

New Building Control System “One Year Down The Line”

Chief Fire Officers Perspective

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Cork County Council.*

Introduction

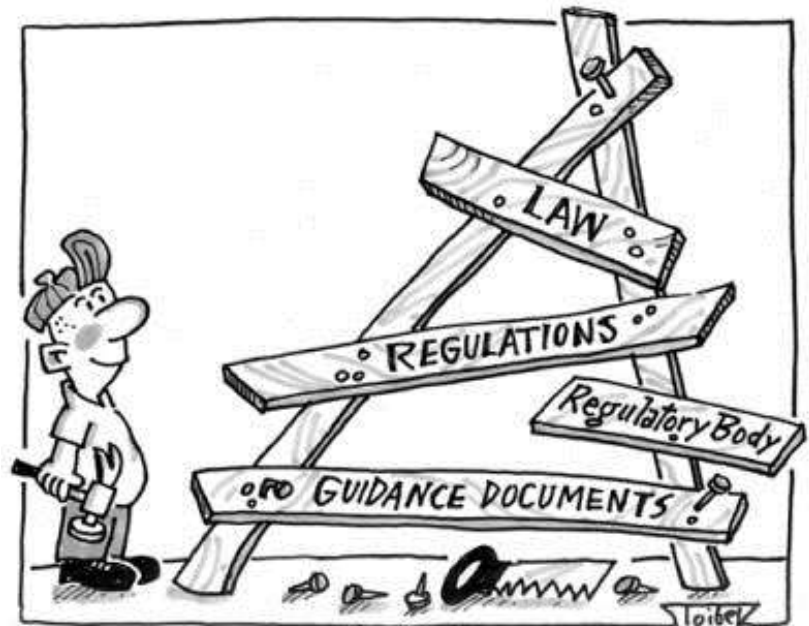
- Context
- Part B Compliance
- 7 Day Notice
- Regularisation Certificate
- BCMS
- Framework
- Other Issues
- General Conclusions

Context

- Building Control Department and/or Fire Department?
- Construction v Occupation?
 - B.S. 9999
- Changes Promised:
 - Accountability – identification of all parties and their respective responsibilities
 - Information – submission of drawings and supporting material
 - “Culture of Compliance”

Context - What's New?

- Ongoing improvements to BCMS
 - High level of uptake
- S.I. 105 / 2014
 - notifications of projects approved by Oversight Group have been received
- Framework for BCAs



Part B Compliance

Part III /Part IIIA of the BC Regulations

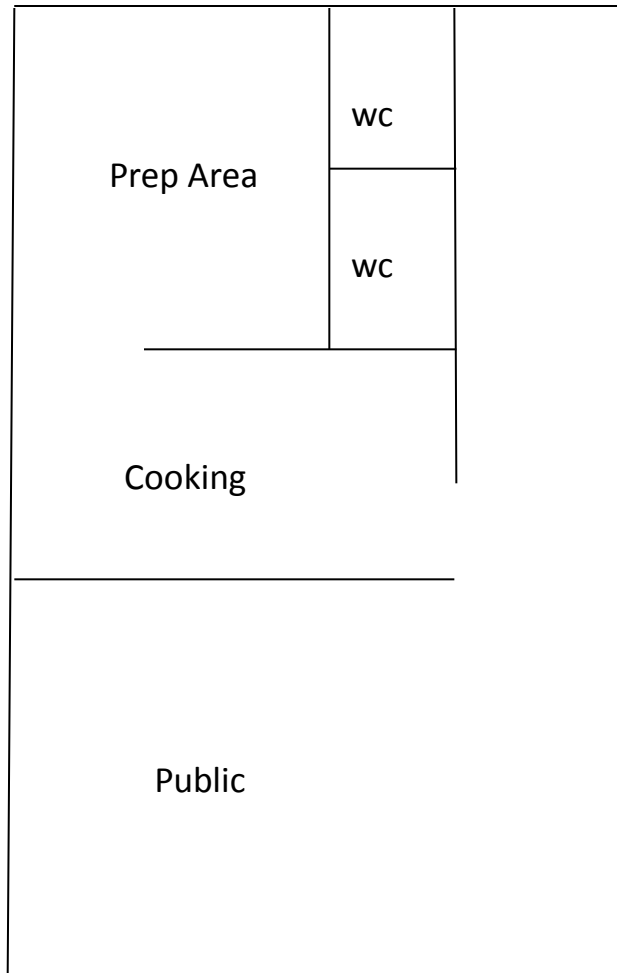
- Fire Safety Certificate
- Revised Fire Safety Certificate
- Regularisation Certificate
 - Signed by Fire Officer
 - BCA certify The building/works....
Comply with the requirements of Part B of the Second Schedule

