



September
2019

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 for Building Control Authorities (BCAs) with respect to undertaking their functions under the Building Control Acts 1990 to 2014 which include:

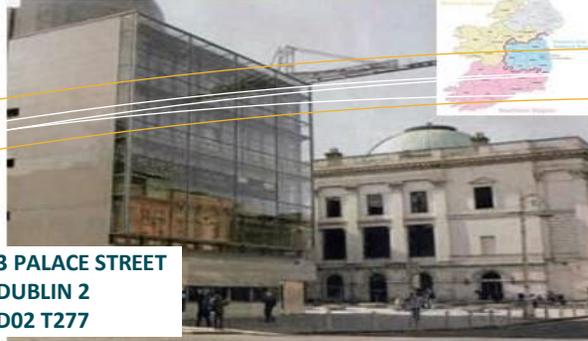
- Administration of the Building Control Regulations
- Monitor compliance with the Building Control Act and Regulations through Inspections— Section 11.
- Take Enforcement Proceedings in cases of default – Section 8.
- Bring prosecution proceedings against defaulters – Section 17.
- Maintain the Statutory Building Control Register.

BCAs are also the designated enforcement authorities for the purposes of ensuring compliance with:

- Marketing of Construction Products in line with EU (Construction Product) Regulations 2013 (SI No. 225 of 2013); Appendix I
- Building Energy Rating Certificates in line with the EU (Energy Performance of Buildings) Regulations 2012 (SI No. 243 of 2012); Appendix II
- Registration of multi-storey buildings under the LG (Multi-storey Buildings) Act 1988.

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NATIONAL BUILDING CONTROL OFFICE

31 Building Control Authorities

 @NBCOIreland

Buildings Regulations and Building Control.



The Building Control Acts provide for the health and safety of persons in or about buildings, access for all and the conservation of fuel and energy. Materials and workmanship must be fit for the purpose they are intended and the circumstances and conditions in which they are to be used. To achieve compliance buildings and works must comply with all twelve parts of the Building Regulations i.e.

1. Part A Structure
2. Part B Fire Safety
3. Part C Site preparation & Resistance to Moisture
4. Part D Materials and Workmanship
5. Part E Sound
6. Part F Ventilation
7. Part G Hygiene
8. Part H Drainage and Waste Water Disposal
9. Part J Heat Producing Appliances
10. Part K Stairways, Ladders, Ramps and Guards
11. Part L Conservation of Fuel and Energy
12. Part M Access and Use

This Issue



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Full Regulatory Compliance in relation to Building Works requires expertise in many fields and a cross-compliance integrated risk-based inspection regime. No one profession or academic discipline has a monopoly over the built environment which is an interdisciplinary field; which requires addressing the design, construction, management and use over time to ensure full compliance.

Without full compliance our quality of life suffers, i.e. our health, social behavior and our productivity.

For example, take Part E Sound; **"Sound Design"!**

E1 Sound: Each wall and floor separating a dwelling from, (a) another dwelling or dwellings, (b) other parts of the same building, (c) adjoining buildings, shall be designed and constructed in such a way so as to provide reasonable resistance to sound.

E2 Reverberation: The common internal part of a building which provides direct access to a dwelling shall be designed and constructed so as to limit reverberation in the common part to a reasonable level.

E3 Definitions for this Part: In this Part "Reverberation" means the persistence of sound in a space after a sound source has been stopped.

Sound affects us psychologically, cognitively and behaviourally. Sound is the invisible architecture as there is a tendency to design with our eyes and forget our ears. In particular "sound design" in health and educational establishments is paramount.

Interesting TED talk on sound.

<https://www.youtube.com/watch?v=y5nbWUOc9tY>

Frequent Queries

Q1. **I cannot nominate my builder even though he is registered with BCMS.**

A1. Role nomination requires that all nominees are fully registered on BCMS. Full registration involves signing up via localgov.ie/en/bcms and completing a BCMS profile, located under 'My Details'.

