



Promoting a Culture of Compliance with the Building Regulations

The National Building Control Management Project is managed by Dublin City Council to provide oversight, support & direction for the development, standardisation and implementation of Building Control as an effective shared service in the 31 Building Control Authorities (BCAs) who fund the project; through the four pillars of:

- 1) Training
- 2) Inspections
- 3) Compliance Support and
- 4) IS-BCMS (Building Control Management System)

Collaboration is through three Regional Building Control Committees Eastern & Midlands, Northern & Western and Southern. A "National Building Control Advisory Committee" advise on the strategic direction and guidance.

NBCMP Team

- Mairéad Phelan, Project Manager
- Sabrina McDonnell, IS-BCMS Manager
- Shelly O Riordan, NBCO Manager
- Shirley Lambe, Compliance Support
- Kelda Minnon, Compliance Support

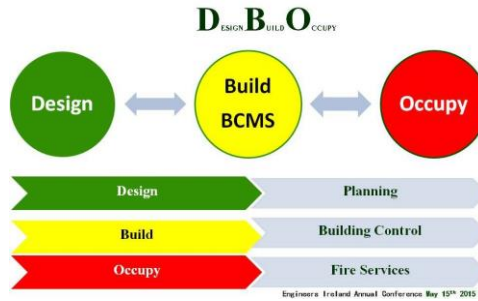


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Buildings and Building Control

DEVELOPMENT-Life Cycle Strategic Management



Building for sustainable communities requires a complex interaction of forward planning (economic, physical and social), development control (planning, building and environmental) and community interaction (safety, health & wellbeing).

The stakeholders are many and varied and the process entails a series of sequential, interrelated, standardised and complex activities.

Building Control is the link in achieving sustainable buildings and communities. Construction errors can have lasting consequences which are both costly and difficult to rectify thus requiring effective Building Control Authorities and an efficient fit for purpose Building Control Management System (BCMS).

Building and construction is subject to a wide range of regulations and regulators. Health and safety, the competent person, the use of reasonable skill, care and diligence in carrying out works are at the core of building and construction legislation. The **Building Regulations** legislate for safe, accessible, environmentally sustainable buildings while the **Building Control Regulations** provide for matters of procedure, administration and control for the purposes of securing the implementation of, and compliance with, the requirements of building regulations.

The **BCMS** collates Building Control Compliance Data in the form of *Notices, Applications, Certificates* and *Declarations* along with the completion of an *Online Assessment* as prescribed in the Building Control Regulations 1997-2018.

The prescribed "*Online Assessment*" informs a risk-based inspection regime. 182 administrative, technical and professional staff are engaged in Building Control across the 31 Building Control Authorities.

Roles & Duties of Building Control Authorities

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

Beyond their statutory function under the Building Control Acts, BCAs are also the designated enforcement authorities for the purposes of ensuring compliance with other legislation as follows:

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

Inspections

NBCMP National Building Control Management Project Regulatory Inspections & Enforcement

• [OECD \(2014\), Regulatory Enforcement and Inspections, OECD Best Practice Principles for Regulatory Policy](#)

- **Principle 1:** Evidence-based enforcement
- **Principle 2:** Selectivity
- **Principle 3:** Risk-Focus and proportionality
- **Principle 4:** Responsive regulation
- **Principle 5:** Long-term vision
- **Principle 6:** Co-ordination and consolidation
- **Principle 7:** Transparent governance
- **Principle 8:** Information integration
- **Principle 9:** Clear and fair process
- **Principle 10:** Compliance promotion
- **Principle 11:** Professionalism

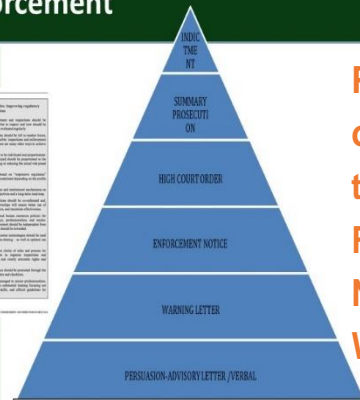


Figure 1. An Enforcement Pyramid for Regulatory compliance. Source: Reducing the risk of policy failure. Challenges for Regulatory Compliance. OECD

Effective compliance underpins markets, protects the environment, rights and safety of the citizen. Categories of non-compliance ‘fraud’ or ‘negligence’:

- Deliberate default;**
- Gross carelessness;**
- Insufficient care;**

“**Enforcement**” covers all activities aimed at promoting compliance and reaching regulations’ outcomes; i.e. information and prevention, inspections, and enforcement actions in the narrower sense (warning, enforcement notices, fines, prosecutions etc.) arising in connection with regulatory inspections by authorised persons.

