



REVIEW OF PART B (FIRE SAFETY) OF BUILDING REGULATIONS

DFB Report

Chief Fire Officer Dennis Keeley
Dublin Fire Brigade

Opening Statement by Mr Dennis Keeley Chief Fire Officer, Dublin Fire Brigade

I wish to thank the Chairperson and Committee members for the invitation and I welcome the opportunity to attend and discuss Fire Safety issues and specifically the review of Part B (Fire Safety) of Building Regulations, here today.

My name is Dennis Keeley and I am the Chief Fire Officer for Dublin Fire Brigade (DFB), I am accompanied here today by my colleague Mary O'Brien Assistant Chief Fire Officer.

DFB provides the function of the Fire Authority for four Dublin Local Authorities, namely; - Dublin City Council, Dun Laoghaire Rathdown County Council, South Dublin County Council and Fingal County Council. This includes the administration of Part B of the Building Regulations in the Dublin region.

The functions of a Fire Authority are prescribed in the Fire Services Act 1981 & 2003² to make provision for the prompt and efficient extinguishment of fire, to establish and maintain a fire brigade and to make provision to respond to calls.

The principle objectives of DFB are to respond and deal with fire and medical emergencies as statutorily obliged.

Additionally, our objective is to promote fire safety through education and advice, to help ensure fire safety standards are being adhered to in existing buildings.

We are tasked to act as regulators to enforce the Building Control Regulations and to ensure the compliance with Building Regulations is achieved through good building design practice by competent professional designers. Consequently, our role is to ensure best practice in terms of fire safety in both new and existing buildings.

The Fire Services Act 1981 & 2003 and Building Control legislation provide us with powers of inspection and enforcement.

The Building Control Acts of 1990 and 2007³ govern the design and construction of buildings, it provides for the making of the Building Regulations⁴ and Building Control Regulations⁵, and the setting up of Building Control Authorities with powers of inspection and enforcement. The second Schedule of the Building Regulations sets out the 12 distinct parts of the Building Regulations, parts A to M, including Fire, which is addressed specifically in part B. The Building Regulations are not prescriptive but are performance-based regulations.

DFB administers Part B of the Building Regulations. Each part is accompanied with a Technical Guidance Document B (TGDB) and DFB primarily deal with TGDB. Works carried out in accordance with TGDB are assumed to demonstrate prima facie evidence of compliance with Building Regulations.

The Building Control Regulations 1997 to 2023 set out procedures and controls which require owners, builders, and registered construction professionals to demonstrate through the Statutory Register of Building Control Activity that the works or buildings concerned have been designed and constructed in compliance with Building Regulations.

Building Control Regulations apply to the construction of new buildings and to existing buildings, which undergo an extension, a material alteration or a material change of use, with some exceptions.

It is a statutory requirement of the Building Control Regulations that a Fire Safety Certificate must be sought and obtained for the construction, material alteration, material change of use and or extension

to a building. DFB working in conjunction with the building control authorities of the four Dublin Councils process approximately 1400 Fire Safety Certificate applications per Annum.

A Fire Safety Certificate once granted indicates that a building if built in accordance with the design, which was submitted, will be in accordance with Building Regulations. It is the responsibility of the designer, the builder and the owner to ensure that the building is built in accordance with the fire safety certificate and the Building Regulations.

Designers rely on the guidance in Technical Guidance Document B to demonstrate compliance with Building regulations. The current Technical Guidance Document B was produced in 2006 and is currently subject to review and updating by the Department of Housing, Planning, Community & Local Government.

DFB took part in the public consultation similar to other stakeholders. We submitted comments and highlighted areas for consideration, points for inclusion or to be strengthened into the final document.

DFB was also part of a national submission by the Chief Fire Officers Association (CFOA) that considered the comments of Fire Authorities nationally.