For those in charge of completing a Commencement Notice, it is always best to check with all nominees to ensure each have a registered BCMS account to avoid potential delays in submission. Alternatively, you can ask your BCA staff to check the BCMS system to ensure all parties are registered.

Q2. **I have a new email address. How do I change the email address on my profile?**

A2 The email address is a unique identifier for each account. Therefore, it cannot be changed. The user must register a new account with the new email address. They can then contact NBCO at support@nbco.gov.ie and the projects associated with the old email address will be migrated over to the new account.

Q3. **The builder on my project has changed. How do I reflect this change on my Valid Commencement Notice?**

A3. In accordance with the Building Control (Amendment) Regulations 2014 (SI No. 9/2014); If a building owner changes either the person assigned to inspect and certify the works or the builder, then the building owner shall within 14 days notify the building control authority of the change by submitting, electronically or otherwise, the appropriate notices of assignment and forms of undertaking, reflecting the up-to-date arrangements in this regard.

Similarly, if a change of ownership of works or a building occurs prior to completion, the new owner shall within 14 days notify the building control authority electronically or otherwise that they are now the owner of the building or the works.

E: support@nbco.gov.ie

Compliance Support

LA information Note

Amendments to Valid/Invalid Commencement Notices and Certificates of Compliance on Completion

The validation of a Commencement Notice or Certificate of Compliance on Completion and placement on the Register is a statutory process. Therefore, there is no provision to withdraw, change or make amendments to a validated Commencement Notice or Certificate of Compliance on Completion, other than by Order of the Chief Executive/Delegated BCO. In the case of administrative errors, reasons in accordance with proper public administration must be noted on BCMS and the Commencement Notice.

Any amendments which the BCA deem acceptable in this case, can be made by the NBCO only subject to receipt of a Managers Order (Order of the Chief Executive/Delegated BCO).

Architects registered in Northern Ireland

The designer or architect on a submission or notice must be a Registered Member of the Royal Institute of Architects of Ireland. The applicant should contact them and explain the circumstances as RIAI have put a mechanism in place for such applicants.

BCA Circulations

The NBCO have circulated process document '**Compliance Support-Change of Roles on Valid Commencement Notices**'; to all 31 BCAs. This document reiterates that the validation status of Commencement Notice is not to be altered to facilitate a change of role and provides BCA staff with the steps required for changing roles in these circumstances.

This includes what forms are to be provided and steps needed to upload the new documentation.



Regional Building Control Committee Representatives

L-R **Tim Kelleher** representing the Southern Region;
Sinéad Murphy representing the Eastern and Midlands Region and
Pat Gaynor representing the Northern and Western Region.

The Regional representatives have the important task of representing the building control authorities on the National Building Control Board. The chair is **Richard Shakespeare ACE, Dublin City Council**; the **Chief Fire Officers, DHPLG and Construction Industry Council** are also represented. Here they can bring important building control issues, trends and progress to the table.

Q4. **How do I reset my password?**

A4. Go to the BCMS homepage www.localgov.ie/en/bcms. Click on **Login**. Select the '**Request New Password**' tab

Enter your email address and click 'Email New Password'

User account

User account

You will now have an email with the subject '**replacement login information**'.

If no email has been received please inform the user to check their Junk/SPAM folder.

If the email is not there, please contact NBCO @ support@nbco.gov.ie

Q5. **Who is Authorised to sign A Building Control Statutory Form?**

A5. Stakeholders in the Building Control Process include:

"Building Owner" who commissioned or paid for the works & who has legal entitlement to have such works carried out on their behalf;

"Design Certifier" signs the Certificate of Compliance (Design);

"Assigned Certifier" competent, registered professional assigned, in accordance with the BCAR;

"Builder" competent builder appointed, by owner, to build and supervise the works;

"Competent Person": having regard to the task he/she is required to perform & taking account of the size and/or complexity of the building/works, the person possesses sufficient training, experience & knowledge appropriate to the nature of the work to be undertaken;

Unless a person has legal entitlement under the Companies Act, an executed lease, a deed, power of attorney or caretaker's agreement, they can deny legal responsibility in a court of law to accept enforcement proceedings; in any event we cannot serve them on a third party.

