building Control: BCMS Online Demo of a Fire Safety Certificate



NBCMP
National Building Control Management Programme

Date 04th February 2021
Title
"Modern Technologies for Fire and CO Detection in Residential Premises to Comply with Building Regulations"



NBCO Working with Industry to Promote a Culture of Compliance with the Building Regulations Part B, D and J

25th February Wavin Ireland -Sewers -Part H,
11th March Heat Pumps Part L with Meath Co. Co

1st April Partel Ltd -Roof Membranes – Installation and Repair Part A, D, L.

13th April Protected Structures- Jacqui Donnelly, Senior Architect, Built Heritage

25th March Gyproc & Isover Ireland, Plasterbord

15th April Domestic Electrical Installations in conjunction with Meath Co. Co.

National Building Control Office, 3 Palace Street, 31 Building Control Authorities working together to "Promote a Culture of Compliance with the Building Regulations"



TGD A – Structures (2012) Roof Trusses for Dwellings – Lateral Restraints

Designers should ensure that the design and locations of the lateral restraint for pre-fabricated roof trusses is in accordance with the requirements of TGD Part A & SR 70:2015 Timber in construction - Eurocode 5 - trussed rafters. (Note: Roof truss manufacturers usually exclude the lateral restraints from their design. A note is usually provided on the design drawings stating this.)

1.1.3.25 Gable walls should be strapped to roofs as shown in Diagrams 7 (a) and (b) by 30 x 5 mm tension straps as described in 1.1.3.24. Vertical strapping at least 1000 mm in length should be provided at eaves level at intervals not exceeding 2000 mm as shown in Diagram 7 (c). Additional vertical straps may be necessary in the following conditions and a separate design check should be carried out to calculate uplift in accordance with I.S. EN 1991-1-4. These conditions include where:

- The roof has a pitch of less than 15°, and/or
- With reference to Figure 1a of Diagram 1, the site wind speed is greater than 26 m/s, and/or
- The building is located in exposed terrain and there is reason to believe that higher wind speeds may pertain.

Note 1: Truss manufactures have specific design details and guidance on storage – Always refer to manufacturers design guidance.

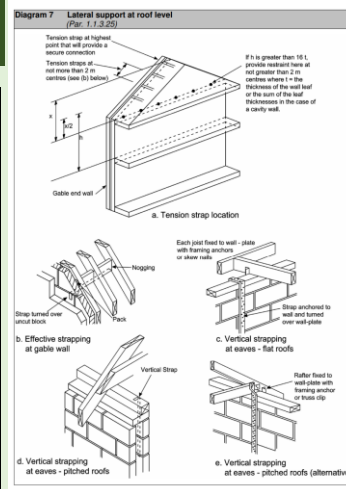
Note 2: Open web or metal web steel joists or trusses ensure the correct orientation i.e., top/bottom!

Note 3: Using composite joists or trusses ensure securely connected to behave as one unit!!



Standard Recommendation
S.R. 70:2015

Timber in construction - Eurocode 5 -
Trussed rafters



Comhairle Cathrach
Bhaile Átha Cliath
Dublin City Council



Cumann Lucht Bainistíochta Contae agus Cathrach
County and City Management Association



31 Building Control & Market Surveillance Authorities Promoting a Culture of Compliance with the Building Regulations

The CCMA/NBCMP "Framework for Building Control Authorities

V1.1 2016" provides guidance on roles and functions regarding administration and monitoring compliance with:

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- Building Control Regulations
- Building Regulations
- Section 11 Inspections & Information requests
- Section 8 Enforcement
- Section 17 Penalties & Prosecutions
- Statutory Building Register



Alan Hyland & Anne Britton Kilkenny BCOs inspecting one-off dwellings.

BCAs are the designated authorities for:

- Market Surveillance of S.I. No 225 of 2013 the EU Construction Products Regulations.
- Building Energy Rating S.I. No 243 of 2012 the EU (Energy Performance of Buildings).
- Registration of multi-storey -LG (Multi-storey Buildings) Act 1988.



Longford Alan Slattery BCO Inspecting for Compliance.

NBCMP Team-Mairéad Phelan, Sabrina McDonnell, Peter O Sullivan, Richard Butler, Éanna Ó Conghaile, Shirley Lambe, Kelda Minjon, Joe Carton, Svetlana Zavadska.
E: support@nbco.gov.ie



**3 PALACE STREET
DUBLIN 2**



Building Control - **P.1**

Building Regulations-Part G Hygiene **P.1**

Smart Regulation-Compliance Support **P.2**

IS-BCMS, Construction Activity & MS **P.3**

Education & Training **P.4**

Timber Marking **P.4**



Where there is Construction so should there be Inspections

S.I.335 of 2008 Building Regulations (Part G Amendment) Regulations 2008

G1 Bathrooms and Kitchens.
A dwelling shall be provided with—
(a) a bathroom containing either a fixed bath or a shower bath, and a washbasin,
(c) a suitable installation for the provision of hot and cold water to the bath or shower bath, washbasin and sink.

G2 Sanitary Conveniences and Washing Facilities.
(1) Adequate sanitary conveniences shall be provided in a building in rooms provided for that purpose, or in bathrooms, and every room or bathroom which contains a sanitary convenience shall be adequately separated from any place where food is prepared or cooked.

G3 Definitions. In this Part, sanitary convenience" means a water closet or a urinal.

G2 Sanitary Conveniences and Washing Facilities.
(3) There shall be a suitable installation for the provision of hot and cold water to washbasins provided in accordance with subparagraph (2).
(4) Sanitary conveniences shall be of such design as to facilitate efficient use of water for flushing.
(5) Sanitary conveniences and washbasins shall be of such design and be so installed as to allow for effective cleaning.

Building Regulations are made for the specific purposes of providing for the **Health, Safety and Welfare of persons**, the conservation of energy and access for people with disabilities.

Part G of the Building Regulations relate to Hygiene. The word hygiene comes from Hygeia, the Greek Goddess of health, the daughter of Aesculapius, the God of Medicine.

Sanitation and hygiene technologies have existed in ancient Hellas since the Bronze Age (ca. 3200–1100 BC). Ref: Journal of Water, Sanitation and Hygiene for Development | 07.2 | 2017. **The Oxford English dictionary defines hygiene as "1 (a) a study or set of principles, of maintaining health. (b) conditions or practices conducive to maintaining health. 2 sanitary science". The World Health Organisation (WHO) promotes personal, domestic and community good hygiene as an important barrier to many infectious diseases, including the faecal–oral diseases, to promote better health and well-being. The HSE & HSA promote good basic hygiene practices to reduce the risk of infection by biological agents including Covid-19 and washing hands regularly and especially before eating, drinking or smoking.**

Building Control Officers are responsible for the promotion, enforcement and inspection for compliance with Part G Hygiene in relation to new buildings, extensions to buildings and all new installations of services, fixtures and fittings in existing buildings. Any suggestion that Part G compliance does not require a demonstration that there is a proper water supply fit for human consumption to the building is contrary to preventing the mischief that the Regulation was designed to prevent.

Mairéad Phelan

Part G Hygiene Requirements

G1 Bathrooms and kitchens:

- A dwelling shall be provided with a—
- bathroom containing either a fixed bath or a shower bath, and a washbasin, **and**
 - kitchen containing a sink of adequate size and a draining board, **and**
 - suitable installation for the provision of hot and cold water to the bath or shower bath, washbasin & sink.

G2 Sanitary conveniences and washing facilities:

- Adequate sanitary conveniences shall be provided in a building in rooms provided for that purpose, or in bathrooms, and every room or bathroom which contains a sanitary convenience shall be adequately separated from any place where food is prepared or cooked.
- Adequate washbasins shall be provided in—
 - rooms containing sanitary conveniences; or
 - rooms or spaces adjacent to rooms containing sanitary conveniences.
- There shall be a suitable installation for the provision of hot and cold water to washbasins provided in accordance with subparagraph (2).
- Sanitary conveniences shall be of such design as to facilitate efficient use of water for flushing.
- Sanitary conveniences and washbasins shall be of such design & be so installed as to allow for effective cleaning.

G3 "sanitary convenience" is a water closet or urinal.

Compliance Checks - Houses, Buildings, Existing, New & Extensions

- Building Regulations & Control Regulations.
- EN 806, installations in buildings conveying water for human consumption.
- I.S. EN 12056, Drainage systems in buildings.
- Dual flush toilets in new and replacements of WCs in existing buildings.
- Cold Water Storage system, Insulation from elements & frost protection-all pipes/installations.
- Part D- CE & DoPs -demonstrate water supply will not cause corrosion/decay to pipes/installations.

Smart Regulation-Compliance Support

BUILDING CONTROL ACT, SECTION 4; APPLICATION FOR DISPENSATION OR A RELAXATION OF BUILDING REGULATIONS.

Dispensations and Relaxations were a carry-over from the prescriptive format of the Draft Building Regulations and should seldom be required or granted in the context of the current performance-based Building Regulations. The Requirements normally employ such words as “adequate”, “necessary”, “safe” or “reasonable” and so it makes little sense to Dispense/Relax a requirement to something which less than adequate, necessary, safe or reasonable. E.g., a Dispensation of Requirement B1 entirely removes the need for “adequate means of escape”.

Rather than applying for a Dispensation or relaxation designers should review their designs to see how they CAN comply with the Requirement even if they can't comply with the TGD. This may be done by using compensating features, other codes & standards or assessing “adequacy” for the specific building. The Requirements imply different levels of adequate performance for different building types, and this is reflected in the TGDs. E.g., TGD B indicates that a 2-storey dwelling without Fire Doors may be adequate, but that a 3-storey dwelling is not.

Dispensations and Relaxations can only be granted from the Requirements of the Building Regulations themselves and NOT from the TGD. The TGD clearly state that “*the adoption of an approach other than that outlined in the Guidance is not precluded provided that the relevant requirements of the Regulations are complied with*”.

E.g., a Dispensation cannot be made to omit Fire Doors because there is no Part B Requirement that fire doors must be provided. Fire doors are only 1 element of an overall fire safety design which together with other elements such as fire alarms combine to achieve the Required “adequate means of escape”. To dispense with the Requirement to provide “adequate means of escape” just because Fire doors can't be provided is not reasonable. There is a big difference between having “adequate means of escape” without relying on fire doors and not having “adequate means of escape” at all.

