

ENFORCING REGULATIONS

Architects call for introduction of system to deliver stronger enforcement of building regulations.



The Royal Institute of the Architects of Ireland (RIAI) has called for the introduction of a system to deliver stronger enforcement of the Building Regulations. The RIAI's Director, John Graby, said that the Institute has been engaging with the Department of the Environment, Community and Local Government (DECLG) about strengthening the enforcement system since 2004 including the creation of a National Building Inspectorate, and a defined statutory inspection system by competent professionals. The RIAI is the regulatory and support body for architects in Ireland.

John Graby said that the current downturn in the construction industry gives us an opportunity to strengthen and improve our systems so that they are in place when building activity commences again. "The introduction of the Building Regulations in the early 1990s has led to a marked improvement in building standards in Ireland. However, enforcement has always been an issue to ensure that these improvements are as widespread as possible. Unfortunately, the aim of those enforcing the Building Regulations is to inspect 12-15% of all building sites and we have been arguing for sometime that this is simply not sufficient."

Mr Graby said that the RIAI has proposed that a new National Building Inspectorate – which could be staffed by redeployment from existing resources – be part of a stronger enforcement system. However, apart from creating such an Inspectorate, there are a number of possible options to be considered in strengthening our system, John Graby explained: "We could follow some European systems which require full lodgement and approval of all drawings and construction data prior to the commencement of building work and regular inspections while construction is underway. However, for such a system to work, it would require some 1,200 additional local authority staff in place.

"Another option would be to require all drawings and construction data – with the design signed off by competent professionals – to be lodged online so that they can be accessed and inspected easily by the National Building Inspectorate. The design team on each project would be required to carry out

routine statutory inspections and tests during the construction phase and on completion to ensure that the building works have been carried out in line with the original drawings. The National Building Inspectorate would carry out targeted inspections – like the Revenue Commissioners or the Health and Safety Authority.



Director of the RIAI John Graby

Such a system is under discussion with DECLG which would deliver enhanced public safety and consumer protection."

While not commenting on any particular case, John Graby said that in relation to most residential building projects, architects and other design professionals are not involved in the construction stage of the buildings concerned, where the problems happen. "In most residential building projects architects prepare design documentation and specifications for planning permission and fire certificates. This means that they can only give an opinion on the compliance of the buildings with these drawings based on a visual inspection because they are not involved in the construction stage. Clearly this is not sufficient and we believe that design professionals should be actively involved in every stage of the construction process.

"Where there is a building contract, where the architect administers the contract and where a site inspection service is provided then the architect's opinion is given on that basis. Architects, engineers and other design professionals carry the legal responsibility for compliance of their design documentation with the Building Regulations; contractors, sub-contractors and other construction personnel carry the legal responsibility to build in accordance with the Building Regulations."

John Graby concluded by saying that it's important to bear in mind that no enforcement system can deliver 100% perfect results. However, there is definite scope to build on the improvements that have already been made since the Building Regulations were introduced.

The RIAI has issued several key reports on the issue including the 2004 policy statement 'Strengthening the Enforcement of Building Regulations' and the 2009 Proposal for the Development of the Building Control System in Ireland.