The areas that we have identified (in no order of priority) that, in our opinion, should be included/strengthened in the final document include:

- Regulatory Impact Analysis Review of Part B (Fire Safety) of the Building Regulations B5 amendment
- Alternative Designs & Fire Safety Engineering approach to compliance
- Sustainability in Building practice – future steps
 - Methods of Modern Construction MMC
 - Green walls and roofs
- Car Parks
- Nursing homes
- Evacuation and ventilation strategies in residential buildings
- Vertical escape and fire fighting in Residential Buildings
- Common non-complex Building types and scope
- Separate guidance

DFB supports environmental sustainable development and the rapid construction of homes in the context of the housing crisis, and I recognise the role that Modern Methods of Construction (MMC) can play in achieving government housing targets etc. However, fire safety should be integral to the adoption of these methods.

Traditional construction systems such as reinforced concrete structures or steel, have undergone a vast amount of large scale testing which provides confidence and resilience in this type of construction system. Steel and Concrete type construction have their own issues in fire if not adequately addressed from a design perspective. Fire safety design using these construction types is well known and have been practiced widely over a sustained period, with lessons learned and changes adopted when necessary.

MMC are new and innovative designs, they generally are faster in delivery and environmentally more suitable. DFB are meeting with designers, seeking test data, reviewing advanced analysis, and increasing our understanding about these methods to understand their use and their performance in a fire event.

We suggest that reference to these types of construction in the new TGDB will help greatly designers in demonstrating, and regulators and determining compliance.

Guidance is needed to promote consistency across the industry and for all stakeholders.

In order to ensure that appropriate guidance is in place, this may require more regular amendments/updates to Technical Guidance Document B to ensure that there is clear guidance in relation to these and other MMCs that emerge, to ensure that buildings are designed and constructed safely.

DFB welcomes the publication and the public consultation of the updated Technical Guidance Document B (TGD B) 2023 - Volume 1 –Buildings Other than dwelling. We acknowledge the significant work that has gone into its development and publication; we look forward to its final publication in due course. We additionally welcome the new regulation B12 and look forward to future supporting guidance in this area.

It will be important guidance for designers and regulators in establishing compliance with Building Regulations, and continuing to provide prima facia compliance with Building Regulations B1 to B5, and to the new B12, as they relate to the future development of the built environment.

DFB has been actively supportive in the early review and development of the updated document, working collaboratively with the Department of Housing, Planning, Community & Local Government.

Additionally, in recent times where we worked collaboratively with Department of Housing, Planning, Community & Local Government and with stakeholders across the sector as part of a consultative committee. We continued working closely with the Department of Housing, Planning, Community & Local Government to support its public consultation and also its final publication.

Conclusion

DFB fully support the updating of Technical Guidance Document B and trust that our comments/observations/submission are useful and constructive. We are available to offer assistance in progressing fire safety guidance towards the continued improvement of current and future design and construction of buildings in Ireland.

We have been invited to work with the DHPLG and other stakeholders in the development of topics for further research and we welcome this new endeavour and the opportunity.

We suggest that more frequent updates of the TGDB should occur to embrace any new research and to keep pace of changing technologies and innovative construction methods. This would be very beneficial for all stakeholders and would keep our building standards in line with international best practice to continue to deliver a safe built environment in Ireland.

1. National Directorate for fire and Emergency Services
<https://www.housing.gov.ie/local-government/fire-and-emergency-management/national-directorate-fire-and-emergency-management>
2. Fire Services Act 1981 & 2003
<http://www.irishstatutebook.ie/eli/1981/act/30/enacted/en/html>
3. The Building Control Act 1990 & 2007
<http://www.irishstatutebook.ie/eli/2007/act/21/enacted/en/html>
4. Building Regulations
<https://www.housing.gov.ie/housing/building-standards/building-regulations/building-regulations>
5. Building Control Regulations Framework <https://www.housing.gov.ie/housing/building-standards/building-regulations/building-control>
6. Technical Guidance Documents
<https://www.housing.gov.ie/housing/building-standards/tgd-part-d-materials-and-workmanship/technical-guidance-documents>
7. Building Control Amendment Regulations S.I. 9 of 2014
<http://www.irishstatutebook.ie/eli/2014/si/9/made/en/print>
8. Fire Safety In Ireland, Report of the Fire Safety Taskforce;- May 2018
https://www.housing.gov.ie/sites/default/files/publications/files/fire_safety_in_ireland_-_report_of_the_fire_safety_task_force.pdf