Likewise, under Part M, just because wheel-chairs can't access a building isn't reasonable grounds for dispensing with the Requirement for “adequate access” for everyone else.

- In granting an application, BCA must carefully consider the extent to which they are dispensing or relaxing the Requirements to ensure they are not inadvertently granting more than intended.
- Relaxation Applications must clearly state the extent of the relaxation and the new lower standard to be achieved.

Note: Cannot dispense with the need for a DAC because that is a Control Regulations requirement.

Martin Ryan
Martin Ryan,
Building Control & Fire Cork County Council



Loais County Council Building Control Team - Promoting Compliance through on-site Inspections.
Jim O Sullivan BCO
Loais Inspecting for Compliance

COLIN BIRD & ROBERT HOGAN DÚN LAOGHAIRE-RATHDOWN COUNTY COUNCIL, INSPECTING FOR COMPLIANCE.



THE POWER OF PERSUASION & REASONING BY A BCA TO ACHIEVE REGULATORY COMPLIANCE

The situation illustrates the importance of site inspections and how a Building Control Authority (BCA) can deliver measurable benefits to a project and highlights how responsive regulation, and the power of persuasion & reasoning can secure regulatory compliance.

In situations where systemic breaches of Building Regulations occur, a Building Control Authority may serve an Enforcement Notice under the Building Control Acts. However, with the voluntary participation of all stakeholders in a collaborative approach, a satisfactory and compliant resolution can be achieved through the power of persuasion and reasoning. Often this is the most expedient and straight forward route to compliance, as outlined below.

An unannounced inspection of a residential development identified multiple contraventions of Building Regulations, most notably of Parts A, B, D and E. In particular, the blockwork which had been sub-contracted was of a particularly low standard, with the lack of adequate site supervision identified as the root cause. The issue was compounded by the fact that the Assigned Certifier (AC) was not local to the site, and unannounced inspections did not form part of his inspection routine.

Upon discovery by the BCA, the concerns were brought to the attention of the builder, who was advised not to progress the permanent works until the Assigned Certifier had an opportunity to inspect. The issues were initially discussed by phone with the Assigned Certifier and followed up by e-mail with photographic evidence.



Photo Above; August 2018; Partially constructed houses, roof timbers complete to first set, with blockwork approaching completion on second set.

The power of persuasion

Contd. The AC appeared unaware of site progress, but from the outset understood the gravity of the situation and the impact the issues could have on Certification, if left unchecked. The AC issued a written instruction to cease works and followed this up with a site inspection. Subsequently, the AC confirmed the BCA's findings, which included, inter alia, inadequate wall tie installation, inconsistent cavity width, inadequate tying of blockwork, thermal bridges, inadequate fire stopping, double course blockwork on party line, etc.



Photo Above; August 2018, Sample defect – cavity wall-ties bent out of way. The BCA advised the team not to lose sight of the overall goal of delivering a compliant project capable of being certified upon completion. The builder committed to do whatever was required to bring the works into compliance, with the first step in this process being the removal of the sub-contractor from site, and the appointment of a new sub-contractor. After reviewing the situation, the AC confirmed he could not certify the current works, given the magnitude of the defects and the impracticality of compliance through remediation.



Photo Above; September 2018 Blockwork entirely deconstructed back to ground floor slab level and arisings removed to a licensed waste facility.

THE POWER OF PERSUASION & REASONING BY A BCA TO ACHIEVE REGULATORY COMPLIANCE

Through persuasion and reasoning it was concluded that that the most appropriate course of action was the removal of the defective works right back to ground floor slab level, and the resumption afresh. The commitment by the project team to accept responsibility and rectify matters safeguarded against further action by the BCA, though the risk of enforcement remained, so far as necessary, in the background. Following deconstruction, a mock-up section of blockwork was constructed, which upon inspection, was found to be congruent with acceptable norms. Both builder and Assigned Certifier increased their site presence for the duration of the works and a revised inspection plan was implemented along with continued inspection by the BCA. The works progressed towards completion and Certification.



September 2018 Mock-up. Adequate wall tie installation, vertical DPC installed to external corners, full fill cavity.

Kevin O Malley
Kevin O Malley
Senior Executive Building Surveyor with Dublin City Council

Comment: The rationale for Smart Regulation, is that, in most circumstances, the use of multiple rather than single policy instruments, and a broader range of regulatory actors, will produce better regulation.

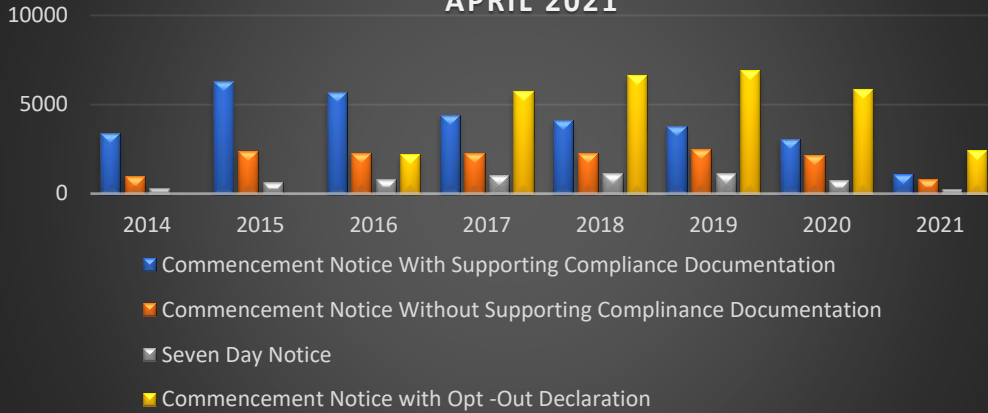
BCMS
 Building Control Management System

Form of Application for a Dispensation, Exemption, or a Relaxation of a Requirement of Building Regulation
 Building Control with 1997 and 2007

Building Control Authority: _____

OFFICIAL USE
 Date Received: _____
 Register Ref: _____
 Issued on: _____
 Issued by: _____
 Fee Received: _____

COMMENCEMENT NOTICE BY TYPE BY YEAR TO END APRIL 2021



Commencement Notice Type - from 1st January 2020 End	Nov. 2020	Dec. 2020	April 2021
Commencement Notice (CN) with Opt Out Declaration	5,567	5,839	2,429
CN Without Compliance Documentation	2,067	2,171	813
7 Day Notice	677	732	257
CN with Compliance Documentation	2,830	3,054	1,107
Total Commencement Notices All types	11,141	11,796	4,606
CRM stakeholder queries Freshdesk – closed cases i.e. phone, info@localgov.ie & support@nbco.gov.ie	4879	5317	1978
From Inception (2014) End	Nov. 2020	Dec. 2020	April 2021
Customers-Registered users	127,3030	128,136	134,427
Compliance Documents	1,665,453	1,695,980	1,841,691
Certificate of Compliance of Completion	28,964	29,549	1,488
Application Type - Valid/Invalid -From 1st January 2020 -End	Nov. 2020	Dec. 2020	April 2021
Fire Safety Certificates FSC, FSC-RV, FSC-RG	99	152	356
Disability Access Certificates DAC, DAC-RV	51	97	227
Dispensation / Relaxation	3	4	7
Application Type - RI/F/ITA	Nov. 2020	Dec. 2020	April 2021
Fire Safety Certificates FSC, FSC-RV, FSC-RG	86	122	189
Disability Access Certificates DAC, DAC-RV	17	27	49
Dispensation / Relaxation	1	1	1
Application Type - Granted/Refused/	Nov. 2020	Dec. 2020	April 2021
Fire Safety Certificates FSC, FSC-RV, FSC-RG	534	593	49
Disability Access Certificates DAC, DAC-RV	431	491	46
Dispensation / Relaxation	19	19	1
Total Application All Types	1,231	1,506	925
Inspections for Compliance with Regulations 1st Jan to End	2020	April 2021	Sept 2021
Number of Inspections, prior to commencement of work(desktop)	1,772	1,128	-
Number of CNs where plans, specifications, or other compliance documents were requested. BCA1990-2014 Section11(3) requests	1,034	406	-
Number of Inspections of buildings in progress (onsite)	15,008	3,507	-
Number of Inspections (other)- e.g. Part G (Hygiene), J (Flues), H (Drainage/Wastewater)	1,072	319	-
Number of buildings & dwellings (new/existing) for which a Building Energy Rating (BER) Certificate was sought and/or checked by the Building Control Authority (BCA)	10,064	4348	-

National Building Control and Market Surveillance Office

Market Surveillance of Construction Products S.I. 225 of 2013 and S.I. 682 of 2020

While the CPR came into force and has direct legal application across the entire European Union since 1st July 2013, each Member State is responsible for regulating its own market surveillance activities in accordance with the specific requirements of the CPR and the broader overarching requirements of Chapter III of Regulation (EU) No. 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/9.

The Withdrawal of the United Kingdom from the European Union (Consequential Provisions) Act 2020 (Construction Products – Market Surveillance) Regulations 2020 (S.I. 682 of 2020) appoints Dublin City Council-National Building Control Office as a competent authority for the carrying out of market surveillance functions under the European Union (Construction Products) Regulations 2013 (S.I. No.225 of 2013) for all construction products in the State.

Dublin City Council-National Building Control Office, (DCC-NBCO) Market Surveillance Unit have authorised officers who monitor compliance with the statutory requirements set out under the European Union (Construction Products) Regulations 2013 and Regulation (EU) No. 305/2011 on a nationwide basis.

Contact at: support@nbco.gov.ie.

The European Union (Construction Products) Regulations 2013 (S.I. 225 of 2013), provides for the:

- market surveillance of construction products having regard to the requirements of the CPR and Regulation (EU) No. 765/2008.
- establishment of building control authorities as the market surveillance authorities for construction products. Authorised officers have also been appointed in each of the 31 local building control authorities to enforce the statutory requirements set out under the European Union (Construction Products) Regulations 2013 and Regulation (EU) No. 305/2011.
- offences, penalties and prosecutions, and
- the destruction or disposal of construction products where a person has been convicted on indictment of certain offences under the regulations.

