



## ***CPD Day – Building Control Inspections***

**Inspection for Regularisation Fire  
Safety Certificates**



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# Fire Regularisation Inspections



- What is a Fire Regularisation Certificate
- Legislation
- Desktop Review
- Site Inspection
- Part B Hit-list and issues
- Enforcement





# How important is Fire Safety

## South Africa 31st August 2023

- More than 70 people are killed as fire rips through multi-storey building housing homeless people in Johannesburg
- Officials said a further 43 people were injured in the pre-dawn blaze
- Witnesses said there may have been as many as 200 people in the building
- By [CHRIS JEWERS](#)
- **UPDATED:**
- 14:24, 31 August 2023



# What is a Fire Regularisation Certificate



1. Fire Safety Certificate
2. Revised Fire Safety Certificate
3. 7 Day (Commencement) Notice
4. **Fire Regularisation Certificate**

**4 Types  
of FSC in  
Part III  
of BC  
Regs**

A Regularisation Certificate is granted by a Building Control Authority in respect of works on non-domestic buildings and apartments blocks which were commenced or completed without the necessary fire safety certificate (FSC). The certificate may be granted with or without conditions or refused.

DAC and CCC needed too

Significance of  
1st June 1992

# Legislation – B Regs and BC Act



## Building Regulations Schedule 2 Part B – Fire Safety

- Parts B1 to B5 apply to the design and build, but only Part B.

## Building Control Act 1990

- Limitation on civil proceedings: Section 21.—A person shall not be entitled to bring any civil proceedings pursuant to this Act by reason only of the contravention of any provision of this Act, or of any order or regulation made thereunder.



# Legislation – BC Regs



## Building Control Regs – Part III Article 20C Regularisation Certificate

- A building control authority shall, having considered an application for a regularisation certificate and **following an inspection** of the building, **grant** such certificate, with or without conditions or refuse.
- An **authorised person** shall be entitled to enter at all reasonable times into any land (need CE Order authorisation) and inspect, for the purposes of these Regulations, any building and any plans or documents relating to such building.
- A regularisation certificate granted under this Part shall only be construed as specifying, that in the **opinion of the building control authority, the works as comply with the requirements of Part B**, subject to compliance (**within a period of 4 months** there mentioned) with any **conditions**.
- This Application Form for a Regularisation Certificate must be accompanied by a **Statutory Declaration**.

# Legislation – Statutory Declaration



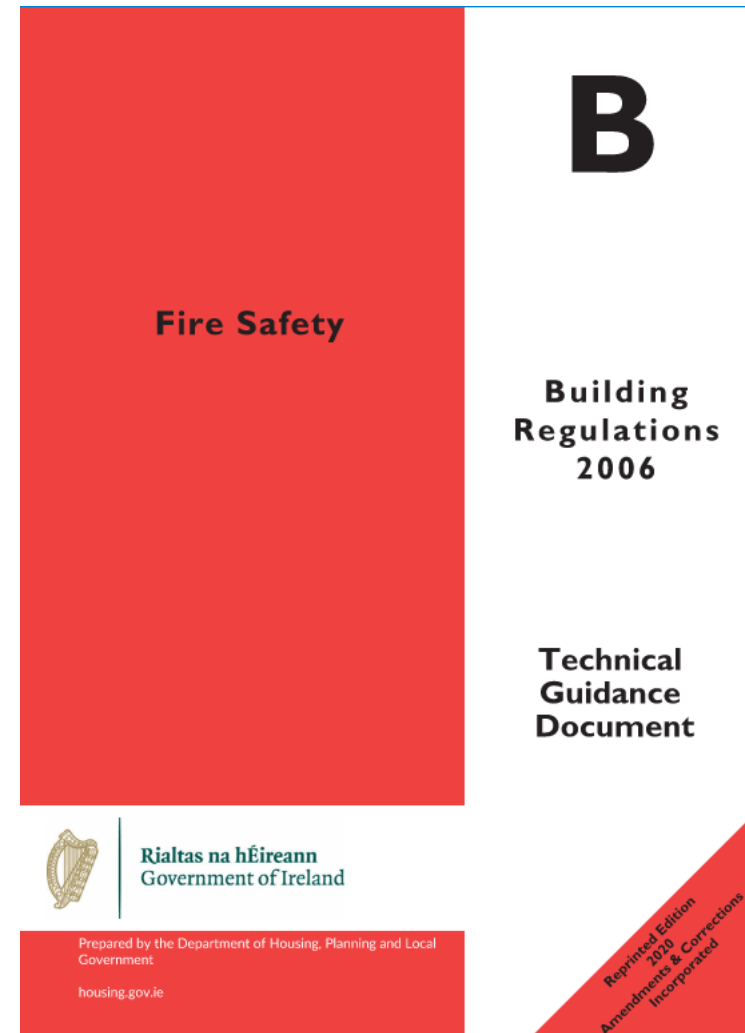
## Regularisation Certificate Statutory Declaration.