Part III C of the BC Regulations

- Certificate of Compliance (Design)
 - Signed by Design Certifier
 - I certify the proposed design for the building/works is in compliance with the requirements of the Second Schedule
- Certificate of Compliance on Completion
 - Signed by Assigned Certifier
 - I certify The building/works is in compliance with the requirements of the Second Schedule

What is the procedure if they are not the same?
Which certificate takes precedence?

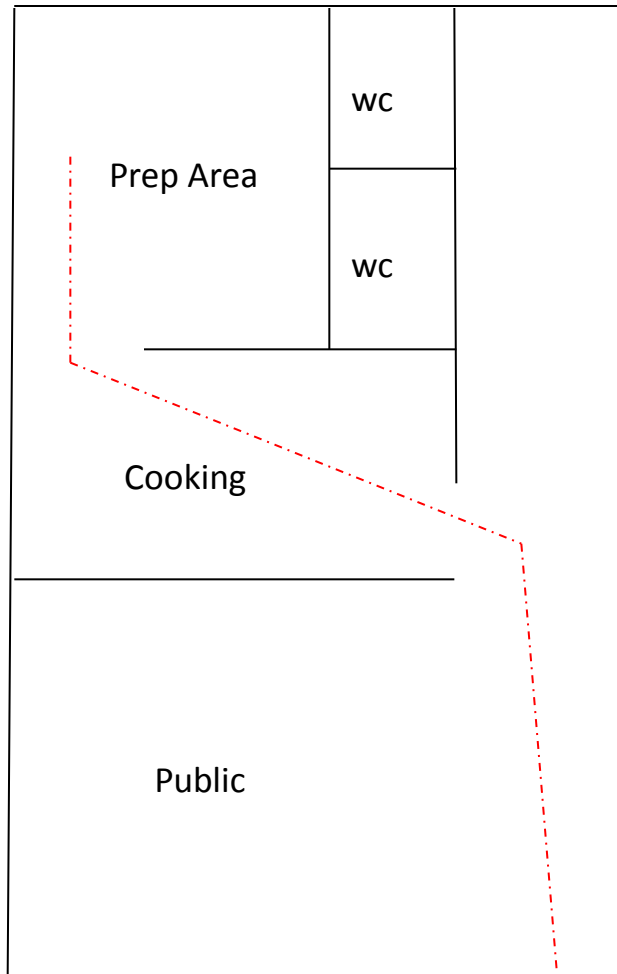
Part B Compliance Cont'd



Example of recent case where FSC and CCC were not the same:

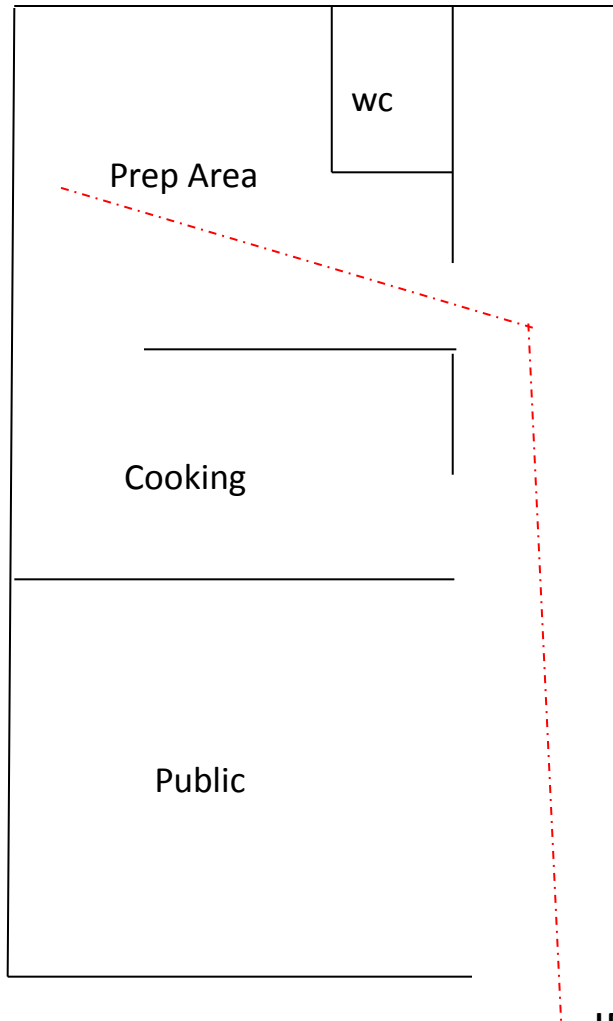
- Plan submitted at CN stage
 - Layout A

