



Submissions

Request for Conference

Soap Box

This year a discussion period has been allocated for a soap box presentation. Issues that members wish to be discussed should be forwarded through the website.

Special points of interest:

- The FAS Training Programme in Radon Gas remediation and prevention will start on 17th –19th February 2004 and run for three days at the City West Conference Centre, Saggart, Co. Dublin. The programme is aimed at all people involved in the building control area and has proved very useful for staff in both the public and private sectors. Further details on page 3.

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Conference 2004—Waterford

The Institute continues its recent tradition of bringing the National Conference to all regions of the country by staging the Conference in the Sunny South East this year. The **Irish Building Control Institute** is pleased to present the IBCI Building Control Conference, 2004 with the theme of the conference "**Building Control – Raising the Standards**". The conference will afford an opportunity for those involved in building control throughout the state to consider issues that affect their daily duties. The Conference will be held over two days in the **Tower Hotel, Waterford**. Lunch and refreshments will be provided on both days, with the conference dinner on Tuesday evening. A **Trade Exhibition** will also be held in conjunction with the conference. **Day 1** will provide information on upcoming legislation and other interesting topics relevant to building control including the professions study by

the competition Authority. The day will conclude with a forum for discussion that is intended to give all those interested in building control an opportunity to discuss topics. **Day 2** will include presentations on Foundations, Energy topics and Building Control in Austria. Also included is a presentation on Safety for Building Inspectors from the HSA perspective. There will be ample time for discussion and debate.

A distinguished panel of speakers are participating in the conference including *Dr. Rainer Mikulits* who will discuss Building Control in Austria and Xavier Dubuisson from Sustainable energy Ireland who will present a paper on Energy Conservation in Buildings. The Health & Safety Authority will inform delegates on Health and Safety for Building Control Inspectors. The cost of attending the conference is €350. Book-



Tower Hotel Waterford

ing forms will accompany the conference brochure that is being circulated at present. The booking form may be photocopied as required and a separate form should be filled out for each participant. Booking forms should be returned to:
Irish Building Control Institute
P.O. Box 3667,
Ballsbridge,
Dublin 4.

Building Control Bill 2004

The DEHLG have issued the following details on the proposed Building Control Bill 2004.

The General Scheme of the Bill has been approved by Government and is currently being formally drafted by the Parliamentary Council's Office. The proposals provide for a number of amendments to the Building Control act, 1990

Registration of the titles of "Architect", "Quantity Surveyor" and "Building Surveyor"

Implementation of certain Articles of the EU Directive on Energy Performance of Buildings.

Proposals for Amendments to Building Control Act 1990

Proposals to improve the Fire Safety Certificate regime under the Building Control Act 1990 were drawn by a Working Group Committee (BRAB) to examine and report on this area. The Working Group included the IBCI nominee on BRAB Mr. Johnny Mac Gettigan. The proposals were subsequently approved by BRAB.

The other principal proposal is to give Building Control Authorities the option to prosecute all offences under the 1990 Act, as summary offences, in the District Court and to increase fines.

Current Position

The Government's current Legislative Programme envisages that the Bill and the related Explanatory Memorandum will be published by mid-2004 and will be fully debated in both Houses of the Oireachtas.

Competition Authority Consultation

IBCI RESPONSE TO THE STUDY OF COMPETITION IN PROFESSIONAL SERVICES IN IRELAND January 19th 2004.

The Competition Authority published a consultation paper on the Architectural profession in Ireland. This is the second in a series of reports part of which is on the construction professions. According to the competition authority the architectural profession has relatively limited restrictions on entry and a light regulatory structure focused on ensuring safety standards. One of the main issues is the restriction on the use of the title of Architect. The Authority recommend that a Regulation impact analysis be under taken to justify the need for protection of the title of architect. The authority requested submission on certain consultation questions and the Institute responded as follows.

We, the Council of the Irish Building Control Institute have considered of the study of competition in professional services in Ireland, consultation document 2 (Architects-November 2003) and wish to make the following comments.

The Irish Building Control Institute was established in 1990 by professionals engaged in the practice of building control in Ireland.

The aims of the Institute are:

- To promote a high standard in the practice of building control in Ireland,
- To coordinate professional opinion on building control in Ireland and to offer advice on issues affecting building control,
- To encourage and contribute to the development of education on building control with a special emphasis on the organisation of relevant discussions and lectures,
- To promote better communications between persons engaged in building control and between those persons and the public through publications, exhibitions and other means,

To represent the interests of Irish building control in the European Union and to communicate with other bodies of common interest throughout the world.

The following are the Council's view on the issues:

It agrees to the registration of professional titles.

An Independent body is required to assess entry to the register.

IBCI should be part of any assessment body for the endorsement of persons performing compliance.

