Developments in Building Control & Legislation

Presentation to Irish Building Control Institute (IBCI)
Annual Conference
28 March 2012

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Housing Division, DEHLG
Content of Presentation

- Building Standards / BRAB
- 2012 Work Programme – Key Priorities
- Building Control Reforms
Building Standards Team

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Claire Darragh EO (2893)
Gabrielle McDonald CO (2361)

Sean Armstrong
Eamonn Smyth
John Wickham
Technical Advisers
Building Regulations Advisory Body (BRAB)

- BRAB is a statutory body appointed under the Building Control Act 1990
- Role: To advise Minister on proposed amendments to Building Regulations and other matters on request
- IBCI nominee is Johnny McGettigan
- Chair: Jay Stuart (since Sept 2009)
## BRAB Membership

<table>
<thead>
<tr>
<th>Name</th>
<th>Institution/Position</th>
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<tbody>
<tr>
<td>Jay Stuart</td>
<td>Delap &amp; Waller</td>
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<td>Sean Balfe</td>
<td>NSAI</td>
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<td>Michael Browne</td>
<td>NSAI, Architect</td>
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<tr>
<td>Vacant</td>
<td>NDA, Galway Centre for Independent Living</td>
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<td>Noel Carroll</td>
<td>DEHLG (Retired)</td>
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<td>Jacquie Donnelly</td>
<td>DEHLG</td>
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<tr>
<td>Connor Taaffe</td>
<td>Home Bond</td>
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<tr>
<td>Denise Germaine</td>
<td>Chartered Inst of Architectural Technologists</td>
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<td>Gerard Grogan</td>
<td>Architectural Technician</td>
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<tr>
<td>Jimmy Keogan</td>
<td>CCMA, Asst. City Manager</td>
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<td>Jim Keogh</td>
<td>Dublin City Council</td>
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<tr>
<td>Mark McAuley</td>
<td>IBEC, Building Materials</td>
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<tr>
<td>Johnny McGettigan</td>
<td>IBCI, Donegal CoCo</td>
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<tr>
<td>Paul Kelly</td>
<td>RIAI, Architect</td>
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<td>Brian McKeon</td>
<td>CIF, MKN Properties</td>
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<td>Maria Melia</td>
<td>CFOA, Wexford CoCo</td>
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<td>Sarah Neary</td>
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<td>Aidan O’Connor</td>
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<td>Kevin O’Rourke</td>
<td>SEAI</td>
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<tr>
<td>Emer O’Siochru</td>
<td>An Taisce, Architect</td>
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<tr>
<td>Terry Prendergast</td>
<td>NCA, Planner</td>
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<tr>
<td>Kyrstyna Rawicz</td>
<td>Society of Chartered Surveyors Ireland</td>
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<td>Gary Treanor</td>
<td>ITFMA, Kingspan Ltd.</td>
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**BRAB end of term July 2012; Reconvened BRAB 2012-17**
2011 Work Programme – Key Priorities

• Ongoing review of Building Regulations – six full reviews underway/planned in 2012

• Supporting Pyrite Panel & Govt. response to failures in residential market

• Enhancing Building Control

• EPBD / Construction Products Regulation

• Retrofitting Code of Practice
Part A (Structure)

- TGD A to reflect Structural Eurocodes and omit references to withdrawn Irish and British Standards
- Amendment Regs with Minister for signature
- Publication of Regs/TGD A in Q2; effective from 1 July 2013
PART B (Fire Safety)

• Full Review of TGD B underway

• Pre-review consultation closed 24 Feb 2012. 44 submissions.

• Full public consultation by Q4
Part D (Materials & Workmanship)

- Partial review

- Consistency with EU Construction Products Regulations (replaces CPD)
Part E (Sound)

- Full Review underway

- Draft regs/TGD E to be recommended to Minister for public consultation beginning in Q3

- Review of Submissions in Q4

- BRAB to recommend definitive regs/TGD E to Minister for signature early in 2013
Part J (Heat Producing Appliances)

- BRAB / Industry stakeholder group to complete its recommended approach in April, 2012

- Issues – Consistency with TGDs L & F; CO Detectors; Industry Developments – installation arrangements, COPs, etc.

- Public consultation by end Q3

- Definitive Regs / TGD J for approval by Minister early in 2013
Part L (Conservation of Fuel & Energy)

- **Part L 2011 – Dwellings:** Operative since 1 December 2011; DEAP software reviewed by SEAI; compliance check reports to issue directly to BCAs.