A person who signs a statutory form must be competent to do so.

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Commencement Notice by Type by Year to End August 2019



Construction Activity to end of August 2019

National Building Control Office

Welcome to BCMS

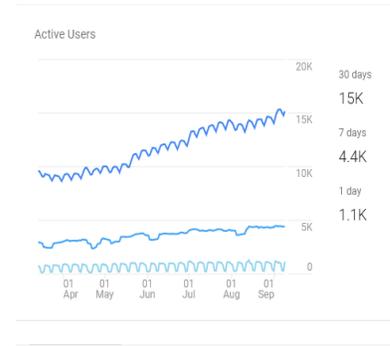
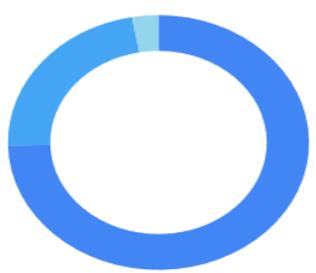
Log in Sign up

| Commencement Notice Type- from 1 st January 2019 | End August |
|---|------------------------------|
| Commencement Notice with Opt Out Declaration | 5018 |
| Commencement Notice Without Compliance Documentation | 1768 |
| 7 Day Notice | 760 |
| Commencement Notice with Compliance Documentation | 2655 |
| Total Commencement Notices All types | 10201 |
| CRM stakeholder queries closed-i.e. phone, info@localgov.ie | 3333- Freshdesk closed cases |
| From Inception (2014) | |
| Customers-Registered users | 110,458 |
| Compliance Documents | 1278020 |

S.I. 9 of 2014 legislated for the "Building Control Management System" (BCMS), the information technology-based system developed to facilitate the electronic administration of building control matters by building control authorities as the preferred means of building control administration. Since the go-live date on the 1st March 2014, 100% of Commencement Notices from 44 countries have been submitted online through the BCMS. Website traffic has increased by 50% year on year with an average 1,000 users visit daily an increase of 300% since its go-live date and the system has operated 365/24/7 without interruption. 62,744 projects validated.



Sessions by device



| Country | Users | Users |
|-------------------|-----------------------------|-----------------------------|
| | 4,081 | 4,081 |
| | % of Total: 100.00% (4,081) | % of Total: 100.00% (4,081) |
| 1. Ireland | 3,671 | 89.65% |
| 2. United Kingdom | 162 | 3.96% |
| 3. United States | 118 | 2.88% |
| 4. (not set) | 16 | 0.39% |
| 5. Netherlands | 15 | 0.37% |
| 6. Germany | 12 | 0.29% |
| 7. France | 11 | 0.27% |
| 8. India | 11 | 0.27% |
| 9. Spain | 8 | 0.20% |
| 10. Finland | 8 | 0.20% |

Statutory Building Control Register

Welcome to the Building Control Management System (BCMS)

Search the Statutory Register here

To search the statutory building control register, go to <https://www.localgov.ie/en/bcms/search>. Print a pdf copy of your submission or "Sign In" and download the register in csv or pdf. Search by LA, CN Ref Number, type etc.,

BCMS Search results

Filters

1. Ireland 3,671 89.65%

2. United Kingdom 162 3.96%

3. United States 118 2.88%

4. (not set) 16 0.39%

5. Netherlands 15 0.37%

6. Germany 12 0.29%

7. France 11 0.27%

8. India 11 0.27%

9. Spain 8 0.20%

10. Finland 8 0.20%

BCMS Alert 3 2019- Impact of a "no deal" Brexit

The following information regarding how to continue to comply with the Construction Products Regulation (EU) No 305/2011 (known as "the CPR") in the event of a No Deal Brexit was circulated to 110,000 registered users of the BCMS in the first week of September 2019 on behalf of DHPLG. For construction products currently reliant on a UK 'notified body', the manufacturers, importers, distributors or authorised representatives need to either:

1. arrange for a transfer of their files and the corresponding certificates from the UK 'notified body' (a 'notified body' registered in the UK) to an EU-27 'notified body', or
2. apply for a new certificate with an EU-27 'notified body'

Builders, Owners, Designers should ensure that the CE Marking/ Declaration of Performance & relevant product-related documentation demonstrates & ensures compliance with the Building Regulations. To establish if a construction product is certified by a UK 'notified body' refer to the following link: <https://www.housing.gov.ie/corporate/brexit/brexit-construction-products-regulation>

Do you manufacture or use CE-marked construction products as part of your work?

Are you a manufacturer or importer or distributor or authorised representative of construction products?

Are you a builder, specifier, certifier or construction professional?

If so, a 'no deal' Brexit might affect you!

Check the CE marks of products to find out if a 'no deal' Brexit might impact you

| Current Situation | Impact of a 'no deal' Brexit |
|--|---|
| The Construction Products Regulation (CPR) requires that when certain construction products are placed on the EU market, the manufacturer must produce a 'declaration of performance' and place a 'CE' marking on the product. | UK 'notified bodies' (those registered in Great Britain or Northern Ireland) will lose their legal status as EU 'notified bodies' from the date the UK leaves the EU. Construction products relying on certification from a UK 'notified body' may not be placed on the EU market from the date the UK leaves the EU. This may affect supply chains and the availability of certain products. |
| Manufacturers, importers, distributors and authorised representatives have obligations and responsibilities in certain circumstances when placing a construction product on the market. Third parties called 'notified bodies' perform assessments of products and provide 'certificates of conformity'. They must be registered in an EU country. | An EU 'distributor' of UK construction products may become an 'importer' after the date the UK leaves the EU. |
| How to know if a construction product is certified by a UK 'notified body'? | Visit the Nando CPR database: https://www.nando.gov.uk/ProductsDatabase.aspx 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 '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 'Standards' (from the bar above the 'Product's heading), click 'Harmonised Standards'. Using the 'Product's Standards' find and click on the correct Standard, found below the 'Code' column on the webpage. Use the 'Country' column to find a 'notified body' from an EU-27 country. | What will a 'no deal' Brexit mean for me? |
| I am a manufacturer and my products are certified by a 'notified body' registered in the UK | I am a builder, a construction professional or an end user |
| Arrange for the transfer of files and the corresponding 'certificates of conformity' from the UK 'notified body' to an EU-27 'notified body'. | To limit disruption on construction sites, check your supply chain to ensure the construction products you need will be available after the UK leaves the EU. |
| Apply for a new 'certificate of conformity' from an EU-27 'notified body'. | Check that the relevant product-related documentation is appropriate to demonstrate and ensure compliance with the Building Regulations. |
| Either step should be taken before the UK leaves the EU. | I am an importer or distributor of UK CE-marked construction products |
| Contact the manufacturer to ensure they have updated the product's DoP, CE marking and have valid 'certificates of conformity' from the date the UK leaves the EU. Check for any additional responsibilities as an importer. | I am an authorised representative for a UK CE-marked construction product |
| Check with your client that the products will have valid 'certificates of conformity' and DoPs from the date the UK leaves the EU. | As a manufacturer, importer, distributor or authorised representative (where applicable) you must comply with your CPR obligations and responsibilities when placing a construction product on the EU market. |

For more information, visit the Department of Housing, Planning and Local Government's webpage on Brexit and the Construction Products Regulation: www.housing.gov.ie/corporate/brexit/brexit-construction-products-regulation

If you plan on importing goods from the UK after Brexit, you, or a representative on your behalf, will need to complete customs formalities. For information on your customs responsibilities visit www.revenue.ie/en/customs

For support and guidance on standards and certification contact the National Standards Authority of Ireland, which is an EU 'notified body':
 via email at: enquiries@nisi.ie Telephone: 01 637 3000