Part B Compliance Cont'd



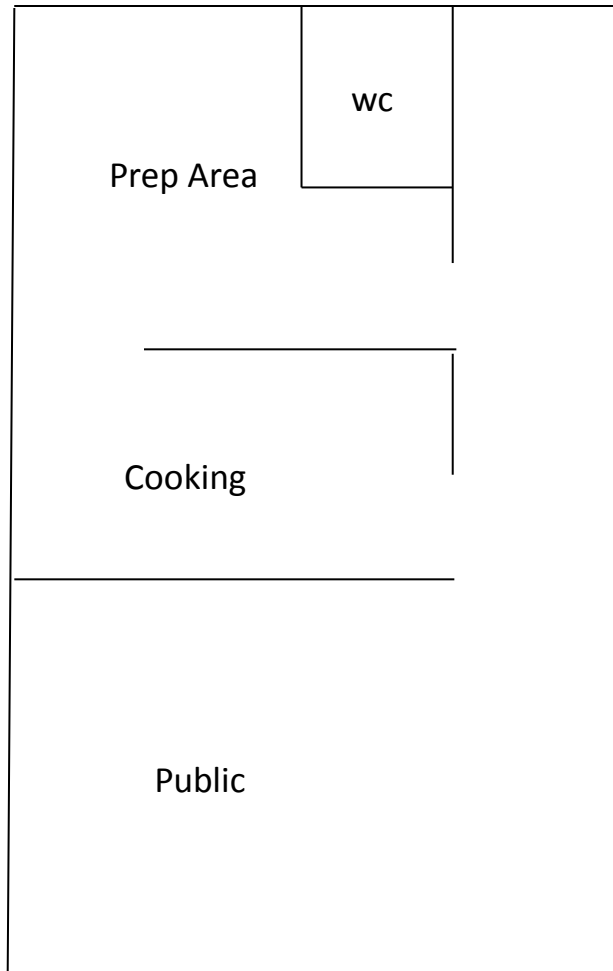
- Plan submitted with FSC application
 - Layout A

Part B Compliance Cont'd



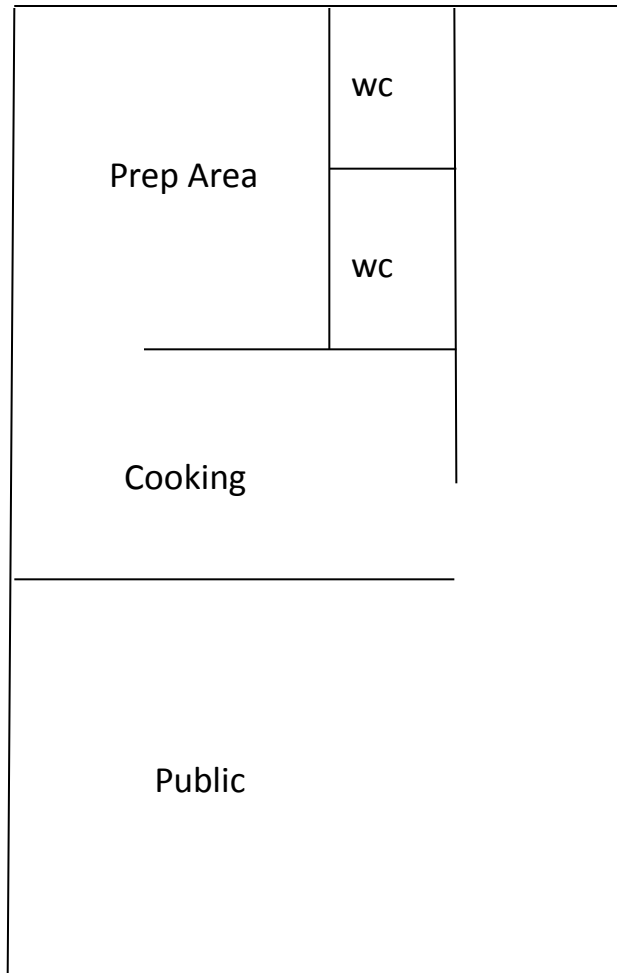
- Revised layout to comply with fire requirements
 - one wc omitted to provide alternative means of escape
 - Layout B