“**Inspections**” are one of the most important ways to enforce regulations and improve regulatory compliance.

“**Inspections**” cover any type of visit or check conducted by authorised persons on products, buildings or works, activities, documents i.e. “on-site” or “desk-top”. Refer to, [Circular Letter BC 03/2017](#) for definitions.

The NBCMP Inspection Working Groups’ (WG) role is to inform and provide industry expertise for the design, implementation and operation of the NBCMP standardised inspection process which includes recommendations in relation to:

- Implementation of a standardised inspection programme protocol.
- Implementation of a standardised Inspection Methodology.
- Inspector Competency Requirement.
- IT/BCMS inspection module and mobile inspection application.
- Update as required the “Online Assessment” which informs the risk-based inspection regime.

Reference links;

[Risk assessment decision making tool for building control bodies](#)
[Code of Practice for Inspecting & Certifying Buildings & Works](#)
 September 2016.

Promoting a Culture of Compliance with the Building Regulations and the NBCMP Inspection Working Group

The WG have agreed that the sources of the Inspection Programme include:

1. Risk Based
2. Random Based
3. Complaint Based
4. Site- Follow-up / Repeat Inspection / Enforcement
5. Non-Technical Building Control Inspections
6. Inspections Related to Statutory Applications

The WG have agreed an 8-Step Inspection Methodology:

1. Legislation
2. Works which **May** be Inspected
3. Inspection Types
4. Inspection Programme
5. Inspection Methodology- actual inspection steps
6. Record of Inspection
7. Decision
8. Reporting

The WG have submitted **Building Control Inspector competencies** to DHPLG.

The WG are investigating the use of a BI risk-assessment tool with an inspection GIS app. to **record inspections.**

COMMENCEMENT NOTICES BY TYPE BY YEAR



IS-BCMS & Compliance Support

Compliance Support

Brexit Preparedness

https://ec.europa.eu/info/brexit/brexit-preparedness_en

EC [NOTICE TO STAKEHOLDERS – WITHDRAWAL OF THE UNITED KINGDOM AND EU RULES IN THE FIELD OF INDUSTRIAL PRODUCTS](#), dated 10

January 2018, confirmed that UK Notified Bodies will lose their status as EU Notified bodies when the UK leaves the EU. That Notice stated that manufacturers, distributors, importers and authorised representatives of construction products will need to take the necessary steps to ensure that they hold certificates under the responsibility of an EU27 Notified Body to demonstrate compliance for products placed on the EU market post-Brexit. In practice, this means either arranging for a transfer of certificates from a UK notified body to an EU27 Notified Body or applying for a new certificate with an EU27 Notified Body. The Commission's latest publication, the Questions and Answers document, provides further guidance and clarification on the rules.

On 01 February 2019, the EC published [QUESTIONS AND ANSWERS RELATED TO THE UK'S WITHDRAWAL FROM THE EUROPEAN UNION WITH REGARD TO INDUSTRIAL PRODUCTS](#). The document gives guidance in relation to Industrial Products in the event of the UK leaving the European Union without a ratified withdrawal agreement or ordered transition period. It relates to construction products covered by the Construction Products Regulation (EU) No 305/2011. Manufacturers, distributors, importers and authorised representatives must comply with their obligations and responsibilities under Regulation (EU) 305/2011 when placing a construction product on the EU market

Assessment and Verification of Conformance

NSAI Brexit Unit BrexitUnit@NSAI.ie
<https://www.nsa.ie/brexit>

The DHPLG is responsible for policy and regulation of building standards, including implementation of the Construction Products Regulation (CPR). It is the Notifying Authority for construction products covered by CPR (EU) No 305/2011 and is assessing applications from bodies seeking to become Notified Bodies in Ireland. The 'Nando' EU commission web site provides the list of European wide Notified Bodies- link <http://ec.europa.eu/growth/tools-databases/nando/>

IS-BCMS Administration of Building Control

IS-BCMS Development

The IS-BCMS is now 5-years old. The IS-BCMS WG in this and GDPR context approved a complete system review to include the maintenance of functionality of existing system and a proposal for future strategy.

Existing System BCMS; a support and security contract is in place to include, patching, hardening, testing, back-ups and maintenance of production and UAT.

Future Strategy an OGP tender has been published for the services of a solutions architect to lead the detailed market research and technical specification based current and future business requirements; to select a single provider IS-BCMS system.

