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Institute of Clerk of Works & Building Inspectors in Ireland.

Website: www.clerkofworks.ie

Submission to Oireachtas on the Vacant Housing refurbishment Bill 2017 from The Institute of Clerk of Works and Building Inspectors in Ireland.

My name is Paraig Cantwell and I am the Chairperson for The Clerk of Works and Building Inspectors in Ireland. This is my colleague John Commane who holds the position of Secretary. We are both working as Clerk of Works and Building Inspectors with different Local Authority's. We have members throughout the country. We would like to thank the committee for the opportunity to comment on the proposed bill. We welcome the proposals of the bill as it addresses the issue of vacant property's and returning them to much needed residential use. While many units are above shops and offices these will prove challenging to convert or refurbish into habitable spaces. Last year the Government announced the Repair to Lease scheme to tackle a similar problem and the progress of this scheme has been poor to date.

We would see the concept of a '**One Stop Shop**' as a model which should be tried, and It is a good proposal to streamline the process and create a one-stop-shop situation in local authorities. As a previous witness has said, three different timelines are associated with the certificates and permission and three different Departments are involved. The proposal seeks to reduce the amount of bureaucracy and make it easier for property owners to renovate their property.

The proposed **works permit** will raise some Questions particularly in the case of residential property to be refurbished above shops or offices. It will be a challenge to comply with Disability access certificate, fire safety certificate and comply with Technical Guidance Documents.

Towards the end of the 1990's and early 2000's, the number of Clerk of Works engaged in inspection greatly decreased. This reduction in numbers was due to the uncontrolled self-certification by developers and builders of their construction work. Defects were overlooked or ignored, resulting in many nationwide seriously sub-standard developments. It is the view of The Institute of Clerks of Works and Building Inspectors that had a competent Clerk of Works been employed then most of the current problems would not exist. **This assertion was supported as recently as last year in a reply to Richard Boyd Barrett TD during leader's questions when the former Taoiseach Enda Kenny correctly identified lack of inspection and the absence of qualified Clerks of Works on building sites as the main contributory factor to defective work and non-compliance with building regulations during the 'boom' year**

It is a fact that in this country local authority inspections of the built environment are not at as high a percentage as in other countries. We should learn lessons from the Celtic tiger years, particularly well known cases such as Priory Hall and others that had serious infrastructural and structural issues. Despite the fact, presumably, that the work was signed off by others we still had problems. We foresee that the problems will still exist due to a lack of independent oversight. For that reason, we The Institute of Clerk of Works and Building Inspectors in Ireland are of the view that more independent inspections from local authorities are needed to carry out these inspections. We support more independent oversight and inspection by appropriately trained and competent personal employed within the local authority services.

At present Clerk of works are employed on major construction projects through the Country. Some are directly employed by the client, local authority's, health boards, department of education and other agencies. Others are employed directly by Architects and consultant.

It is important to emphasise the importance of additional resourcing by Local authorities at Administrative and Technical levels will be required in the implementation of this Bill.

Clerk of Works have been a core element of Local Authority Teams over the years as well as playing an important role within the HSE, Department of Education and other such bodies on very complex projects.

Concerns have been raised by other bodies about the competence of authorised persons who will carry out the inspections under the system. The authorised person regime has been in place since 1992 and is the basis for all local authority building control inspections. This objection makes no sense. If the Bill is not passed, the same regime will continue to apply. Local authority building inspectors do not have to be registered under the 2007 Building Control Act as assigned certifiers do.

On inspection by an authorised person, We the Institute of Clerk of Works & Building Inspectors in Ireland understand what is meant in terms of the powers they have, more so than someone who is working under BCAR or SI 9. The numbers of inspections dictated by BCAR are at critical milestone points in construction before work is closed up. Who better to carry out these inspections and report back to Architects/Engineers/surveyors than a Clerk of Works who is based on site or calling to site at different intervals. We are after all working together to ensure a good quality of work is achieved using correct materials and procedures.

The potential of this authorised person regime would give a local authority a panel of people who would be appropriate to the needs of whatever the inspection was and who could be ticking off the same list. In some cases, it might be checking if there is an operational fire alarm. In other cases, it might have to call in a specialist to look at

something more complex. This would effectively streamline the various processes which are all doing the same thing.

The recommendation that local authority building control be reviewed and resourced in the Safe as Houses report would align with an increased role for authorised persons as contemplated by this Bill

It follows that for a clerk-of-works to be an “authorised person” to the Vacant Housing Refurbishment Bill 2017 they must either be an employee of a local authority or a public body or be specified on the list.

It is the Minister by way of a Statutory Instrument that will set out the criteria to get on the list. Membership of the Institute of Clerk of works and Building Inspectors in Ireland has been for many years and currently is recognised as a pre- qualifier by local authorities and other Government departments for a post of Clerk of Works.

There must be no compromise on quality or safety as The Health and Safety at Work Act will still apply.