Part B Compliance Cont'd



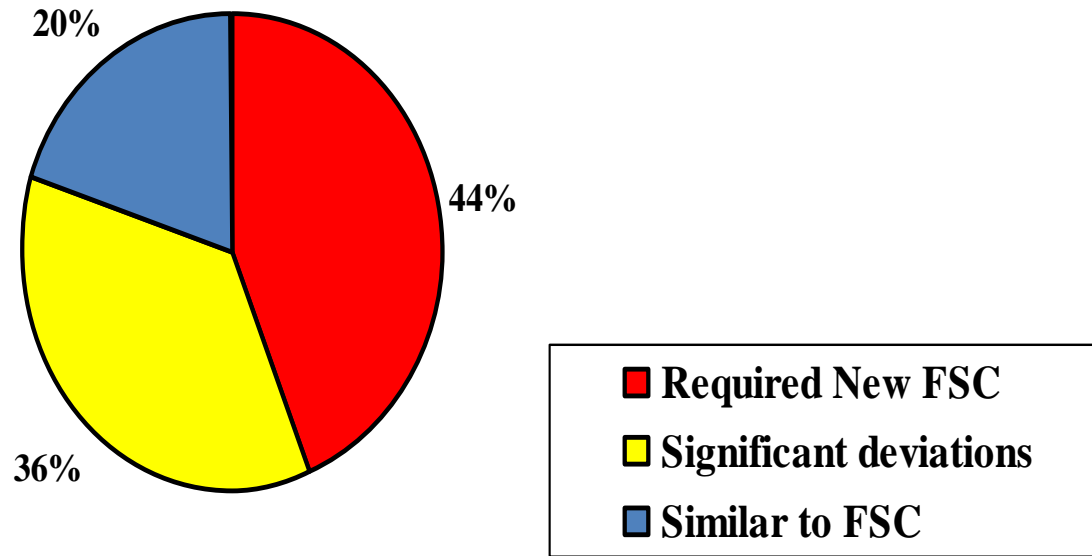
- DAC Application – similar to updated FSC drawings

Part B Compliance Cont'd



- Cert of Compliance on Completion – Layout A
- Constructed as per Layout A
- Made changes on site, resubmitted CCC – Layout B

Building Control Inspection Survey for compliance with FSC (Pre S.I. 9 / 2014)



Part B Compliance cont'd

- No noticeable change in standard of FSC submissions
- Number of instances where CCC drawings are at variance with final FSC drawings
 - No requirement in completing CCC to certify that works comply with FSC
 - Less likely to be picked up where Building Control and Fire are not integrated
 - Benefits of one officer dealing with FSC and DAC

Part B Compliance cont'd

- Instance of Licencing inspection revealing new works, with BCO involvement, for which there was no FSC
- What approach should be taken where an inspection (by request or otherwise) identifies the need for some fire safety works e.g. provision of lobby and installation of emergency lighting/fire alarm (material alteration)
 - Requires CN with supporting documentation?
 - Fire Safety Notice?
 - Is there a need for a different form of notice??
- Is there an argument to review what requires an FSC at the lower end of the scale?
e.g. should the need be determined by means of risk assessment?

7 Day Notice

BCMS

- Electronic Submission
- Statutory Declaration
- GA drawings
- Design Certificate
- Fire safety strategy
- Inspection Plan
- Certificate of compliance on completion signed by Assigned Certifier

Fire Officer

- FSC application
- Part B compliance drawings
- Specifications
- Fire safety strategy
- Fire safety inspection
- FSC signed by Fire Officer

7 Day Notice Cont'd

Cork County	2011	2012	2013	2014 (Mar – Dec)
7DN (% of FSC)	6%	7%	9%	9%

- Increase in the number of submissions
- 7 Day Notice and FSC process interface needs to be resolved
 - the BCMS currently does not allow you to submit the notice and informs you that you must forward the fee and the Statutory Declaration to the Local Authority.
- Statutory Notice
- Fees

Regularisation Certificates

BCMS

- No CN
- No FSC
- No unique identifier
- Certificate of compliance on completion?
- Enforcement action?
- Occupation?
- Regularisation?