IS-BCMS Applications Module

Fire Safety Certificates; Disability Access Certificates: Dispensations from and Relaxation of a Requirement of the Building Regulations.

The project has been completed to Milestone 12 with test scripts, data directories and process maps completed. Load Testing on Production & PEN/Vulnerability Testing on UAT have yet to be carried out. Sandbox URL to be provided to each BCA and Industry Representative Groups for second phase of Familiarisation and Feedback. Training of the working group and some industry representatives will take place 3rd week in February 2019.

CRM will be deployed to production in the 1st instance.

A small industry pilot will be deployed for Drupal.

IS-BCMS Online Assessment

"The completion of an online assessment, via the BCMS, of the proposed approach to comply with the requirements of the 2nd Schedule to the Building Regulations" is a legislative requirement of S.I. 9 of 2014.

Part A-Consequence Class? Do the works include a balcony?

Part B-Is a Fire Engineered solution proposed? Has a cladding or curtain wall system been proposed?

Part C-Is site located in a high radon area?

Part D-Have you ensured that the design includes the use of proper materials, fit for the purpose and intended location and be constructed in a workmanlike manner?

Part E-provision made to provide reasonable resistance to impact and airborne sound, where required?

Part F-adequate means of ventilation provided for people in buildings and to prevent excessive condensation?

Part G-How is drinking water provided?

Part H-How is surface water to be drained? and foul water to be drained from the site?

Part J-Location of primary fuel storage?

Part K-adequate provision for guarding to stairs, ladders, floors and balconies?

Part L-Has a Part L specification based on DEAP / NEAP been completed?

Part M-Has adequate provision been made for people to access and use the building its facilities and its environs?

Correspondence from NBCO to the 31 BCAs

KReports v3.0

Name: dhplg%2019% Search Clear Advanced Search ?

Title	Module	List Type	Date created	Date changed	Assigned User
<input type="checkbox"/> DHPLG Quarterly Returns No New Buildings Commenced This Year 2019	Building Projects	pivot	16/01/2019 03:38pm	16/01/2019 03:46pm	Sabrina McDonnell
<input type="checkbox"/> DHPLG Quarterly Returns No Change of Use Commenced This Year 2019	Building Projects	pivot	16/01/2019 03:41pm	16/01/2019 03:50pm	Sabrina McDonnell
<input type="checkbox"/> DHPLG NOAC P1 2019	Building Projects	pivot	16/01/2019 03:44pm	16/01/2019 03:51pm	Sabrina McDonnell
<input type="checkbox"/> DHPLG Quarterly Returns No Extensions Commenced This Year 2019	Building Projects	pivot	16/01/2019 03:40pm	16/01/2019 03:51pm	Sabrina McDonnell
<input type="checkbox"/> DHPLG Quarterly Returns No Material Alterations Commenced This Year 2019	Building Projects	pivot	16/01/2019 03:42pm	16/01/2019 03:52pm	Sabrina McDonnell

Dear Building Control Officer,

The following reports have been updated for 2019 and are available for running and making returns to the Department:

DHPLG NOAC P1 2019 is a report based on the number of Valid Notices with Date Submitted/Received equal to this year. The four reports beginning with **DHPLG Quarterly Returns** are based count of the field **No. of buildings of this building type for Valid Notices with Commencement Date** of this year.



National Building Control Office, Dublin City Council,
3 Palace Street, Dublin 2, D02 T277



NBCMP Professional Development

Annual CPD Recommendation; "20180206-NBCMP Recommended Building Control CPD Course List-D01-M Phelan" circulated to each Local Authority Training Officer."

Minimum Competency in Building Control Course Overview

LASNTG website, courses scheduled in five training centres according to demand-expressions of interest to

lasntg@tipperarycoco.ie

Note BCMS e-mail Campaigns

BCMS Information Note 1-2019 Guidance on Intermediate Floors in Dwelling.

BCMS Information Note 1 - 2018 Guidance on Timber Frame Walls

Upcoming Events-

IBCI, Building Control, Conference 2019, 27th and 28th March 2019

The Lyrath Estate, Paulstown Road, Kilkenny

Building Control Officers, Fire Officers, Building Surveyors, Access Officers, Engineers, Architects, Building Inspectors, Housing Inspectors, and Administrative Staff involved with Building Control in Central and Local Government. Bookings should be made as soon as possible and any queries to Tom Johnson, IBCI Conference Director at 0868151387 or email to thomasjohnson43@gmail.com