Pursuant to Article 18(5) of Regulation (EC) 765/2008, Ireland's National market surveillance programme 2021 is published on the website of the European Commission.

“construction product” means any product or kit which is produced and placed on the market for incorporation in a permanent manner in construction works or parts thereof and the performance of which has an effect on the performance of the construction works with respect to the basic requirements for construction works”

- **‘Construction Industry – Preparing for the end of the Brexit Transition Period Frequently Asked Questions’**
- **Getting Ireland Brexit Ready-Department of Housing, Local Government and Heritage Construction Products Regulation (CPR) EU**
- **CE Marking of Construction Products Step by Step**
- **Standards; The provisions of Regulation (EU) No 305/2011 prevail over any conflicting provisions in the harmonised standards-**
- **Regulation (EU) 305/2011 – Construction Products Regulation (CPR). ANNEX IV – Table 1. PRODUCT AR-EAS**
- **CE Marking for Construction Products European Commission Video**

Construction Activity to end of April 2021- <https://data.nbco.gov.ie/>

Minister McGrath announces Successful Innovation Fund projects; NBCO-DCC. Project Title: Smart Inspections and Building Control: €35,000

L-R Richard Butler, Eam O'Connell & Marked Photos, National Building Control Office

Wexford Building Control Promoting Compliance Building Control Officers Craig Ines & Martin O'Flaherty. As long as construction continues so shall inspections!

NBCO working with Safe Electric to promote Building Regulations & “I.S.10101:2020 National Rules for Electrical Installations”.

Wiring Embedded in Solid Walls or in Un-battened Dry-Lined Walls

SAFE ELECTRIC has been contacted by the National Building Control Office who have expressed their concern that their standard building inspection process may be finding a lot of non-compliance with the National Rules for Electrical Installations. These inspections will normally be carried out at the building site to ensure, in particular they have identified incorrect cable protection (i.e. p.v.c. protection, for cables not installed either horizontally or vertically). The National Building Control Office provided the following photographs with their email. In the photographs the cables from the client's garage to the corner outlet is in breach of rule S22:5.5. This is because the cable is not going directly either horizontally or vertically to the point and therefore should be protected by earthed metal screen. Also the cables in the stud partition on the upper wall of the garage will be seen from above each inside the finished wall and therefore will require earthed metal screen. All RECs need to be aware that they are providing certification confirming that the installation complies with the relevant wiring rules and if there is an incident or accident some time in the future that it caused by a non-compliance with the wiring rules, the installing REC will be held responsible.

Education, Training & Learning

WHY GET AN INTERNSHIP WITH NBCO?

Getting work experience is an essential aspect of starting your career as a young graduate. If the promotion of health and safety of the citizens and the protection of the environment is something that you value, the National Building Control Office is the right place to start your career in the construction industry. The purpose of the NBC&MSO is to promote a culture of compliance with the Building Regulations and Construction Products Regulations among all stakeholders of the construction process so that everyone could have their input into a better world of the built environment.

Undertaking an internship with NBC&MSO will give you a chance to put learning into action in a real-world environment and understand the theories of practice. If your subject of study is not construction related you will have an opportunity to gain or update your knowledge by taking part in the Education and Training program organised by the NBC&MSO which includes webinars and training courses. You will have an opportunity to get involved in the Market Surveillance of Construction Products for which the office is the national designated authority. You will take part in the administration of Building Control by using the Building Control Management System and by providing customer support. The work involves construction site visits where you will be taking part in inspecting for compliance with Building Regulations. These are only highlights of the experience you might get working with NBCO. If you think this is something you might like then the National Building Control & Market Surveillance Office is the right place for you!

Svetlana Zavadska
Svetlana Zavadska (Poznaka)
3rd Year, BSc (Hons) Student in Construction Management & Engineering, Waterford IT




National Building Control and Market Surveillance Office

IT Carlow - LEVEL 7 CERTIFICATE IN BUILDING CONTROL MANAGEMENT Education Award by Engineers Ireland.

@itcarlow link [here](https://www.itcarlow.ie/study/lifelong-learning/extended-campus/extended-campus-application-form.htm) for Extended Campus Application Form.

<https://www.itcarlow.ie/study/lifelong-learning/extended-campus/extended-campus-application-form.htm>



National Building Control

Office Eventbrite

www.eventbrite.ie

2021 Spring/Summer Series Webinars,

Don't miss these important events - follow us on Eventbrite, and you will be notified when we publish a new event. Log on now to follow. We will be publishing our next event shortly.

4th of Feb "Modern Technologies for Fire and CO Detection in Residential Premises to Comply with Building Regulations" EI Electronics, 168 attendees, Video circulated to 31 BCA's.

25th of Feb "Part H Buildings Regulations 2010 – Drainage Systems: BCAR Compliance" Wavin Ireland, 115 attendees, published 491 views on YouTube [here](#).

25th of Mar "Where and how Gyproc plasterboards be used to comply with Building Regulation" Gyroc & Isover Ireland, 82 attendees, published 77 YouTube views [here](#).

1st of April "Methods and Applications to improve Air & Wind-tightness" Partel Ltd., 75 attendees, published 47 views on YouTube [here](#).

6th of May "Sound Insulation Testing and interpreting the requirement of TGD-E, 2014" with Ican Acoustics.

15th of May "Adapting and Reusing Historic Buildings: legislation, policy and guidance" Jacqui Donnelly MRIAI.

TBC in June "Building Control (Amendment) Regulations and Fire Safety Certificates" with Martin Moore, ACFO, Tipperary Fire & Rescue Service, Tipperary Co. Co. Fire and Building Control.

The Eurocodes in Ireland NSAI click [here](#)

11th of Mar "Heat Pumps – Domestic Installations" with Mountain Lodge Mechanical Services" John Sweeney, Meath County Council Building Control (Recorded Event), 10 attendees, to be published on NBCO YouTube Channel after editing completed.



Re-opening Sites after Prolonged Closure Periods

Building Control Authorities are writing to Owners, Builders & Assigned Certifiers, regarding projects which have been closed as a result of the Covid-19 public health restrictions or for other reasons and work is restarting on/after the 4th May.

The purpose is to advise, encourage and support those involved in the design & construction of buildings to deliver safe, accessible, sustainable, compliant buildings. Care should be taken on reopening to ensure continuation of a safe and compliant projects.

It is recommended that a dedicated inspection be carried out by the Builder and Assigned Certifier (if present on the project) to identify the potential project risks such as deterioration or degradation of building material or fabric. A plan which identifies and records any work necessary to replace or renew damaged material or constructed work should be agreed, implemented, and documented.

Each project should be risk-assessed, depending on the stage and complexity of the work. Items such as, but not limited to, the following should be considered:

- Safety and stability of temporary support works, scaffolding, support systems and fall arrest anchorage points and health & safety assessments.
- Deterioration of structure, fabric or materials exposed to weather. Timber, thermal insulation, plasterboard or other environmentally sensitive materials should be particularly considered.
- Environmental risks such as mould growth, insect, or rodent damage & contaminated rainwater.
- Risks posed from any damage caused by vandalism or unauthorised access of the works.
- Training, familiarisation or supervision of personnel or tradespeople new to the site.
- Identify and record any areas requiring intervention or remediation, and document the work carried out.

Owners, Builders, Assigned Certifiers & Designers may be asked to demonstrate how they have addressed potential problems resulting from prolonged closure as part of their process of due diligence in demonstrating compliance with the Building Regulations.

A revised/updated Preliminary inspection Plan (PIP) may also need to be developed to take account of the work stoppage. Where necessary, this should be prepared in advance of progressing the permanent works, uploaded to BCMS and be available for inspection on site.

Pat Nestor

Pat Nestor MSCSI MRICS | Senior Building Surveyor | Head of Building Control | Dublin City Council |

National Building Control Office, 3 Palace Street, 31 Building Control Authorities working together

Timber Marking

Timber members should be individually marked in accordance with I.S. EN 14081-1.

Where timber is visually graded the standard used should be referenced in I.S. EN 1912.

Note 1: The standard used may also have specific marking requirements.

Note 2: No markings on timber floor; Insulated Formwork Concrete dwelling under construction- compliance issue!!



Timber-Metal Web Joists

Damage during construction-compliance issues!! Refer to manufacturer & designer for repair solutions.



Timber-Floor Joists

Durability of timber assessed by reference to I.S. EN 335-1-2-3; I.S. EN 350-2; I.S. EN 351-1 & I.S. EN 460. Consideration should be given to the preservative treatment of all timber members built into masonry construction or otherwise liable to deterioration.



Comhairle Cathrach
Bhaile Átha Cliath
Dublin City Council





September
2021

31 Building Control & Market Surveillance Authorities Promoting a Culture of Compliance with the Building Regulations

The CCMA/NBCMP **“Framework for Building Control Authorities V1.1 2016”** provides guidance on roles and functions regarding administration and monitoring compliance with:

- Building Control Act 1990-2014
- Building Control Regulations
- Building Regulations
- Section 11 Inspections & Information requests
- Section 8 Enforcement
- Section 17 Penalties & Prosecutions
- Statutory Building Register



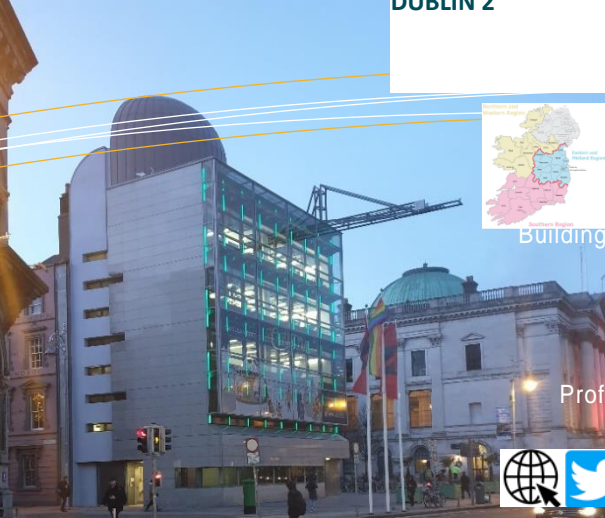
Kieran Gallagher Monaghan Building Control, Inspecting for compliance.
BCAs are the designated authorities for:

- Market Surveillance S.I. No 225 of 2013 EU Construction Products Regulations.
- Building Energy Rating S.I. No 243 of 2012 the EU (Energy Performance of Buildings).
- Registration of multi-storey -LG (Multi-storey Buildings) Act 1988.