The existing performance compliance system is inadequate and does not protect the consumer.

The current system of Building Control by

Local Authorities focuses primarily on the lodgment of Commencement notices and Fire Safety certificates. The inspection regime is concerned mainly with a random monitoring system with a typical coverage of 10% in many cases. The current Building Control process is not an approval system. Continental research has shown that up to 60% of defects are caused by design defects. In the current non-approval system many design faults are inherent in designs before they are discovered and in many cases are almost impossible to correct. At present many designers are employed merely to get Planning permission, and developers are constructing buildings, without appropriate supervision.

The Irish Building Control Institute broadly supports the Forum for the Construction Industry and the Department's objectives to provide for protection of the public from an inadequate level of service. We believe that membership, at corporate level provides the best assurance, from a client's perspective, of identifying professionals to carry out the design and quality control of buildings, to address the statutory requirements.

Only appropriately qualified construction professionals should carry out compliance certification.

There is an urgent need to examine the effectiveness of the current Building Control system and increase the level of inspections coupled with, at the very least, a plan and "building type" approval system, as in other E.U. countries. Self-certification by engineers, architects, and building surveyors should only be considered in conjunction with a combination of an increase in Local Authority inspections and resources, in addition to the introduction of an approval system (i.e. plan and "building type" approval system) in the interest of public health & safety. Self-certification should not be implemented as a substitute for these proposed measures, given the current deficiencies in existing practices in the industry and the inadequacies in the performance compliance system,

We support Government policy in that "any proposed regulation should be subject to a Regulatory Impact Analysis (RIA)19", and it is recommended that regulation in this case not be implemented until a full RIA has been carried out. The Department of Environment and Local Government should further examine the need for protection of title in light of the issues outlined above by undertaking a Regulatory Impact Analysis. The Council does not see linking registra-

tion with the proposed Building Control Bill as a means of improving the system.

We would welcome an opportunity to elaborate in relation to these points, should you require further explanation.

DHELG Explanatory note Proposals for Registration of Professional Titles

The 1997 Report of the Strategic Review Committee on the Construction Industry recommended that the titles of construction professionals, including that of "Architect" should be registered by law. The Forum for the Construction Industry (FCI) submitted detailed proposals for the registration of the title "Architect", "Building Surveyor" and "Quantity Surveyor". The proposals relating to registration of professional titles were drawn up by a Working Group established by the FCI in consultation with all the various architectural and surveying professional representative bodies.

The proposals for "Architect" were drawn up following consultation and agreement with all the architectural representative bodies – Association of Building Engineers (ABE), Architects of Ireland (GIAI), Irish Architects Society (IAS), and the Royal Institute of Architects of Ireland (RIAI).

The Institute seek clarification on the position relating to engineering professions in the proposed Building Control Bill 2004. Are engineering professionals to be excluded from certification under the Building Control Bill?



**Jim Briscoe, Tom Johnson, Olav Berge and Philip O'Brien
preparing for
Conference 2003**

Building Control – Dublin Local Authorities

Building Control had been established in the Dublin Local Authority Areas long before the 1990 Building Control Act came into force. The Building Bye-Laws were in force in Dublin City and County, Cork City and some other urban areas. The Building Bye-Laws were quite rigorously enforced in the Dublin area. It was a plans approval system and virtually all development had to demonstrate adequate design by way of plans, specifications etc. The Building Control technical staff complement for the old Dublin county area was 25 – 30 including Engineers inspectors and technicians. Dublin Corporation had a staff complement of approx 30. This included Building Surveyors, Structural Engineers and Inspectors and these dealt exclusively with Bye Law approvals and inspections of same. All development was thoroughly checked for Bye-law compliance including a full structural check. At that time every building in the Dublin area had up to five inspections and in particular all drains and foundations were inspected. Dublin Corporation Building Control Section were not involved in the taking in charge of roads and sewers under the Sanitary Services legislation. The impact of Building Control 1990 on the Dublin Area was the introduction of the concept of Building Control self-regulation and the complete downsizing of the Local Authority Building Control Section. The Stardust fire in the early 1980s and the Tribunal that followed set the template for the Building Control Act that followed. However they placed great emphasis on proper inspection and control regimes. This however has not evolved. The 1990 legislation allowed Building Regula-

tions to be established nationwide but placed the responsibility for compliance primarily on the client/owner and to a lesser extent on the designer and builder. Unfortunately even fourteen years after the introduction of the legislation these parties are not always aware of their responsibility. It can take a long time to advance enforcement action even to District Court level.

Building Control Sections in the three Dublin County Areas with reduced resources now focus more on the utility services of the development. The roads sewers and water mains utility services are normally taken in charge and maintained by the local authority. It makes good economic sense for the local authority to pay attention to the construction of these utilities. Besides the collector drainage works come under the Building Regulations inspections and provide opportunities for Building Control inspections on the building structure.