- Do solemnly and sincerely declare that the **drawings, documents and information** supplied in relation to the attached application for a Regularisation Certificate for the **building as constructed** or in respect of **works already carried** out to date, pursuant to article 20 C of the Building Control Regulations 1997 to 2009 **are true and accurate and that the works comply fully with Part B (Fire Safety)** of the Second Schedule to the Building Regulations.
- Solemnly declare to **agree to inspection** of the works/building by the Building Control Authority in carrying out its functions under the Act.
- Solemnly declare to **abide by any conditions**, including conditions to carry out additional work considered appropriate by the Building Control Authority necessary to enable the authority to issue a Regularisation Certificate.
- Accept that where the **conditions** attached to the Regularisation Certificate are not fully **complied with** to the satisfaction of the Building Control Authority **within a period of 4 months** from the date of issue of the Regularisation Certificate, the **Certificate shall not have effect.**

# Fire Safety Desktop and Site inspections



- TGD B Vol1 Section B0 to B5
- B1 Means of Warning & Escape
- B2 Internal Fire Spread (Linings)
- B3 Internal Fire Spread (Structure)
- B4 External Fire Spread
- B5 Access and Facilities for the Fire Service







## Desktop Review

- BC Regs state application must include:
- S.I. No. 351 of 2009 Art 20C: Accompanied by drawings of the relevant works as they have been commenced or constructed, so as to **enable the building control authority to assess whether the said works,** as commenced or as constructed in accordance with the said **drawings, documents and information submitted,** will comply or are in compliance, as appropriate, with the **requirements of Part B** of the Second Schedule to the Building Regulations.
- BC Regs Third Schedule Fire Reg form: This Application Form must be accompanied by a complete and certified set of drawings for the works or building as commenced or constructed. **Plus the statutory declaration.**

# Desktop Review



Gallagher  
Consulting  
Engineers



## Fire Safety Certificate Compliance Report

for

The proposed development consisting of an Extension and Material Change of Use from an existing three storey (ground, first and second floor) mixed used building (shop and offices) to a boutique hotel located on a suburban site bounded by Main Street and Green Lane.

REF: FSC001

Recommendation Given: Recommended for Grant with Conditions

Reasons & Conditions:

### Condition 1

The proposed works are to be constructed in accordance with the particulars submitted with this application, including the Revised Information received on the 27th April 2023.

Reason:

To comply with Part B of the Second Schedule to the Building Regulations, 1997 to 2022.