NBC&MSO Team Sampling Aggregates L-H Richard Butler, Hailey Lee, Aaisla Al Makhmari, Ali Alnuarni, Eoghan Dunne NBCMP Team- Mairéad Phelan, Peter O Sullivan, Jennifer McGinn Richard Butler, Éanna Ó Conghaile, Shirley Lambe, Kelda Minjon, Joe Carton, Ronan Glynn, Gregory Friston.

3 PALACE STREET DUBLIN 2



Building Control - **P.1**
Building Regulations-Part J Heat Producing Appliances **P.1**
Building Control & Compliance Support **P.2**
IS-BCMS, Construction Activity & MS **P.3**
Professionals, Education & Compliance Challenges **P.4**
Timber Marking **P.4**

Where there is Construction so should there be Inspections

J1 Air Supply. A heat producing appliance shall be so installed that there is an adequate supply of air to it for combustion, to prevent overheating and for the efficient working of any flue pipe or chimney serving the appliance.

J2(b) Warning of release of Carbon Monoxide. Reasonable provision shall be made to avoid danger to the health and safety of the occupants of a dwelling caused by the release of carbon monoxide from heat producing appliances.

J3 Protection of building. A heat producing appliance and any flue pipe shall be so designed and installed, and any fireplace and any chimney shall be so designed and constructed, as to reduce to a reasonable level the risk of the building catching fire in consequence of its use.

J4(b) Provision of information. Information on the system installed and any continuing maintenance required, to ensure its safe and effective operation and avoid risk to health, shall be provided to the owner.

J5 Fuel storage system — protection against spread of fire to the system. A fixed fuel storage system, which serves a heat producing appliance, and any associated pipework carrying fuel to that appliance, shall be so located as to reduce to a reasonable level the risk of fire ignition due to fire spreading from the building being served or an adjacent building or premises.

J6 Liquid fuel storage system — protection against pollution by the system. A fixed liquid fuel storage tank, which serves a heat producing appliance, and the pipes connecting it to that appliance shall be so located, constructed and protected as to reduce to a reasonable level the risk of the fuel escaping and causing pollution.

J2(a) Discharge of products of combustion. A heat producing appliance shall have adequate provision for the discharge of the products of combustion to the outside air.

J4(a) Provision of information. Where a hearth, fireplace, flue or chimney is provided or extended, a durable notice containing information on the type of heat producing appliance which can be safely served by the hearth, fireplace, flue or chimney shall be affixed in a suitable place in the building.

SI 133 of 2014 Building Regulations

Regulations 2014

Heat Producing Appliances

Building Regulations 2014

Technical Guidance Document

Building Regulations are made for the specific purposes of providing for the Health, Safety and Welfare of persons, the conservation of energy and access for people with disabilities.

- Building Regulations 1997 (**S.I. No. 497 of 1997** as amended) provides for Part J Heat Producing Appliances; and
- 1. Provides for the detection and warning of Carbon Monoxide in dwellings.** Alarms should comply with I.S. EN 50291-1:2010 /A1: 2012; incorporate a visual and audible indicator to alert users when the working life of the alarm is due to pass; and the manufacturer should have third party certification confirming compliance with the standard
 - 2. Requires an Information Notice on the type of appliance suitable for the Hearth, Fireplace, Flue, or Chimney i.e.,**
 - (a) the location of the hearth, fireplace (or fluebox) or the location of the beginning of the flue.
 - (b) the category of the flue and generic types of appliances that can be safely accommodated.
 - (c) the type and size of the flue (or its liner if it has been relined) and the manufacturer's name (where applicable);
 - (d) the installation date and the installers name and registration number (where applicable).
 - 3. Information to be provided to the owner with clear and comprehensive information on the system installed and any continuing maintenance required to ensure its safe and effective operation and avoid risk to health; and**
 - 4. Protects against pollution from liquid fuel storage.**
- Building Control Officers** are responsible for promotion, enforcement, and inspection for compliance with Part J in relation to new buildings, extensions to buildings and **all new installations of services, fixtures, and fittings in existing buildings.**

MERGING OF ACCOUNTS ON THE BCMS

Merging of accounts on the Building Control Management System (BCMS) is no longer facilitated. This is due to General Data Protection Regulation (GDPR) compliance considerations. If you (Owner, Builder, Designer, Assigned Certifier) wish to access your existing Notices, Applications or Certificates you must use the email address originally associated (i.e., used to create) with that Building Project. This can be accessed using your current BCMS username and password for that account.

If you wish to use a new email address, you may create a new BCMS account with that email for all future Building Projects, otherwise, a Change of Role process may be followed on existing projects.

In such cases, refer to Administration of Building Control FAQ 57 & 58 and contact your relevant Building Control Authority to request the facilitation of this process.

CARBON MONOXIDE - SILENT KILLER

Carbon monoxide alarms should:

- (a) comply with I.S. EN 50291-1:2010/A1:2012, and
- (b) incorporate a visual and audible indicator to alert users when the working life of the alarm is due to pass; and
- (c) the manufacturer should have third party certification confirming compliance with the standard

WHAT BUILDING REGULATIONS APPLY WHEN INSTALLING A STOVE WITHIN AN EXISTING DWELLING WHERE THERE IS NO FLUE OR CHIMNEY?

The installation of a stove or any heat producing appliance in an existing dwelling where there is no flue or chimney requires the construction of a new flue or chimney. This is to provide adequate provision for the discharge of combustion products safely to the outside air. The installer and installation must comply with:

- Part D of the Building Regulations - the works should be carried out in a workmanlike manner using proper materials which are fit for the use they are intended and for the conditions in which they are to be used; also

refer to [Part D Technical Guidance Document](#)

- Part J of the Building Regulations - regarding the heat producing appliance and chimney flue system; also

refer to [Part J Technical Guidance Document](#)

- Part B (Dwellings) of the Building Regulations - regarding fire safety; also

refer to [Part B Technical Guidance Document](#)
 Contact your local Building Control Authority for further information. You may also need to contact the Planning Authority as the addition of a flue, or chimney to an existing dwelling may in certain circumstances (e.g., front or a protected structure) require planning permission. Useful information can also be found at: [Useful information can also be found at](#)

<https://www.oftec.org/> and <https://www.hetas.co.uk/>

(UK organisations operating within Ireland)



Building Control & Compliance Support



Aggregates (Products Area 24) Sampling for Compliance with construction Products Regulations.
Peter O Sullivan & Ronan Glynn form NBC&MSO

CONOR KING LOUTH COUNTY COUNCIL & JOE CARTON NBC&MSO, TAKING BLOCK SAMPLES FOR TESTING IN ACCREDITED LABORATORY FOR COMPLIANCE WITH -IS EN 771-3:2011.



NSAI Your Standards Your Say

NSAI is Ireland's official standards body and, as such, is responsible for the development of Irish standards, while also representing Irish interests in the work of European and international standards bodies. NSAI relies on the input of industry experts in the drafting of Irish standards, and when participating in European and international standardisation work. But it can also be assisted by the public in the form of an online platform designed for the public to view and comment on draft standards before publication.

This online platform is called **Your Standards, Your say (YSYS)**. NSAI make available the full draft versions of indigenous [Irish Standards](#), [CEN](#) and [CENELEC](#) European Standards and International Standards, for public review and comment. It is a very simple process with clear instructions provided. A PDF version of the draft can be downloaded and reviewed. And any comments can be inputted into the comment dialogue boxes provided.

When the consultation period closes, all comments received are collected and shared with the relevant responsible NSAI technical committee. This committee will consist of a mix of stakeholders including industry experts, government body representatives, academia etc. The committee will assess all comments submitted on a consensus basis and edit the document as required. Once complete, the document will continue its process towards publication.

The more scrutiny and input from stakeholders a draft document receives the more accurate, useful, and robust it becomes. A strong technical committee coupled with a high level of public comment contributions can lead to a high-quality standard that benefits trade, business, and ultimately the end-user.

The **Your Standards, Your Say** online platform can be found here: www.nsainep.ie

Follow NSAI on Twitter to keep abreast of standards activities: https://twitter.com/nsai_standards

NSAI website with further links and details: www.nsai.ie

BUILDING CONTROL (AMENDMENT) REGULATIONS S.I. No. 229 of 2021

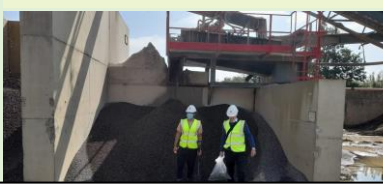
Commencement date 1st July 2021 provided legislative basis to enable following amendments. Applications for a Fire Safety Certificate, Revised Fire Safety Certificate, Regularisation Certificate, Disability Access Certificate, and a Revised Disability Access Certificate applications to be filed electronically on the [Building Control Management System](#).

All notices to Applicants from the Building Control Authority must be in writing (ref. to Interpretation Act 2005, Part 1 Schedule). Electronic filing of the 7 Day Notice Statutory Declaration and a Regularisation Certificate Statutory Declaration on the [Building Control Management System](#).

Alignment with the requirements of the other parts of the Principal Regulations to refund to application fees.

Amendment of the associated Forms of Applications in the Third and Fourth Schedule to facilitate the online application process.

Nominated Roles: Nominated Roles for Applications now include **Owner, Applicant and Preparation** (Responsible Person/Firm).



Aggregates (Products Area 24) Sampling for Compliance with Construction Products Regulations.
Peter O Sullivan & Ali Alnuarni NB&MSO

STATUTORY DECLARATIONS

7-DAY NOTICE & REGULARISATION FIRE SAFETY CERTIFICATE- PART IIIA BCR 1/we of "do solemnly and sincerely declare"

"Statutory Declaration" as referred to in section 6 (2)(a)(vii) of the Building Control Acts 1990-2014. Refer also to [Statutory Declarations Act, 1938](#)

Building Control Statutory Declarations- Note and Tick-box added to the Building Control Management System (BCMS) to impress the gravity regarding Building Control Statutory Declarations.