Speakers

- Sarah Neary**, Principal Advisor, Department of Housing, Planning, Community and Local Government
- Mairead Phelan**, Chartered Engineer, Project Manager, National Building Control Office
- Michael Mansell** Civil Engineer and Building Control Officer in Cork City Council
- Doug Richie** Bachelor of Building Science and Building Control Manager at Homebond
- John Wickham**, Building Standards Advisor, Department of Housing, Planning, Community & Local Government
- Eamonn Smyth** Building Standards Advisor, Department of Housing, Planning, Community & Local Government.
- Jonathan Jennings** Building Surveyor. Head of Heating and Ventilation Division, Glen Dimplex
- Colin Gallagher** Senior Executive Engineer, Member of IBCI & Building Control Officer at Fingal County Council

Market Surveillance Campaign 2019 DHPLG in cooperation with NBCO

Wastewater Treatment systems within the scope of EN 12566 series must be CE Marked, since 1 July 2013.

- Regulation No (EU) 305/2011 <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:088:0005:0043:EN:PDF>
- European Union (Construction Products) Regulations 2013 <http://www.irishstatutebook.ie/2013/en/si/0225.html>
- CE Marking of Construction Products—Step by Step
- EN 12566-Small wastewater treatment systems for up to 50 PT — Part 1: Prefabricated septic tanks, Part 3: Packaged and/or site assembled domestic wastewater treatment plants, Part 6: Prefabricated treatment units for septic tank effluent
- S.R. 66:2016 Standard Recommendation providing guidance to wastewater treatment products in compliance with the EN 12566 series of standards
- For preview of scope, refer to: <http://shop.standards.ie/nsai/Details.aspx?ProductID=680200>

For queries buildingstandards@housing.gov.ie

Note "Guidelines for Market Surveillance Authorities-V1 0- June 2016" contact NBCO for cop

Revised Building Control Regulations 1997-2018

This Revised Statutory Instrument has been updated to incorporate S.I. 526 of 2018 and is an administrative consolidation of Building Control Regulations 1997. <http://revisedacts.lawreform.ie/eli/1997/act/496/front/revised/en/html>

Bringing Back Homes – Manual for the reuse of existing buildings

The Bringing Back Homes manual is aimed at property owners, members of the public, local authorities and those stakeholders in the construction industry who are interested in developing vacant buildings. The manual provides clear and detailed guidance on how current policy and regulatory requirements apply to this form of development.

<https://www.housing.gov.ie/housing/home-ownership/vacant-homes/vacant-homes>

Access to Department Circulars

The following link will bring you to the new eCirculars Home Page for access to Department Circulars: <https://dhplg.sharepoint.com/sites/circulars/ecirculars/SitePages/Home.aspx>

NBMP FAQs

https://www.localgov.ie/sites/default/files/20180305-faqs_national_building_control_project_v1.1.pdf

Search within the Statutory Register

<https://www.localgov.ie/en/bcms/search>

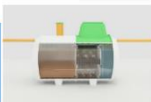
Market Surveillance Campaign 2019

Wastewater Treatment systems within the scope of EN 12566 series must be CE Marked, since 1 July 2013.

If you are a:

- Manufacturer,
- Importer, or
- Retailer/distributor,

of wastewater treatment units including septic tanks you should pay attention to the rules for CE Marking.



Over the coming weeks, the Market Surveillance Authority for construction products will be checking the CE Marking of wastewater treatment units including septic tanks within the scope of EN 12566 parts 1, 3 and 6.

The objective of the Market Surveillance Authority is to ensure that only products compliant with the Construction Products Regulation (EU) No. 305/2011, are placed on the market.

If you receive a visit, the Market Surveillance Authority will primarily check that you have applied the CE Marking correctly and that you have all the required documentation in place.

The Market Surveillance Campaign 2019 is co-ordinated by the Department of the Housing, Planning and Local Government in co-operation with the Market Surveillance Authorities and the National Building Control Office. For all queries, please email: market@nbcoco.ie



Builders, specifiers, designers, certifiers etc., should be aware of the changes above. They should ensure that the CE Marking/ Declaration of Performance and relevant product-related documentation is appropriate to demonstrate and ensure compliance with the Building Regulations. Further information on the compliance with the Construction Products Regulation is available at the following link: <https://www.housing.gov.ie/housing/building-standards/construction-products-regulation/construction-products-regulation>

National Building Control Office, Dublin City Council, 3 Palace Street, Dublin 2, D02 T277

Northern and Western Region



Meeting Dates 2019

Northern & Western Region
5th February; 11th June;
10th September; 5th November

Eastern & Midlands Region
7th March; 7th June;
5th September; 7th November

Southern Region
27th February; 29th May;
24th September; 3rd December

