

Joint Oireachtas Committee on Housing, Planning, Community & Local Government

Review of Part B (Fire Safety) of Building Regulations

Dublin Fire Brigade – Tuesday 21st May 2024

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

Chairman and Committee members, I first wish to thank you 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 and publication of the new Technical Guidance Document B in March 2024, 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.

Dublin Fire Brigade 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 Dublin Fire Brigade 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.

Dublin Fire Brigade administers Part B of the Building Regulations in Dublin City Council and provides this Service for Dun Laoghaire Rathdown County Council, South Dublin County Council and Fingal County Council. Each part of the Building Regulations is supported with a Technical Guidance 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, and material change of use and or extension to a building. Dublin Fire Brigade 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 application 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. TGDB provides prima facie evidence of compliance with Building Regulations.

DFB welcomes newly published Technical Guidance Document B volume 1 (Buildings Other than Dwelling Houses) March 2024 with transitional arrangements until May 2025 and additionally the information Note on Alternative Approaches to Demonstrate Compliance with the Building Regulations and the final regulatory Impact assessment.

I acknowledge the significant work that has gone into its development and publication.

This is a very significant and welcome milestone for the fire safety sector. It is a significant document and the implications of it will be teased out in the months to come.

There are many changes with notably move towards an adoption of sprinklers systems, in certain occupancies like nursing homes, and apartment buildings and student accommodation greater than 15m in height, which DFB particularly welcomes.

The Fire Authorities, particularly those with large cities or towns such as Dublin, Cork, Galway, Waterford and Limerick are delighted to support the newly established Research group within the DHGLH Building Standards section.

Dublin Fire Brigade is actively supporting this research group, working collaboratively with colleagues and the Department of Housing, Planning, Community & Local Government.

DFB understands the output of this Research Group is to provide a basis of understanding that will underscore further guidance on emerging construction methods and building designs, I hope that this learning will inform the development of new guidance and/ or inform the updating of the TGDB in an agile way going forward.

The scope of the newly published TGDB 2024 does not extend to complex buildings and therefore prima facie compliance with Building Regulations cannot be achieved through TGDB. Guidance to

these types of buildings is provided in the Information Note on Alternative Approaches to Demonstrate Compliance with the Building Regulations, this includes the following ;-

- Buildings with difficult site conditions,
- Buildings with unusual occupancies or high levels of complexity,
- Very large or very tall buildings,
- Engineered timber buildings,
- Some buildings that incorporate modern construction methods,
- Existing building e.g. Buildings of architectural or historical interest

I hope that guidance on these buildings will be included in the considerations of the Research Group.

It should be noted that TGDB provides guidance on the use of non-combustible construction in buildings, which it limits to 11m (TGDB 2024); again, this is prima face guidance on compliance with building regulations. Most designers adapt their designs to achieve prima fascia compliance.

DFB continue to ensure that we are best informed both from a national and international perspective of any testing and test data, and evidence that will expand our understanding on the fire safety challenges in the design and construction of buildings, including the uses of Modern methods of Construction (MMC), in particular Cross laminated timber CLT. In relation to light gauge steel 2D and 3D volumetric and modular construction, it should be noted that it is vital that work both offsite in the factory setting and the onsite assembly is carried out by competent persons to ensure that the design intent is achieved.

It is important to remember that the safety of people in buildings is paramount. It is the very tenet of the Building Regulations. This includes everyone, either the people using or living in a building but also the fire fighters who may have to deal with a fire in a building constructed on MMC.

Regardless of how a building is designed and constructed, the structural integrity should be achieved and maintained as intended in a fire event.

I am aware that there is Interdepartmental & Industry Steering Group on Timber in Construction to examine a range of topics in this area and that the role of this Group is to develop a forum with Government and Industry to examine how to increase the use of timber in construction whilst ensuring building safety and property protection, to also examine regulatory and standardisation standards challenges; and to maximise the use of home-grown timber in construction.

Sub Committees were created and working groups formed around specific themes.

The Chief Fire Officers Association, with representation from Dublin Fire Brigade, is supporting a sub - thematic group titled Timber in Construction - Thematic - Mass Engineered Timber.

I am hopeful that this research will result in the development of national guidance in this area, which will address the issues and challenges in relation to MMC and in particular Fire Safety.

This guidance is needed and will be very beneficial to promote consistency across the industry and for all stakeholders.

In conclusion, Dublin Fire Brigade welcomes the publication of Technical Guidance Document B 2024 and the Information notes.

We remain 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 welcome the opportunity to work with the DHLGH and other stakeholders in the development of areas for further research to reflect the changes brought by innovative design and from that consequently new guidance and more frequent updates of TGDB.

Guidance on the area of MMC and other complex buildings would be very beneficial for all stakeholders to ensure that we continue to deliver a safe built environment in Ireland.

I would like to thank you for the opportunity to discuss these issues here today.

- <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