Tick-box
 "I understand my sworn obligations as made in this Statutory Declaration and/or have sought separate professional advice regarding this."

Widget or Note:
 "This Statutory Declaration is a legal sworn document. You are swearing that you have read, understand and are aware of the undertaking being made in this Statutory Declaration. It is an offence for a person to knowingly or recklessly make a Statutory Declaration that is false or misleading in a material respect."

You should seek separate legal advice prior to signing the Statutory Declaration in the presence of
 (a) a notary public,
 (b) a commissioner for oaths,
 (c) a peace commissioner, or
 (d) a person authorised by law to take and receive statutory declarations as (a), (b), (c) or (d) **cannot give advice on the contents, their sole purpose being to witness the signature.**

Refer to <https://www.lawsociety.ie/globalassets/documents/public-leaf-lets/swearing.pdf>.

Construction Activity, Products and Market Surveillance

COMMENCEMENT NOTICES BY TYPE BY YEAR



Construction Activity to end of August 2021- <https://data.nbco.gov.ie/>

National Building Control and Market Surveillance Office [Click Here](#)

Market Surveillance of Construction Products

The [European Union \(Construction Products\) Regulations 2013 \(S.I. No.225 of 2013\)](#) gives full effect to the provisions of Regulation (EU) No. 305/2011 of the European Parliament and of the Council of 9 March 2011 and gives further effect to the provisions of Chapter III of Regulation (EU) No. 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products. S.I. 682 of 2020 appointed Dublin City Council-National Building Control Office as a competent authority for the carrying out of market surveillance functions under the S.I. No.225 of 2013 for all construction products in the State.

Dublin City Council-National Building Control Office, (DCC-NBCO) Market Surveillance Unit have authorised officers who monitor compliance with the statutory requirements set out under the European Union (Construction Products) Regulations 2013 and Regulation (EU) No. 305/2011 on a nationwide basis.

Contact at: support@nbco.gov.ie.

Quarries & Irelands' National Market Surveillance Programme 2021 [Click Here](#)



Quarries have been in use for thousands of years. They make an important contribution to local and national economic development in Ireland. Quarries can have a positive and negative impact on the environment. Quarry restoration can not only replace, but may even add to, the diversity of plants and wildlife. Disused quarries can provide climbing, swimming, and leisure areas of activity.

Aggregates (i.e., sand, gravel or crushed rock excavated from a quarry) are a significant natural resource with over 300 tonnes of aggregates consumed in the construction of an ordinary one-off house.

For this reason, regulation of quarry activities, i.e., inputs, production, and outputs are important, as when a quarry construction product fails it can have significant social, economic, health, safety, and welfare impact on people in or around buildings and works. Therefore, the [2021 market surveillance programme](#) is concentrating on construction products generated from quarries and pits, specifically products from Area Code 24 (Aggregates) of the CPR with a particular focus on:

- Aggregates for concrete (EN 12620).
- Bituminous Mixtures (EN13043).
- Unbound /hydraulically bound materials (EN 13242).

Aggregates are the main components of floors, under floors, blocks, walls, paths, and roadways and when standard materials are used it is very difficult and costly to remediate; costly examples being the national pyrite and mica scandals. Construction products placed on the market from these quarries must be CE marked and have a Declaration of Performance.

Therefore, the chain of custody for these quarry products is very important and the product should be accompanied by the prescribed descriptive documentation of the Product to comply with [REGULATION \(EU\) No 305/2011](#). While it may be difficult to track every load of aggregate; why not put an identification tag in every concrete block (ring in the barm brack)? This would identify the source in the event of a defect.

The systems of assessment & verification of constancy of performance for Blocks is 2+ refer to Annex V [REGULATION \(EU\) No 305/2011](#).

Commencement Notice Type - from 1st January 2020 End	June 2021	July 2021	August 2021
Commencement Notice (CN) with Opt Out Declaration	1,791	2,146	2,450
CN Without Compliance Documentation	1,362	1,606	1,914
7 Day Notice	467	621	733
CN with Compliance Documentation	3,804	4,485	5,252
Total Commencement Notices All types	7,424	8,858	10,349
CRM stakeholder queries Freshdesk – closed cases i.e. phone , info@localgov.ie & support@nbco.gov.ie	3,392	3,790	4,213
From Inception (2014) End	June 2021	July 2021	August 2021
Customers-Registered users	137,460	139,195	138,928
Compliance Documents	1,923,009	1,974,155	1,967,159
Certificate of Compliance of Completion	31,901	32,451	32,881
Application Type - Valid/Invalid -From 1 st January 2020 -End	June 2021	July 2021	August 2021
Fire Safety Certificates FSC, FSC-RV, FSC-RG	438	528	509
Disability Access Certificates DAC, DAC-RV	236	246	231
Dispensation / Relaxation	16	16	18
Application Type - RI/FI/TA	June 2021	July 2021	August 2021
Fire Safety Certificates FSC, FSC-RV, FSC-RG	249	301	331
Disability Access Certificates DAC, DAC-RV	37	71	69
Dispensation / Relaxation	2	3	3
Application Type - Granted/Refused/	June 2021	July 2021	August 2021
Fire Safety Certificates FSC, FSC-RV, FSC-RG	725	989	1,242
Disability Access Certificates DAC, DAC-RV	644	918	1,149
Dispensation / Relaxation	16	42	46
Total Application All Types	2,403	1,949	3,608
Inspections for Compliance with Regulations 1 st Jan to End	April 2021	June 2021	Sept 2021
Number of Inspections, prior to commencement of work(desktop)	1,128	2,059	
Number of CNs where plans, specifications, or other compliance documents were requested. BCA1990-2014 Section11(3) requests	406	705	
Number of Inspections of buildings in progress (onsite)	3,507	6,778	
Number of Inspections (other)- e.g. Part G (Hygiene), J (Flues), H (Drainage/Wastewater)	319	167	
Number of buildings & dwellings (new/existing) for which a Building Energy Rating (BER) Certificate was sought and/or checked by the Building Control Authority (BCA)	4,348	5,815	

BLOCKS- I.S. EN 771-3 (2011) + A1 (2015)



For design of Masonry Units refer to [S.R. 325:2013+A2:2018/AC 2019](#)
Note: many blocks do not have declared performance on "durability Against Freeze Thaw" & state "Not to be left exposed". The plinth should extend below backfilled ground level to protect the blockwork. Where blockwork below DPC in foundations is backfilled, a free draining back fill material such as clean, durable drainage stone is required to avoid continued and prolonged saturation of masonry. The re-use of soil or clay as backfill is not an appropriate fill material to blockwork.



Declarations for 'durability against freeze thaw' on the DoP, such as "No Performance Determined (NPD)" or "Not to be left exposed" **DO NOT demonstrate that the associated aggregate concrete blocks has adhered to the national provisions of 'S.R. 325' or validate that the aggregate concrete blocks are "fit for the use for which they are intended and for the conditions in which they are to be used" as required by Building Regulations.**



UNDERFLOOR FILL aggregates must comply with SR 21([Guidance on the use of I.S. EN 13242:2002+A1:2016](#))
Annex E. Building Control Officers should request Owners submit correct Declaration of Performance & CE Certification- typical house @ least 250-300tonnes.
E1.1.5 Dockets should clearly state intended end-use & description. Ensure proper materials fit for intended purpose. E.g., must be free from reactive pyrite etc.

Professionals, Education & Compliance Challenges



MISUSE OF PROFESSIONAL TITLES

[Public urged to check registers after man fined for saying he was an architect,](#)
[Man fined for misuse of 'architect' title.](#)

Following a District Court ruling July 2021, the RIAI and SCSi have urged members of the public to always check registers before engaging building professionals. The judgment (Irish Times <https://www.irishtimes.com/life-and-style/homes-and-property/public-urged-to-check-registers-after-man-fined-for-saying-he-was-an-architect-1.4613920>) saw a man convicted of unlawfully representing himself as an Architect and Building Surveyor despite not having satisfied the registration requirements of either professional body.

The case brought under the Building Control Act 2007, was welcomed by the RIAI and SCSi. Both bodies highlighted the importance of thoroughly checking professional registers when considering building works. If an individual has not received professional registration, there is a significant risk that they do not have the required skill or competency to complete and certify any building works. Professional body members are governed by strict codes of conduct and undergo continuous professional development; and professional title misuse is prohibited.

The NBC&MSOs' position is that Individuals claiming titles such as "Architect" and "Building/Quantity Surveyor" or "Chartered Engineer" who are not on professional registers are misleading the public, their clients and may not be competent to design or build in compliance with the requirements of the Building Regulations and/or prepare Building Control Compliance documents.

Check for Architects on [Register](#) pursuant to Part 3-[Building Control Act 2007](#) <https://www.riai.ie/work-with-an-architect/register-of-architects> or

Building Surveyors on [Register](#) pursuant to Part 5- [Building Control Act 2007](#) <https://scsi.ie/registered-building-surveyor-code-of-conduct/> or

Chartered Engineers on [Register](#) pursuant to Section 7- Institution of Civil Engineers of Ireland (Charter Amendment) Act 1969 <https://www.engineersireland.ie/Professionals/Membership/Members/Find-a-member/Search-members/> .

Building Control Authorities will highlight this to members of the public in their area & notify the relevant professional body of any irregularities. Well-functioning Society ... https://www.youtube.com/watch?v=MhhKR_E0ko8



National Building Control Office, 3 Palace Street,

Timber Marking

Timber members should be individually marked in accordance with I.S. EN 14081-1.

Where timber is visually graded the standard used should be referenced in I.S. EN 1912.

Note 1: The standard used may also have specific marking requirements.

Note 2: No markings on timber floor; Insulated Formwork Concrete dwelling under construction- compliance issue!!



IT Carlow - LEVEL 7 CERTIFICATE IN BUILDING CONTROL MANAGEMENT Education Award by Engineers Ireland.