Fire Officer

- Reg Cert application
- Part B compliance drawings
- Specifications
- Fire safety strategy
- Certificate of compliance
- Reg cert... the building/works Comply with the requirements of Part B of the Second Schedule.....signed by Fire Officer

Regularisation Certificates Cont'd

Cork County	2011	2012	2013	2014 (Mar – Dec)
Reg Certs	24%	17%	13%	12%

- Not many Reg Certs post S.I. 9
 - Increased compliance?
- In most cases work started before 1st March 2014

Regularisation Certificates Cont'd

Partially completed works that started post March 1st :

- Resurrection of old chestnut from 2009 i.e. single cert or two cert approach?
 - Circular Letter BC 6/2010 – delay granting cert until building works are completed, plans and information submitted should indicate how it is proposed to complete the works, require applicant to provide document “attesting to compliance” – a one cert approach

Regularisation Certificates Cont'd

- Applying for Regularisation Cert means they acted in contravention of BCRs
 - Reg Cert S.I.351-2009 compliance / CN S.I.9-2014 non-compliance?
 - Regularises FSC requirement only
 - Unable to get CN or be entered on the Register
- Enforcement?
 - One section of the LA accepting a Reg Cert Application in accordance with SI 351 of 2009 and another section possibly prosecuting for non-compliance with SI 9 of 2014
 - More of a BCA issue
 - Fire Officer concerned with Part B compliance
 - Need for alignment of SI 351 of 2009 and SI 9 of 2014?
- Hasn't been tested yet!

BCMS

- Should Fire Officers have access to the BCMS?
 - View only access?
 - User friendly queries (with reporting)?
 - e.g. report on CNs /CCCs received in last 2 weeks
 - Not yet set-up to search on CCCs
- Should there be email alerts from BCMS to the Fire Officer?
 - Should Fire Officer have to keep checking information uploaded to the BCMS?
 - What notification should a Fire Officer receive?
 - e.g. notification that a CCC for a commercial development has been received/validated?
 - Set up / request an alert if Fire Officer would like to follow-up on a particular FSC
 - “Dear Inspection Team”
 - Add Fire Officer to the Inspection Team?

BCMS Cont'd

- Should a Fire Officer issue their inspection report to the assigned certifier?
 - Recommendation of Code of Practice
 - The owner / builder are the enforceable parties
- Completion Stage
 - Fire Officer to notify BCO if there are any outstanding issues, how?
- Should the BCMS interface with existing IT systems?
 - Licencing Inspections, FSA Inspections, Pre-Incident Planning, Fire Safety Certificate Applications, etc.

Framework for BCAs

- Section 2 Role of BCA – General Statement of Functions
 - The BCA should:
 - (a) process applications for FSCs... and issue decisions...
 - Appendix III “General Role and Guidelines” *(as per S.I.)*
- Section 7 Completion Stage
 - “The authority will check that there are no unresolved matters in relation to... conditions attached to FSCs...”
- Section 8 Assessing Fire Safety Applications
 - “BCAs should establish a standardised approach to assessing Fire Safety Applications” *(Guidance?)*
- Appendix IV – Milestones throughout the Building Project
 - Offers an example of “a non-exhaustive list of elements in a construction which may be inspected by an Authorised Officer”
(fire officer v building control officer)

Other Issues

- *What's the future for FSCs?*
 - Are FSCs an unnecessary administrative burden on businesses?
 - Should building control be a construction issue up to completion, with fire safety as a post occupation issue?
 - Should BCO inspect/audit all aspects, including Part B?

Other Issues Cont'd

- The fire safety certificate process has worked well over the last 20+ years.
- Fire service's premises files have the full building history.
- Integration of fire prevention and fire brigade operations

Other Issues Cont'd

- Unlike other parts of the building regulations which concentrate mainly on design and construction, Part B- Fire Safety encompasses the occupation/use of the building as well as the management of the premises and therefore is relevant for the lifetime of the building.
- With the advent of BS9999 designs, more emphasis will be placed on management of premises on an ongoing basis. The decision as to whether a fire officer would accept a management strategy for a particular building will often depend on local conditions.

Conclusion

- Need to resource Building Control properly
- Need to re-visit parts of regulations which have raised anomalies
- Need for a consolidated set of regulations
- Need for guidance
- Need for training / workshops if there is to be consistency in our approach

Thank You



IBCI March 2015