### Condition 2:

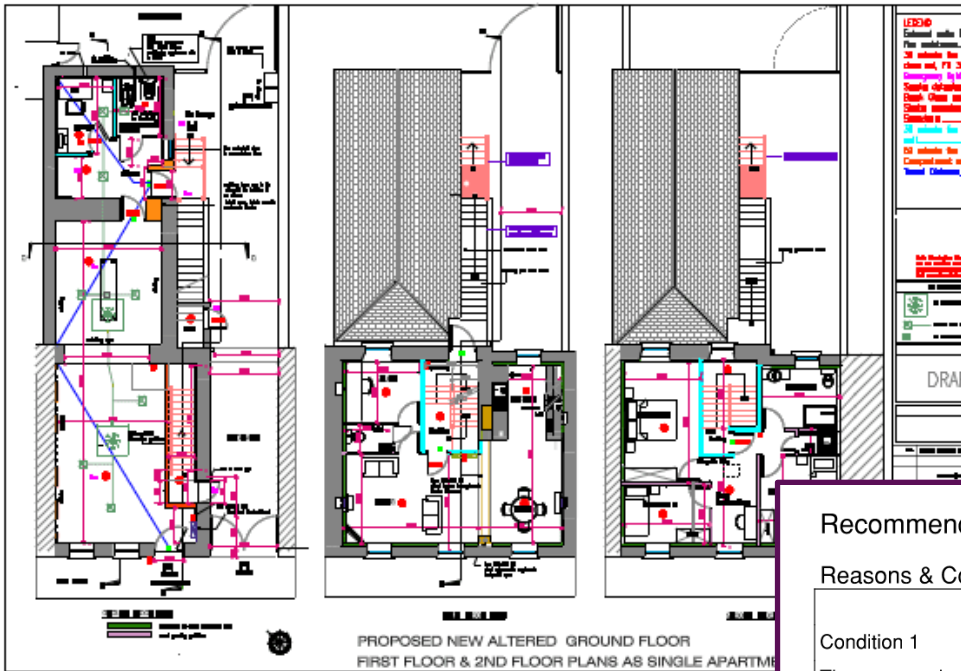
The maximum occupancy of the Canteen to be 240 persons including staff, at any one time.

Reason:

To comply with Part B of the Second Schedule to the Building Regulations, 1997 to 2022.

### Condition 3:

Where deep fat frying is provided, the kitchen cooking equipment and associated ductwork entrances and hood shall be protected by a fire suppression system; all to be installed in accordance with IS EN 16282-7



COUNTY CORK, Fire safety certificate application

### 2. OWNER OF WORKS OR BUILDING (if different to above):

FULL NAME: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

\_\_\_\_\_ EIRCODE: \_\_\_\_\_

TELEPHONE NO: \_\_\_\_\_ EMAIL: \_\_\_\_\_

### 3. PREPARATION OF REGULARISATION CERTIFICATE APPLICATION:

Name and address of person/s or firm/s responsible for preparation of accompanying plans, calculations and specifications.

FULL NAME: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

\_\_\_\_\_ EIRCODE: \_\_\_\_\_

- FSC Assessment Conditions

# Fire Reg Inspection



## Main steps

- Contact the Consultant to arrange an inspection
- Carry out inspection
- Based on that inspection we decide to recommend
  - that they fix the outstanding issues before we are willing to grant. This means a second inspection and can mean time extensions.
  - grant with the FSC conditions from FSC assessment
  - grant with additional conditions, as well as the FSC conditions, to capture outstanding issues discovered during the inspection. Ideally, there should be another inspection at the end of the 4 months.
  - Refuse because the works do not comply with the drawings/compliance report or do not comply with Part B.



## Whats needed for the Inspection

- Bring FSC Drawings/Compliance report
- Camera/phone for photos
- Request documentation during Inspection
- Keep a record – tablet or written notes, concerns, comments
- Specialist equipment - supplied
- PPE
- TGD Part B
- When to terminate an Inspection
  - Works incomplete
  - No show
  - Unsafe



# Inspection - B1 Warning & Means of Escape issues



- Fire Doors
  - Not lockable from the escape side
  - Direction of swing
  - Intumescent / cold smoke seals damaged or missing
  - Self closer disabled
- FDAS, EL, Sprinklers
  - commissioning cert/visual



# Inspection - B1 Warning & Means of Escape issues



- Escape Routes & Staircase
  - Routes match the drawings - TD
  - Widths match drawings
  - Route clear
  - Final Exit
- Escape route protection
  - AOVs and OVs
  - Fire Dampers