@itcarlow link [here](#) for **Extended Campus Application Form.**

<https://www.itcarlow.ie/study/lifelong-learning/extended-campus/extended-campus-application-form.htm>



National Building Control Office

[Eventbrite](#) www.eventbrite.ie

2021 Autumn/Winter Series Webinars.

Don't miss these important events - follow us on Eventbrite, and you will be notified when we publish a new event. Log on now to follow. We will be publishing our next event shortly.

July "[The importance of compliance and the role of the Building Control Authority](#)" Pat Nestor, Dublin City Council, 124 attendees, [YouTube Video Link](#)

August "[Onsite Workshop: Inspections of Heat Pumps \(Part J, D & L\)](#)" [YouTube Video Link](#). This video was made in conjunction with Meath Local Authorities' Building Control and Mountain Lodge Mechanical Services during a ½ day onsite workshop. Until recently Building Control Officers/Inspectors were more familiar with traditional gas or oil heating systems but gradually these gas and oil systems are being replaced with Heat Pump technology; to help Ireland meet its renewable energy obligations and comply with the updated Part L & F of the building regulations. The workshop gives an understanding of heat pump types, how they operate, what they look like, the pipework to/from the units, and a general checklist of what to look for to help assert if the units are installed as per manufacturers guidelines, that they meet current building regulations and good building practices etc.

September 3rd "[Guidelines for Market Surveillance by National Building Control Office](#) Jennifer McGuinn, Joe Carton and Peter O Sullivan,

<https://www.eventbrite.ie/e/guidelines-for-market-surveillance-tickets-168615971911?aff=ebdsoporgprofile>

September 15th [CIOB in conjunction with Engineers Ireland Thomond Region. "Building Control, Notices, Applications and Certificates compliance challenges"](#) Mairéad Phelan

October SEAI "[Retrofitting](#)" time & Date TBA

November SEAI "[Heat Pumps](#)" time & date TBA

Plywood, Marking Identification

Building Inspectors on site, should see EN 636 and EN 314 stencilled or stuck on the side of a pallet of plywood. Unfortunately, when one sheet is taken off the stack difficult to identify plywood type.

Site & Building Project Management VIP-proper storage of materials to be used in construction.

Part D Building Regulations Fit for Use & Purpose



Plywood On Site - Marking, Identification and Documentation

(Strong composite typically made of thin veneers of wood peeled from logs (plies laid at different angles), that are sandwiched together with binders, pressed, and heated).



Inspectors on site, should see EN 636 and EN 314 stencilled on the side of a pallet of plywood. Unfortunately, when one sheet is taken off the stack only a little amount of the stencil is visible on the sheet's edge!
 Many plywood sheets are sold singly in hardware shops. It is used on very expensive floor, roofing and wall systems which must last for 50 to 60 years. Very easy to pick wrong sheet of plywood from wrong pallet and use it in such a system-then wonder why a defect may occur!

Questions for such a common construction product:

1. How would any person recognise from looking at a single sheet of plywood what it is suitable for?
2. Why is it not mandatory to stamp the markings on at least one side of the sheet of plywood to prevent mistakes in its use on site?

Plywood a common construction product construction should comply with I.S. EN 636:2012+A1:2015 and EN 314-2 and be designed using I.S. EN 12369-2:2011. EN 12369 indicates the various service classes the plywood can be used in terms of temperature and humidity. Building Control Inspectors on site, should see EN 636 and EN 314 stencilled on the side of a pallet of plywood. Unfortunately, when one sheet is taken off the stack only a little amount of the stencil is visible on the sheet's edge.

I.S. EN 636:2012+A1:2015 Plywood -

Specifications identifies the requirements of plywood used in general and structural purposes for a range of exposure conditions. This standard can be applied to all plywood - it does not, however, cover the materials used in overlaying, coating, or enhancing the biological durability of such plywood products.

With reference to **Section 12.1**, the identification requirements for plywood are defined. Plywood boards produced in conformity with **I.S. EN 636** that are marketed in any **EEA** territory for construction are defined in the Construction Products Regulation. They shall be marked in accordance with **EN 13986 - Wood-based panels for use in construction. Characteristics, evaluation of conformity and marking**. Supplementary to this, check on site that each board or package delivered is directly and indelible marked by the manufacturer stating:

- 1) Standard number EN 636 and conditions for use (dry, humid, exterior)
- 2) The corresponding letter for its intended use (structural, non-structural)
- 3) Commercial name or botanic name of the wood species

In relation to other board types produced to **I.S. EN 636**, check on site that each panel or package is clearly and indelibly marked as above with the following information, in sequence:

- 1) Manufacturers' name, logo or code
- 2) Standard number EN 636 and conditions for use (dry, humid, exterior)
- 3) Commercial name or botanic name of the wood species
- 4) The corresponding letter for its intended use (structural, non-structural)
- 5) Formaldehyde release class

Optional information may include nominal dimensions (mm), bending strength and modulus classes, quality mark and certification body, batch number, etc. If further information is required, this shall be provided by the manufacturer.

In addition, all plywood products shall comply with **Part D of the Building Regulations** in that works should be carried out in a workmanlike manner using proper materials which are fit for the use they are intended and for the conditions in which they are to be used.



Comhairle Cathrach
Bhaile Átha Cliath
Dublin City Council





December
2021

3 PALACE STREET
DUBLIN 2



Building Control - P.1

Building Regulations-Operation & Maintenance P.1

Building Control & Compliance Support P.2



IS-BCMS, Construction Activity & MS P.3

Professionals, Education & Compliance Challenges P.4

What' Wrong P.4



Data Portal



Building Control for prosperity and protection - improving outcomes for business and citizens through regulatory excellence



Operation and Maintenance Provisions Prescribed in the Building Regulations

Building Regulations are made for the specific purposes of providing for the Health, Safety and Welfare of persons, the conservation of energy and access for people with disabilities.



Operation and Maintenance Provisions Building Regulations Requirements 2022 Priority for Building Control Officers- seeking compliance with maintenance and information sharing requirements as prescribed in the Building Regulations

Two key factors to facilitate the efficient and safe running of a building during occupancy are access for routine maintenance and information sharing. **Attention must be paid to:**

[The Building Regulations Parts G, H, J and L](#) as amended along with their supporting documents.

[Part G: Hygiene](#) states that operation mechanisms shall be in a convenient position for manual use and maintenance (e.g., *Section G2 – effective cleaning*) while ensuring that any unauthorised access is prevented.

[Part H: Drainage and Wastewater Disposal](#) states work shall be carried out without “*endangering the integrity... or limiting access to*” drains for maintenance. [TGD Part H](#) states that items such as filters should be “*removable and readily accessible*”. A wastewater system “*shall be so designed, sited and constructed that... it prevents unauthorised access but allows adequate means of access for emptying and maintenance*”. Upon completion of work, information “*required to avoid risk to health and the environment shall be provided to the owner.*”

[Part J: Heat Producing Appliances](#) - *J4 Provision of Information* states that where a safely serving “*hearth, fireplace, flue or chimney is provided or extended, a durable notice containing information on the type of heat producing appliance... shall be affixed in a suitable place in the building.*” Furthermore, information “*on the system installed and any continuing maintenance required, to ensure its safe and effective operation and avoid risk to health, shall be provided to the owner.*” [TGD Part J](#) states that a “*permanent means of safe access to appliances should be provided...*”

[EU \(Energy Performance of Buildings\) Regulations 2019 \(S.I. No. 183 of 2019\)](#) *Section 8* provides that to meet nearly zero energy performance requirements for new dwellings the owner shall be provided with “*sufficient information about the building, the fixed building services, controls and their maintenance requirements so that the building can be operated in such a manner as to use no more fuel and energy than is reasonable.*” [TGD Part L: Conservation of Fuel and Energy](#) states that systems shall be designed for maintenance access. *Maintenance information provided shall be directly related to the systems installed.*

Mairéad Phelan FIEI

31 Building Control & Market Surveillance Authorities Promoting a Culture of Compliance with the Building Regulations

The CCMA/NBCMP “**Framework for Building Control Authorities V1.1 2016**” Under Review provides guidance on roles and functions regarding administration and monitoring compliance with:

- Building Control Act 1990-2014
- Building Control Regulations
- Building Regulations
- Section 11 Inspections & Information
- Section 8 Enforcement
- Section 17 Penalties & Prosecutions
- [Statutory Building Register](#)

Safe Christmas

Light Up Your Home Safely This Christmas

❗ Please remember to test your smoke alarm ❗

[Watch Cork Fire Services “Christmas 2020 - Smoke Alarms”](#)

BCAs are the designated authorities for:

- Market Surveillance S.I. No 225 of 2013 EU Construction Products Regulations.
- Building Energy Rating S.I. 243 of 2012, EU (Energy Performance of Buildings).
- Registration of multi-storey -LG (Multi-storey Buildings) Act 1988.

CARBON MONOXIDE (CO) POISONING

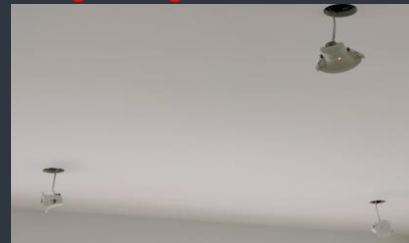


❗ Please remember if you have an open fire, boiler, log burner or stove get a Carbon Monoxide alarm ❗

Advice, carbon monoxide-Call 1800 89 89 89

Team- Mairéad Phelan, Peter O Sullivan, Jennifer McGinn, Richard Butler, Éanna Ó Conghaile, Shirley Lambe, Kelda Minjon, Joe Carton, Ronan Glynn, Gregory Friston. E: support@nbco.gov.ie

Compliance Challenges – Ceiling Downlighters



Downlighters provide concentrated light sources within a space. They are typically mounted or recessed on ceilings, roofs, and overhangs. When installing downlighters, attention shall be paid to Part B and Part D of the Building Regulations to ensure their safe use over service life. Note, compliance with the [Technical Guidance Documents](#) (TGDs) will, prima facie, indicate compliance with the requirements of the [Second Schedule to the Building Regulations](#). It is noted that, the adoption of an approach other than that outlined in the guidance is not precluded provided that the relevant requirements of the Regulations are complied with. The main compliance challenges when designing and installing downlighters include but are not limited to:

TGD Part B Vol. 2 (Dwellings) - 3.7 (Protection of Openings and Fire-Stopping) details the provision of fire barriers, openings in barriers and required protections. If an element intended to provide fire separation is to be effective - every joint, fit imperfection or service opening should be protected by sealing or fire-stopping to not impair overall fire resistance. Measures intended to delay the passage of fire; also, generally slow smoke spread. All building service installations should be designed in accordance with BS 8313:1997 or equivalent standard.