- **Buildings other than dwellings:** Full review to commence with RFT for consultants to issue in 2012
Retrofitting Energy Efficiency Measures for Dwellings

• Joint project with DCENR, NSAI & SEAI

• BRE UK engaged to develop ‘Code of Practice for Retrofitting Energy Efficiency Measures in Dwellings’ for consultation by mid-2012
Further Priorities

• TGD K (Stairways, Ladders, Ramps and Guards) to align with
  • TGD M 2010
  • Relevant British & EN Standards
  • Withdrawal of certain Irish and British Standards following Eurocodes

• Part H /TGD H 2010 (Drainage and Wastewater Disposal)
Further Priorities

Construction Products Regulation

- now signed into EU Law
- Implementation plan for consultation in 2012
- Mandatory Declaration of Performance and CE marking of construction products from 2013
- Stronger emphasis on Market Surveillance
Energy Performance of Buildings Directive (EPBD)

- **Dwellings:** 279,000 BER Certs registered with SEAI (14% of housing stock); 12,450 certs by end Feb. 2012.
  
  *NB: DEAP calcs at Commencement*

- **Non-Dwellings:** 8,300 BER Certs; 320 by end-Feb 2012.

- **Public Buildings:** 394 Display Energy Certs
Recast EPBD

• Existing arrangements broadly suffice other than
  • Use of BER in advertising / promotional material
  • Definition of large building reduces from 1,000m² to 500m² (from 2012) and to 250m² (from 2015)
  • Application of Building Standards to major renovations (works affecting 25% of surface area of building)
  • Part L standards to be cost optimal
  • Plan for nearly zero energy buildings

• Consultation on New consolidated BER regulations (to replace SI 666 of 2006 as amended) for one month during April/May 2012. SI to be signed into law early July 2012.
• Minimum target inspection level of 12-15% of buildings with valid Commencement Notice agreed with CCMA

• Latest statistical returns (Jan. - June 2010) show ongoing high level of building control activity

• 4 out of 37 Building Control Authorities failed to meet agreed target inspection level

• Revised survey form to issue in April 2012 for 2011 activity – clearer instructions and focus on building inspections

• Significant non-compliance issues in most BCAs
Inspection & Enforcement Activity

• Other enforcement responsibilities - market surveillance under European Communities (Construction Products) Regulations 1992

  • Circular 1/2010 of 8 Feb 2010 – Quality of Imported Plywoods

  • Still an issue and requires vigilance
Guiding & Supporting Building Control

• BCO workshops will continue to be an annual event
  • Open to suggestions on date and content for this year

• Need for greater communication and guidance –
  • FAQs on Building Control administration
  • Working with LGMSB on DAC guidance
Building Control Reforms

• Building Control Group (DEHLG / CCMA)
  • Reports from BRAB, IBCI & Professional Bodies “Strengthening the System” Report
  • BCO workshop – November 2010
  • Consultative Forum Dublin Castle – January 2011
  • BRAB Subgroup report on what certification is necessary and competence of certifiers
  • Shared desire for change across stakeholders
Building Control Reforms

Minister’s approved measures (July 2011):

- mandatory certificates of compliance by builders and designers

- lodgement of drawings/documents at commencement and completion, demonstrating compliance with Parts A-M;
Building Control Reforms

Minister’s approved measures (July 2011):

• more efficient pooling of BCA staff and resources for more effective oversight of building activity;

• standardised approaches and protocols for consistency of administration nationwide;

• better support / development of BC function
Building Control Reforms - Regulatory

BC (Amendment) Regulations 2012:

- Responsibility will continue to rest with owner / developer
- Certification requirements in relation to design and construction
- Stronger emphasis on competence
Building Control Reforms - Regulatory

- Chain of responsibility following every commencement notice
- Increasing status of public register - accessible file of documents/particulars of every building
- Detailed proposals will released for public consultation on Tuesday 10 April 2012 for 6 weeks.
- Amended regulations to be signed into law by July 2012.
Building Control Reforms - Regulatory

Consultation papers also focus on future regulatory reforms

- Register of approved inspectors/certifiers
- Registration of Builders and Contractors
- Electronic administration of building control function
Building Control Reforms - Organisational

• LG Efficiency Review Group – delivering more with less resources
• CCMA focus on inspection activity in general
  • Regionalisation of inspection resources
  • Pooling /standardising of inspection arrangements
  • Investing in new technology
  • Common templates and approaches
• CCMA Working Group on Building Control
Thank You!

GENERAL ENQUIRIES

- www.environ.ie/buildingstandards
- buildingstandards@environ.ie