# Fire Safety Engineering Design



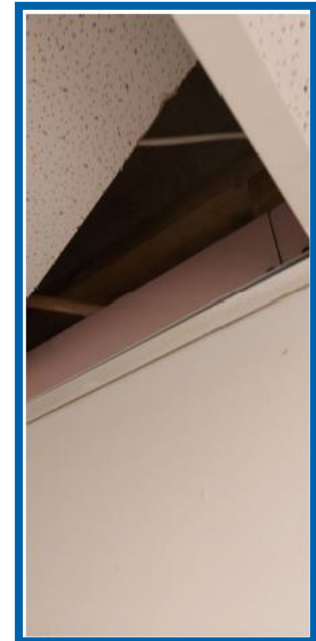
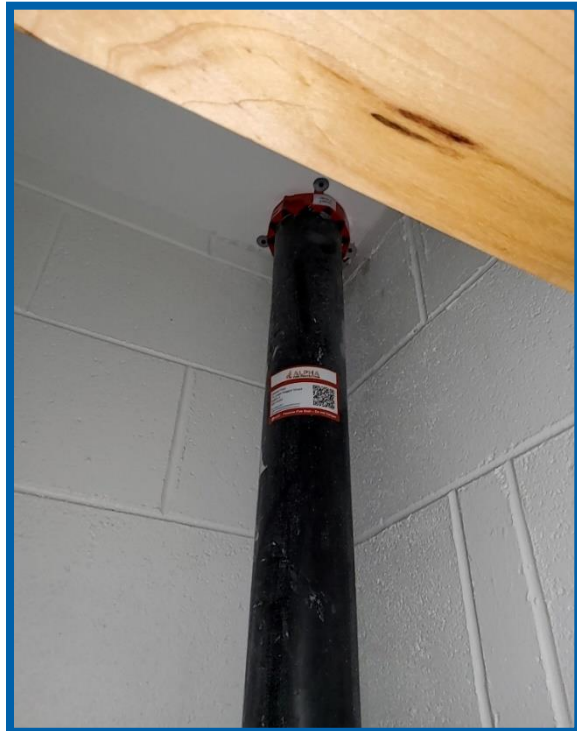
- B2 Internal linings issues
  - Resistance to ignition and fire spread
  - Class B - s3, d2 (European class) = Class 0 (National class)
  - Lighting Diffusers/Rooflights



Surface spread of flames

# Fire Safety

- B3 Structure issues
  - Elements of Structure – compartment walls and floors
  - Fire stopping – fire collars etc
  - Cavity barrier
  - Mechanical ventilation





# Fire Safety



- B4 External Fire Spread Issues
  - External Wall Construction
  - Distance to neighbouring buildings
  - Roof Coverings



**Moscow 2014**

**Dubai Skyscraper - The Torch  
NY Eve 2016**



**External fire spread.**

**B4**

The external walls and roof of a building shall be so designed and constructed that they afford adequate resistance to the spread of fire to and from neighbouring buildings.

# Fire Safety



- B5 Fire Service Issues
  - Fire mains/hydrants/risers
  - Vehicle access
  - Firefighter access
  - Areas of special consideration
    - Boiler Rooms and Fuel Stores
    - High Voltage Discharge Lighting
    - Ventilation of Heat and Smoke



## Concerns with Fire Reg Certs

- Being used in lieu of CCCs



Why are Fire  
Regularisation  
Certificates still in the  
Building Control  
Regulations?

- MMC expertise lacking

# Enforcement



- Offences
  - Must have FSC before starting works – 7Day Notice exception
  - Not complying with conditions = no valid FSC
  - Lying on Statutory Declaration
  - Opened, operated or occupied without granted FSC
- Action
  - Non compliance with B Regs part B – Enforcement Notice
  - Non compliance with BC Regs – summary or indictment
- Purpose of FSC
  - Compliance with Part B

# A Final Thought – Be Safe during the inspection