TGD Part B Vol. 2 (Dwellings) - 3.7.5(b) (Fire-Stopping) states that in addition to other provisions in this TGD all openings through any elements serving as a fire barrier should be "kept as few in number as possible", "kept as small as practicable" and "fire-stopped" while allowing thermal movement.

Supplementary Guidance to Part B "Guidance on Fire Resistance of Walls, Intermediate Floors, and Trussed Roofs in dwellings" notes that where floors have open void space for services, engineered joists or counter battens, the risk of fire spread within the void is greatly increased. Penetrations (for downlighters, ventilation duct heads...) in the plasterboard create vulnerability in the ceiling and as such must be fire stopped using fire collars, fire hoods or fire rated products. Finally, **TGD Part D1 (Materials and Workmanship)** states that all works "shall be carried out with proper materials and in a workmanlike manner."

In relation to materials, examine additional compliance considerations such as CE Markings, fire testing within the specific flooring/ceiling system (metal web joists, traditional...) or any possible requirements for installing fire rated hoods. Make sure that the light fitting you use has been tested for use in the construction system (ceiling build-up) you are fitting it into. Useful video [How do LED downlights work in fire rated ceilings?](#)

<https://www.youtube.com/watch?v=tcvFPNyUHCu>

Building Control & Compliance Support



Clare County Council Angela Naughton Inspecting for compliance with the relevant requirements of the Building Regulations

NSAI Your Standards Your Say www.nsa.ie

Participate-Get involved: ctrl+ click follow link, <https://www.nsa.ie/standards/standards-committees/get-involved-in-standards-development/>



NSAI Eurocodes Technical Committee - Call for Members -Increased *construction industry emphasis on sustainability, the circular economy; new construction methods such as modular and offsite construction* has led to a focus on lightweight construction materials, light-gauge steel, aluminium, & timber frame.

This with the revision of the [Eurocodes](#) for structural design, prompts NSAI to call for new members (steel, aluminium, timber frame construction) to develop standards associated with structural design and workmanship (execution) of lightweight structures. Work is driven by NSAI TC/15, Structural Eurocodes Committee. **ROLE OF NSAI/TC 15 EUROCODE COMMITTEE** Advise NSAI on technical content of 2nd Generation [Eurocodes](#), associated National Guidance & certain execution standards e.g., I.S. EN1090. **Monitor Eurocode developments**, "mirroring" [CEN Technical Committee 250 \(CEN/TC250\)](#). **Assess the impact of changes to Nationally Determined Parameters** (NDPs) & Guidance. **Assess the need for calibration studies** to determine national values; and **Represent Ireland's interest at CEN/TC 250.**

CALL FOR MEMBERS TO HELP THE NSAI TO: **Review the new codes**, and comment. **Assess NDPs in new codes** for use in Ireland. **Where recommended values are not appropriate, advice on what the National values should be** or how they should be determined. **Support National Guidance development/revision** for [Eurocode's](#) steel, aluminium, timber. **Advise how new lightweight material Eurocode parts** can support construction developments e.g., modular, Building Regulations etc. **NSAI ALSO SEEKING PARTICIPANTS FOR:**

[Eurocode 4](#) – Design of composite steel and concrete structures; **or A new Structural Glass Eurocode** – Eurocode 11 (EN 19100). **S.R. 18, "GUIDANCE ON THE USE OF I.S. EN 13139:2002, AGGREGATES FOR MORTAR"** Ref, <https://www.nsa.ie/about/news/nsai-publishes-s-r-18/> required for **masonry mortar, plastering/rendering, floor screeds** in Ireland.

GET THE STANDARD: https://shop.standards.ie/en/standards/s-r-18-2021-855966_saig_nsa_nsa_3039706/ *****

ANGELA NAUGHTON, MICHAEL O'BRIEN & KIERAN GREEN CLARE COUNTY COUNCIL INSPECTING FOR COMPLIANCE WITH THE BUILDING REGULATIONS.



S.I. 393/2021 - European Union (Energy Performance of Buildings) Regulations was published on the 31st of July 2021, the scope of which applies to new buildings, existing buildings (other than dwellings) and buildings undergoing major renovations. **Section 5** is made up of seven parts dealing specifically with Energy Performance in Buildings.

Below are some common questions arising from this publication. **Q. Does Regulation 5 apply to a single dwelling?** **A.** Regulation 5 applies to dwellings, including single dwellings. **Q. Does Regulation 5 apply to a housing development with dwellings that have 10 or more car parking spaces?** **A.** Specifically in relation to Regulation 5(f): 'A building (containing one, or more than one, dwelling), which has more than 10 car parking spaces, that is:

- (i) new, or
 - (ii) subject to subparagraph (g), undergoing major renovation, shall have installed ducting infrastructure (consisting of conduits for electric cables) for each car parking space to enable the subsequent installation of recharging points for electric vehicles.'
- Paragraph 1.4.6.1 of **Technical Guidance Document L 2021** provides that Regulation 5(f) applies where:
- 'The car park is located inside the building, e.g., a basement car park; or
 - the car park is physically adjacent to the building, i.e., the car park is within the curtilage of the site.'

Where car parking for the dwellings is not provided within the curtilage of the building the requirements of this regulation do not apply.

Continued, <https://revisedacts.lawreform.ie/eli/1997/si/496/front/revised/en/html>

S.I. 393/2021 - EU (Energy Performance of Buildings) Regulations Q/A contd;

Where car parking for the dwellings is not provided within the curtilage of the building the requirements of this regulation do not apply.

Q. In relation to the provision of car parking spaces, does this relate to the number required in planning (based on the development plan for the Local Authority) or the actual number of car parking spaces provided?

A. The design and construction of buildings is regulated under the **Building Control Acts 1990 to 2014**. Planning for buildings is regulated under the **Planning and Development Act 2000**. Generally, the number of car parking spaces to be provided within a development is stipulated and approved at planning stage and should be constructed in accordance with the Planning Permission received.

Q. How is it enforced i.e., is it a non-compliance with Part L Building Regulations or EU regulations?

A. Building Control are responsible for enforcement of the **European Union (Energy Performance of Buildings) Regulations 2021 (S.I. 393 of 2021)**. As noted in **S.I. 393 of 2021 Citation** and construction:

- (1) These Regulations may be cited as the **European Union (Energy Performance of Buildings) Regulations 2021**.
- (2) The Principal Regulations and these Regulations may be cited together as the **Building Regulations 1997 to 2021** and shall be construed together as one.

Q. As car parking space numbers are a planning requirement, who will enforce this?

A. As noted above, planning for buildings is regulated under the **Planning and Development Act 2000**. Local Authorities are responsible for the planning system. Building Control have responsibility for enforcement of the EPB Regulations as outlined under Regulation 9.



Rialtas na hÉireann
Government of Ireland

Energy Performance of Buildings Regulations 2021

Technical Guidance

(Energy Performance of Buildings Directive Articles 8(3), 14(4) and 15(4) – Electric Vehicle Recharging Points and Building Automation and Control)

<https://www.gov.ie/en/publication/83fd-c-energy-performance-of-buildings-regulations-2021-technical-guidance/>

Construction Activity, Products and Market Surveillance

COMMENCEMENT NOTICES BY TYPE BY YEAR



National Building Control and Market Surveillance Office [Click Here](#)

The [European Union \(Construction Products\) Regulations 2013 \(S.I. No.225 of 2013\)](#) gives full effect to the provisions of Regulation [\(EU\) No. 305/2011](#) and Chapter III of Regulation [\(EU\) No. 765/2008 setting out the requirements for accreditation & market surveillance relating to the marketing of products](#). [GSI](#) and [TII](#) are specified in [S.I. No.225 of 2013](#) as being competent national authorities in respect of the area codes 24 and parts thereof Area Codes 12, 23 and 24 respectively. [S.I. 682 of 2020](#) appointed Dublin City Council-National Building Control Office as a competent authority for the carrying out of market surveillance functions under the [S.I. No.225 of 2013](#) for all construction products in the State. Contact at: support@nbco.gov.ie. [Ireland - National market surveillance programme 2021](#) can be viewed on the European Commission website <https://ec.europa.eu/docsroom/documents/44990>.

Quarries & Irelands' National Market Surveillance Programme 2021 [Click Here](#)



The [Construction Products Regulation \(CPR\)](#), requires mandatory CE MARKING of construction products covered by [harmonised European Standards \(hENs\)](#), when products are placed on the EU market (See [NANDO website](#) for full list of hENs). The purpose of the CPR and CE Marking of construction products is to facilitate the free circulation of construction products across the EU market. CPR establishes a common technical language for declaring, specifying, and setting requirements for construction products. All **CE MARKED** construction products must have a [Declaration of Performance \(DoP\)](#), drawn up by the manufacturer. The DoP provides information on the performance of the construction product in relation to technical essential characteristics e.g., compressive strength, durability etc. Refer to [FAQs EC website](#). **Note VIP- the end user of a CE MARKED construction product must review the DoP to ensure the product is fit for the use for which it is intended and for the conditions in which it is to be used.**

End users, designers, builders should:

- **when drawing up specifications**, refer to the hENs and specifically to the requirements of individual characteristics, when necessary,
- **when choosing the products** fit for their intended use in the works or a building, review the manufacturer's Declaration of Performance,
- **check National Annexes or Standard Recommendations** which give guidance on minimum performance levels for specific end uses of the product in Ireland (refer to NSAI additional guidance), and
- **ensure compliance with the Building Regulations**. All works must be carried out using "**proper materials... which are fit for the use for which they are intended and for the conditions in which they are to be used**" to demonstrate compliance with the relevant requirements under Building Regulations.