The Building Control Section also manages the security bonds in force for the proper completion of these utility services. Why a security bond was never put in place by the Building Control Authority to secure compliance for the dwelling structure is an open question. The Homebond type insurance system was primarily put in place to protect the owner against major structural defects. Building Control provided by the state is a public good in the interest of all its citizens. A Building Control security bond could be released on the receipt of a satisfactory compliance certificate from a competent technical professional that supervised the development. Any national Build-

ing Control system can only be as effective as the resources allocated to it by the state. The number of dwellings completed per annum has more than doubled since the introduction of the 1990 Building Control Act. Resources allocated per dwelling have declined substantially in this period. The Planning system driven by economic factors has gained a much-increased influence on building activity in the same period. It is not in the best interest of the end consumer that the planning system should have too great an influence over the built environment. The built environment needs to provide continuous improvement for building occupiers in Health and Safety, living amenity, occupation sustainability and allow for increases in densities without compromising on good quality residential living standards. Since the publication of the various Bacon reports the trend is towards increased densities in residential sites and more building on brown field site. The inflation in residential property values, together with attractive tax incentives introduced in recent Finance Acts has attracted investors into this market to provide rental accommodation.

This has resulted in the normal scrupulous checks that homeowners apply to their biggest life investment not being applied. Investors main concerns are rental income and capital appreciation of the investment property. It is only when serious problems arise or the property investment environment changes and investment property is sold on to owner-occupiers that the complaints will be brought to the attention of the Building Control Authority. Then in most cases it will be too late to take any effective action and much building stock will have inherent defects.



Mr. Philip O'Brien, Past President IBCI addressing the IBCI Conference 2003

Building Control Briefing Seminar

A very successful briefing Seminar was held by Fineen O Driscoll, Vice President IBCI and Johnny M^{ac} Gettigan, Donegal County Council for Sligo County Council. The topics discussed included recent legislative updated to Building Regulations and proposed revisions to the Building Control Act. This briefing seminar assisted Building Control practitioners specifically in relation to the practicalities of the Building Regulation changes. Further briefing seminars are to be scheduled for the future as an ongoing continual development programme.

FAS Radon gas remediation & prevention training course

This 3 day course covering Building Regulations, Radiological Protection Act - Safety in the work place regulations and the effects of radon in water will place at the Citywest Hotel, Saggart Dublin

17th Feb start 11.15am finish 5.30pm
 18th Feb start 9.00am finish 5.30pm
 19th Feb start 9.00am finish 4.30pm

Fee per participant is €675.00 to include assessment and all documentation.

Fas in conjunction with Roscommon County Council, (acting on behalf of all local authorities), the Radiological Protection Institute of Ireland and the Department of the Environment, Heritage and Local Government, and the Construction Industry Federation have developed a comprehensive training programme in Radon gas remediation and Prevention

The programme is targeted at building control inspection staff, radon prevention and remediation contractors, consultants/specifiers, clerks of works, contractors, project managers and professional and supervisory technical staff in the public and private sectors.



For further information contact
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Membership Subscriptions for 2004

It appears that some IBCI members have not yet paid their subscription for 2004. The subscription is a nominal sum, just €30, but helps to fund the day to day activities of the IBCI. Our thanks to those of you who have already paid. To those that have not yet forwarded their payment, a reminder letter has been sent to you by post. Council ask you to forward your payment as possible. Why not enclose your payment when returning your booking form for the IBCI Conference.

Trade Exhibition 2003 A sample of trade exhibitors



The IBCI conference is the main forum for Building Control in Ireland and Conference 2003 proved to be very successful with the associated Trade Exhibition offering valuable assistance to designers, specifiers and of course inspectors. The Exhibition always afford viewing and promotion of existing, new and innovative products for consideration.



An enjoyable occasion—Conference 2003

IRISH BUILDING CONTROL INSTITUTE

If you would like to contribute an article to the IBCI Newsletter, or comment on anything contained in this issue, please write to:

**IBCI News,
P.O. Box 3667,
Ballsbridge,
Dublin 4.
www.i-b-c-i.ie**

Conference 2004 Tower Hotel Waterford

March 30th and 31st

The Irish Building Control Institute is pleased to announce that its building control conference will take place this year in Waterford, on the 30th and 31st March. The theme of the conference is

***“Building Control-
Raising the standards”.***

For further information contact:

***Tom Johnson ,
Conference Coordinator.
Tel: (01) 6723468
Fax: (01) 6773829***

If you would like to contribute, please send your letter to the usual address. Please note that letters may be edited to fit the space available.