



RIAI Submission to the Joint Committee on Housing, Planning, and Local Government on Thursday 11 October 2018 in Conference Room 1 LH2000.

Introduction.

My name is John O'Mahony, FRIAI, RIAI spokesperson on Housing, and I would like to thank the Joint Committee on Housing and Local Government for the invitation to address the committee. I would also like to introduce my colleague, Peter Bluett, FRIAI, Architect and Fire Engineer.

Founded in 1839, now with 3380 members, the RIAI is the support and registration body for architects in Ireland and the membership body for architectural technologists.

The RIAI works to ensure the safety of the public through the efficient and effective administration of the Register of Architects and the maintenance of standards within architectural education.

Commentary.

Since the introduction, and on-going implement of the Building Control(Amendment) Regulations, S.I. 9 of 2014, the RIAI considers that legislation to be far reaching in improving the standards of design and construction of building in Ireland and in particular the building of houses and apartments.

S.I. 9 of 2014 ensures that all parties involved in the design and construction are aware of their responsibilities, and these responsibilities are confirmed by documentation, inspection plans, certification, and ancillary certification, enabling the house or apartment to be registered on the local authority register.

The RIAI acknowledge the annual reviews of S.I. 9 of 2014 by the DHPLG and participates as part of the Construction Industry, and have proposed amendments to the legislation which we believe will further improve the purpose of the legislation;

1. Putting Construction Industry Register Ireland (CIRI) on a statutory footing would help to ensure appropriate competencies in building which is the principal way of ensuring compliant and good quality building. The requirements that such developments are carried out by members of a statutory CIRI Register should be seriously considered in the legislation.
2. The introduction of the requirement for Latent Defects Insurance (LDI) for all new Housing and Apartments to be executed by the developer, during the conveyancing process, to ensure consumer protection. LDI when invoked enables the insurer to immediately rectify the construction defects, without recourse to Law, at no cost to the consumer of the property, usually up to a ten year period.
3. The repeal of S.I. 365 of 2015 (Opt-Out of S.I. 9 of 2014). The RIAI consider S.I. 365 is not in the consumer interest, either in short or long term as the rigours of S.I. 9 are diluted to such an extent that S.I. 365 could permit bad construction practice without recourse for the consumer, and subsequent consumers.

The RIAI in conjunction with ACEI, Engineers Ireland and the Society of Chartered Surveyors Ireland made technical recommendations for amendment to the 'Vacant Housing Bill 2017'.

These recommendations include:

1. Identified that there is no need for a second layer of Building Regulation Technical Documents as proposed in the Bill. A single suite of TGDs relating to the Vacant Homes legislation should be specific and sufficient
2. Documentation required at commencement stage should demonstrate compliance with the Building Regulations, and the documentation should be described in the Bill.
3. Any existing vacant building being considered for occupancy must be structurally assessed by a qualified Structural Engineer, and a condition survey executed by a qualified Architect or Building Surveyor, all of whom must be covered by Professional Indemnity Insurance.
4. Applications for the use of vacant properties should include proposals for dealing with specific risks including radon, avoiding cold bridging and mould growth, timber rot and pests and access and facilities, particularly for people with compromised mobility.
5. The provisions of the Bill are not capable of coming into immediate effect as the Local Authorities' level of resources and competencies need to be put in place with the assistance of Central Government. Therefore, the Bill should not proceed to have force until these resources are carefully evaluated and demonstrably provided. Further focus on utilising the existing framework under the BC(A)R system should be considered.
6. The competency of Authorised Persons both at assessment of technical submission and inspection of works stages should be defined. These competencies must align with those of Design Certifier and Assigned Certifier as set out in SI 9 of 2014.
7. The proposed inspection plan must align in compliance and complexity with the SI 9 risk-based inspection plan and be executed in accordance with the Code of Practice for Inspecting and Certifying Buildings and Works (September 2016).
8. The employment of the PSDP and PSCP will still be required as per S.I. 9 of 2014
9. Issues relating to co-owned party walls require particular attention.
10. The provision of a fast track appeal process must also be considered.
11. We have concerns regarding the replacement of the BC(A)R model with the permit approval process as we consider it is impracticable to enforce, and will undermine the current regulation procedure.

Fire Safety in Houses and Apartments.

1. The Code of Practice 'Fire Safety in Flats of July 1994 could be re-considered and up-dated to deal with 'change of use' of existing buildings to Apartments/Flats, rather than a new full Technical Guidance Document.
The current 1994 document is valid for existing buildings containing Flats/ existing mixed use, but does not cover 'change of use'.
2. The RIAI will welcome the publication for consultation of an up-dated TGD Part B which will include provisions for Apartments and other buildings.
3. There are practicability issues for up-grading of existing buildings; in particular in relation to 'change of use' of existing building stock; current TGDs are more appropriate for new build.

4. Concerns in relation to the construction stage and quality of workmanship and training, certification of quality of work in timber frame, in stud partition systems, fire stopping etc., could be addressed by the introduction of the CIRI legislation.



8th October 2018