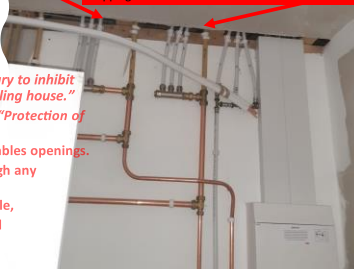
For further information, see [Market Surveillance of Construction Products Product Contact Point for Construction Products Construction Products Regulation - Information Note](#). A construction product CE marked with a DoP may not be the correct product for your design-mind the gap!

Commencement Notice Type - from 1st January 2021 End	Sept 2021	Oct 2021	Nov 2021
Commencement Notice (CN) with Opt Out Declaration	2804	3,035	3,295
CN Without Compliance Documentation	2124	2,358	2,554
7 Day Notice	800	915	1,026
CN with Compliance Documentation	5,851	6,533	7,033
Total Commencement Notices All types	11,579	12,841	13,908
CRM stakeholder queries Freshdesk – closed cases i.e. phone , info@localgov.ie & support@nbco.gov.ie	4,585	4,980	5400
From Inception (2014) End	Sept 2021	Oct 2021	Nov 2021
Customers-Registered users	142,004	143,265	144,451
Compliance Documents	2,051,352	2,092,162	2,140,934
Certificate of Compliance of Completion	33,327	33,786	34,491
Application Type - Valid/Invalid -From 1st January 2020 -End	Sept 2021	Oct2021	Nov 2021
Fire Safety Certificates FSC, FSC-RV, FSC-RG	553	570	614
Disability Access Certificates DAC, DAC-RV	248	281	305
Dispensation / Relaxation	34	23	19
Application Type - RI/FITA	Sept 2021	Oct 2021	Nov 2021
Fire Safety Certificates FSC, FSC-RV, FSC-RG	334	358	405
Disability Access Certificates DAC, DAC-RV	77	82	82
Dispensation / Relaxation	4	7	6
Application Type - Granted/Refused/	Sept 2021	Oct 2021	Nov 2021
Fire Safety Certificates FSC, FSC-RV, FSC-RG	1,526	1,747	2,043
Disability Access Certificates DAC, DAC-RV	1,327	1,505	1,779
Dispensation / Relaxation	50	64	81
Total Application All Types	2,903	3,316	3,903
Inspections for Compliance with Regulations 1st Jan to End	April 2021	June 2021	Sept 2021
Number of Inspections, prior to commencement of work(desktop)	1,128	2,059	1,804
Number of CNs where plans, specifications, or other compliance documents were requested. BCA1990-2014 Section11(3) requests	406	705	635
Number of Inspections of buildings in progress (onsite)	3,507	6,778	9,412
Number of Inspections (other)- e.g. Part G (Hygiene), J (Flues), H (Drainage/Wastewater)	319	167	150
Number of buildings & dwellings (new/existing) for which a Building Energy Rating (BER) Certificate was sought and/or checked by the Building Control Authority (BCA)	4,348	5,815	4256

Q. WHAT'S MISSING HERE?

A. FIRE STOPPING
Building Regulation Part B "Fire Stopping – (b) A dwelling house shall be sub-divided with fire resisting construction where this is necessary to inhibit the spread of fire within the dwelling house." Refer to TGD Part B Dwellings:3.7 "Protection of Openings and Fire Stopping".
Note: for pipes, ducts, conduits, cables openings.
• No pipework should pass through any separating wall.
• keep as few in number as possible,
• keep as small as practicable, and
• must be fire-stopped

Inspections during construction are very important, check your rooms; refer to TGD B 3.7.7 for Proprietary sealing systems and other suitable fire stopping materials



Q. WHAT'S MISSING HERE?

A. FIRE STOPPING
Note: Fire stopping products should be "fit for purpose". Under Part D of the Building Regulations, works to which the Regulations apply must be carried out with proper materials and in a workmanlike manner. To demonstrate compliance with the Building Regulations the fire stopping materials should be proven by test in the floor, walls or ceilings i.e. location in which they are required to perform; Good pipe layout and design can reduce the requirement for fire stopping. Pipes less than 40mm spaced apart 100mm reduces fire risk,





RIAI 2030 Climate Challenge

We are encouraging architects and our colleagues in construction to take the RIAI Climate Challenge, to meet the reductions and targets outlined in this document.

[Read More Click Here.](#)

“RIAI 2030 Climate Challenge - It’s not just RIAI’s Challenge or COP26 Challenge, it’s Our Collective Challenge”

Synopsis of RIAI 2030 Climate Change – full document available here: [RIAI Climate Challenge 2030](#)

As the devastating effect of Climate Change become more evident and consequences of inaction become starker. To help the construction industry to curb Climate Change the RIAI launched 2030 Climate Challenge. This challenge seeks to change the way building designers address embodied carbon, energy, and potable water use. The industry is encouraged to use this guide to target net zero carbon for the entire Irish building stock.

The Challenge targets are:

1. Reduce operational energy demand as far as possible
2. Reduce embodied carbon by at least 40%,
3. Reduce potable water use by at least 40%
4. Achieve all core health and wellbeing targets

Embodied carbon relates to the carbon associated with producing a building at **all** stages. The life cycle of a building should be interrogated for opportunities to reduce emissions. Potable water use should also be viewed in a similar way.

Any designs due for completion before 2025 should aim for 2025 targets, projects due for completion after this aim for 2030 targets.



Climate Conscious Trajectories for Project Timelines (Source: RIAI)

Approaches to achieve these metrics:

Operation Energy:

- Adopting a “Fabric First” approach
- Minimising energy demands
- Maximising onsite renewables

Embodied Carbon:

- Performing Whole Life Cycle Carbon Analysis - see [EU Level\(s\) Framework](#)
- Using circular economy strategies
- Minimising offsetting

Potable Water Use:

- Designing with water use calculators
- Using guides to assist meeting targets

Other key areas are the importance of adapting the existing building stock, improving indoor health, and enhancing biodiversity. Every organisation, family and individual should make their own personal Climate Challenge. *Ronan Glynn MRAIA*

Professionals, Education & Compliance Challenges

IT Carlow - LEVEL 7 CERTIFICATE IN BUILDING CONTROL MANAGEMENT

Education Award by Engineers Ireland.

@itcarlow link [here](#) for **Extended Campus Application Form.**

<https://www.itcarlow.ie/study/lifelong-learning/extended-campus/extended-campus-application-form.htm>

e National Building Control Office

[Eventbrite](#) www.eventbrite.ie

2021 Winter Series Webinars. *Don't miss these important events - follow us on Eventbrite, and you will be notified when we publish a new event. Log on now to follow. We will be publishing our next event shortly.*

YouTube Channel-to keep updated.
<https://www.youtube.com/channel/UCCcy80kctZ34oujewzgKEA/videos>



SEAI “Heat Pumps” “Heating and Domestic Hot Water Systems for Dwellings – Achieving compliance with Part L & Energy Performance of Buildings, Paul Martin, CEng FCIBSE, – Technical Standards Development, [SEAI](#).

“European Union (Energy Performance of Buildings) Regulations 2021 (S.I. No. 393 of 2021)”; **“Part L EV Charging Points”**, Edel Murray MRAIA, Advisor- [Building Standards Department of Housing, Local Gov, Heritage.](#)

Building Control Climate Challenge Focus on Implementing Building Regulations Part L Conservation of Fuel & Energy – Publications- Last updated on 15 November 2021

Acceptable Construction Details (ACDs)

New ACD's 2021 on [DHLGH](#) website which focus on thermal bridging and airtightness.

<https://www.gov.ie/en/publication/d82ea-technical-guidance-document-l-conservation-of-fuel-and-energy-dwellings/>

Part 1 Introduction and general theory of insulation continuity& air tightness, Building Regulations 2021

ACDs TGD Part L - Introduction [Download](#)

Part 2 Acceptable Construction Details

ACDs TGD Part L - Cavity Wall Insulation [Download](#)

ACDs TGD Part L - External Wall Insulation [Download](#)

ACDs TGD Part L - Internal Wall Insulation [Download](#)

ACDs TGD Part L - Timber Frame Insulation [Download](#)

ACDs TGD Part L - Steel Frame Insulation [Download](#)

ACDs TGD Part L- Hollow Block Insulation [Download](#)

ACDs TGD Part L- General [Download](#)

Public Service Innovation Fund; Smart Inspections & Building Control



31 Local Authorities are Building Control Authorities for the purposes of the Building Control Acts 1990 to 2014. They have strong powers of inspection and enforcement and monitor compliance with Building Regulations in their area having regard to:

- the minimum requirements for the design and construction of buildings as set out in the Building Regulations.
- detailed Technical Guidance Documents showing how these requirements can be achieved in practice.
- procedures set out in the Building Control Regulations for demonstrating compliance in respect of an individual building or works.

Building Control Authorities have strong powers of inspection and enforcement under the Acts. Responsibility for compliance rests always with the owner of the proposed building or works, and with any builder or designer engaged by the owner.



The OECD states that “enforcement” covers all activities aimed at promoting compliance and reaching regulations’ outcomes: information and prevention, inspections, and enforcement actions in the narrower sense (i.e., improvement notices, fines, prosecutions etc.) arising in connection with regulatory inspections by authorised officials or agencies.

“Inspections” covers any type of visit or check conducted by authorised officials on products or business premises, activities, documents etc. The way inspections are planned, better targeting, communicating with regulated subjects.

In 2021 the NBCO received Public Service Innovation Funding for “*Smart Inspections & Building Control*” Smart regulation embraces the different actors in the regulation process allowing for a collaborative and coordinated approach to regulation- controls, not only exercised by Building Control Authorities, but also through self-regulation and by third party suppliers, public etc. Smart Regulation must be supported by Smart Inspections.

Smart Inspections use a combination of onsite, virtual reality, thermal imaging, and drone technology to capture leaks, missing insulation, materials, etc., which allows inspectors to take advantage of technology to allow them to see what the naked eye cannot and get into spaces that that are inaccessible and dangerous for an inspector.

To this end the office has a suite of tools to assist building control inspections which are available to the Building Control Authorities i.e., smarter inspections using a combination of onsite inspections tools, Radon Gas monitors, Sound Meters, Lux meters, Inspection cameras, thermal imaging and drone technology.