Read the Brexit Preparedness Checklist to know the essential actions firms can take before 31 October 2019 to ensure they will still be able to trade with the UK after the EU: www.dai.ie/government/brexit/brexit-preparedness-checklist

Learn More: www.gov.ie/en/learn-more

PUBLIC CONSULTATION on AMENDMENT TO TGD PART C-SITE PREPARATION & RESISTANCE TO MOISTURE

September 2nd, Housing and Urban Development Minister Damien English, T.D., announced his intention to amend Technical Guidance Document C (Site Preparation and Resistance to Moisture) to take account of the latest version of S.R.21:2014+A1:2016 and guidance on placement (use) of hardcore. The Public consultation documentation is available on the Department's website at the following link: click [here](https://www.housing.gov.ie/housing/building-standards/tgd-part-c-site-preparation-and-resistance-moisture/public-consultation) <https://www.housing.gov.ie/housing/building-standards/tgd-part-c-site-preparation-and-resistance-moisture/public-consultation>

Comments on the proposed amendment should be submitted on the 'Templates for Submissions' to buildingstandards@housing.gov.ie

PART L 2019-CONSERVATION OF FUEL & ENERGY

Minister for DHPLG, Eoghan Murphy, T.D., has signed into law amendments to Part L of the Building Regulations, giving effect to Nearly Zero Energy Building (NZEB) Regulations and Major Renovation Regulations that he signed earlier this year. The regulations aim to make all new residential dwellings 70% more energy efficient and emit 70% less carbon dioxide than the performance requirements in 2005. Existing dwellings undergoing a Major Renovation will be required to achieve a BER of B2 or equivalent.

PART F 2019-VENTILATION

In conjunction with this, Minister for Housing and Urban Development, Damien English, TD, has signed into law amendments to Part F of the Building Regulations, which relate to ventilation. The NZEB standard is achieved, in part, through improved air tightness in a building. New builds will require more effective ventilation systems to achieve the improved air tightness. Technical Guidance Documents have been published and include an extended range of compliance examples for new buildings and Major Renovations with a wide range of building services.

Link to TGD L 2019 click [here](https://www.housing.gov.ie/housing/building-standards/tgd-part-l-conservation-fuel-and-energy/technical-guidance-document-l-7)

<https://www.housing.gov.ie/housing/building-standards/tgd-part-l-conservation-fuel-and-energy/technical-guidance-document-l-7>

Link to TGD F 2019 click [here](https://www.housing.gov.ie/housing/building-standards/tgd-part-f-ventilation/technical-guidance-document-f-ventilation-2019)

<https://www.housing.gov.ie/housing/building-standards/tgd-part-f-ventilation/technical-guidance-document-f-ventilation-2019>

BUILDING CONTROL OFFICER -advice from Colin Gallagher CEng, BCO Fingal

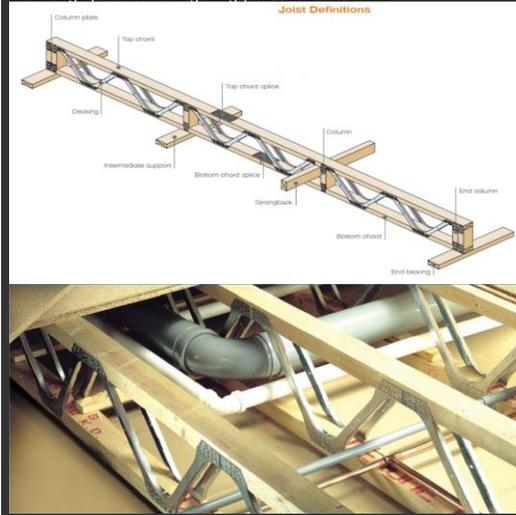
With the installation of mechanical ventilation, mechanical heat recovery and increase in the number of service pipes; open web joists have become a common place structural element on housing developments in the Fingal area. This represents a sudden shift from the traditional solid timber joists which was the commonplace structural floor support.

Furthermore, the increased requirements of Part L Dwellings 2019 (nZEB) will further drive the industry towards open web joists.

Key points to be aware of –

- These joists are factory made and therefore must be CE stamped and the building must be designed for these types of construction elements.
- Fire stopping was always a key factor but is more so now as fire could easily move within the open web joist frame
- Compartmentation is now a bigger issue as these structural elements are no longer solid pieces of timber.
- There is a top and bottom to these joists and they are not to be used upside down
- They can't be drilled, cut or wet. Also, do not remove web bracing.
- There is top chord hung joists and bottom chord hung joists depending on the design and supports
- There are particular details for restraints, strongback locations and lapping of joists.

The Technical guides from the manufacturers are particularly useful so I would highly recommend getting your hands on them.



IT Carlow & NBCO LAUNCH LEVEL 7 CERTIFICATE IN BUILDING CONTROL MANAGEMENT.

Coordinated and delivered by the Institute's Extended Campus department, this "Certificate in Building Control Management" will commence mid-October and be delivered in the Local Authorities five regional training centres located in Cork, Dublin, Mayo, Donegal and Tipperary. The programme, which will be recognised as the minimum standard in building control, will run over one year and include modules in: *Built Environment Legislation; Administrative Functions; Building Control Management System; Building Regulations; Inspections and Inspection Procedures & Policy; Enforcement - Legal with Case Studies and Compliance & Support.*



"Building Control Reform has been a key priority for Government since 2011. The 2014 Building Control Amendment Regulations (BCAR) have brought a new order and discipline to bear on construction projects and promotes a culture of compliance with the Building Regulations. Empowering the building control authority to exercise its role efficiently and effectively is fundamental to a well-regulated construction sector. This course is designed to support building control officers in undertaking their functions, promoting national consistency, leading to a quality public service delivered by the local authorities" commented Housing and Urban Development Minister Damien English. People interested in enrolling can do so by expressing interest with Carlow IT online, using the link [here](https://www.carlowit.ie).

Further CPD Training

NZEB Awareness training available from Waterford Wexford Education Training Board

<http://www.wwetbtraining.ie/nzeb>

Certifying Rapid Delivery Housing workshop at Stream G of Lean Construction Ireland Conference on 3rd Oct. in Croke Park

<http://lcconference.com/>

World NZEB Forum taking place 13th and 14th Nov in Dun Laoghaire

<https://worldnzebforum2019.com/>

Lean Construction Ireland National Conference 2019

<http://lcconference.com/register/>

NBCO has issued the Part A-M training calendar for 2019/2020-contact

support@nbco.gov.ie

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

BUILDING CONTROL OFFICERS WORKING WITH THE DEPARTMENT OF EDUCATION AND SKILLS (DES) FOR COMPLIANCE. UPDATE ON DEPARTMENT OF EDUCATION & SCIENCE (DES) SCHOOLS REMEDIATION PROGRAMME.

The DES carried out a programme of structural assessments in over 40 schools built by Western Building Systems (WBS) in late October 2018. One school building was closed, and immediate precautionary measures were put in place in 22 schools. The DES subsequently established a remediation programme for these schools. Substantial progress on the 22 schools that were included in the first phase of the Schools Remediation Programme was made during the Summer holiday period: with permanent structural remediation work carried out enabling the removal of precautionary measures in 14 schools. Certain fire remediation works also commenced at the beginning of the Summer holiday period for the remaining 8 schools.

Further detailed investigations on the remaining 17 schools were carried out over the Summer period in the second phase of the remediation programme. Some permanent remediation work is required in each of these schools.

In the interim, some temporary engineering solutions and other precautionary measures are being put in place in some school buildings.

School principals and patrons are continually informed on progress of the Programme.

The Department has also been in regular contact with the DHPLG, the relevant Building Control Officers, and Fire Safety Officers across the country on the Programme.

For further details are available at the links below or click [here](https://www.education.ie/en/Press-Events/Press-Releases/2019-press-releases/PR19-08-14.html)

<https://www.education.ie/en/Press-Events/Press-Releases/2019-press-releases/PR19-08-14.html>

