

Advice to Applicants on:

Making a VALID Fire Safety Certificate Application

- A** How to make a Valid Fire Safety Certificate application generally
 - B** Special issues with applications accompanying 7-Day Notices
 - C** Special issues associated with FSC applications within larger developments.
 - D** Special issues associated with fire safety certificate applications accompanying 7-Day Notices within larger developments (like a shopping centre for instance).
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A In the case of stand-alone developments you are referred for guidance to the following:

- 1) Dublin City Council's "Quick Guide" on how to make a valid Fire Safety Certificate Application (copy attached), (also available on the DFB website.)

In Addition

- 2) Where a building or unit was the subject of a previous fire safety certificate application it is normally expected that the applicant would include the most relevant previously approved Fire Safety Certificate documentation relating to the specific development/unit as it currently exist (or as it *should* be arranged) this may include:
 - a) Previously Approved Compliance Report,
 - b) Previously Approved Floors Plan(s), Section(s), and Elevation(s) Site Plans etc..
 - c) Any Conditions which attached to the original grant and how they have been complied with in the context of the unit to which the current application applies.

(i.e. the applicant is asked to show the previously approved arrangement against which the new proposal will be argued and evaluated so that the significance of the new design changes are apparent.)

B Special issues with applications accompanying 7-Day Notices.

- 3) The council endeavours to carry out the validation element of applications accompanying 7-Day Notices as soon as possible and tries to achieve this within 7 days but this is not always possible for various reasons not least the burden of having to deal with a large work load than cannot accurately be predicted at any given time. The reason for trying to validate within the 7 days is to try and ensure that works do not go on site that are described in a poorly presented fire safety certificate application and this is why the legislation specifically says that any 7-Day Notice must be accompanied by a valid Fire Safety Certificate Application. It behoves the developer therefore who intends to go on site after 7 days to ensure that their accompanying Fire safety Certificate Applications are indeed VALID.
 - 4) If the accompanying fire safety certificate application is found to be invalid the council will generally not seek further information so as to make the application valid, it will just move immediately to invalidate the application and the 7-Day Notice will fail also as a consequence. To do otherwise would only invite abuse of the system where developers may consider that they can go on site without a fully developed fire safety design for the building and thinking that they can negotiate an adequate design as they go along.
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C Special issues associated with FSC applications within larger developments.

In this instance applicants are additionally referred to the guidance below:

- 5) Because of the complex nature of larger developments applicants need to be aware that the unit in respect of which they propose to make a new application, is part of a much bigger development for which there exist a parent overall fire safety certificate. Quite usually that parent application will have included specific provisions which apply to the overall development or part of the development irrespective of the individual occupants of the individual units or the size of the units. Such provision include for instance global specifications for things like:
- Fire Resistance Rating and Compartment Size
 - Provision of Sprinklers
 - Travel Distances
 - Provisions/limitations in respect of size of units, openings etc that affect the smoke control arrangements for the overall development
 - Provisions affecting the design of the fire detection and alarm systems
 - Provisions affecting the design of emergency lighting systems
 - Provisions affecting access and fire fighting arrangements.
 - Special Management provisions
 - Etc etc.

It thus behoves the applicant to present the new works in the context of such specific provisions that have already been laid down for the overall development, (See A2 above) It is not the task of the Building Control Authority to carry out the sometimes extensive research in this regard and unless this information is supplied in an easy to follow fashion the application will fail. (It is of course the responsibility of the overall landlord for the development to ensure that the provisions of the parent application are not subverted by the new work and it may be necessary for the applicant to consult in this regard with the landlord and provide the necessary technical submission and certification to show continued compliance.)

D Special issues associated with fire safety certificate applications accompanying 7-Day Notices within larger developments (like a shopping centre for instance).

- 6) There exists in the case of a fire safety certificate application accompanying a 7-Day Notice in respect of a unit at a larger development, the potential for works to be started before the application has been technically assessed; that might undermine the provisions of the parent applications and thus give rise to unacceptable arrangement on site for the occupants of the remainder of the development. In such a case therefore it is not unreasonable to expect that the overall landlords provide their prospective/ existing tenants with a comprehensive list of specific requirement that apply to the specific unit in question as provided for in the parent applications so as to act as a guide to designers of fit out application etc. and to provide also a standardised version of the most up to date site plan and site location map etc...

IN ADDITION

- 7) The overall landlord should appoint their own competent professionals to vet any applications before they are lodged with the building control authority with a view to certifying to that building control authority that the essentials of the proposed design are in compliance with and do not subvert the undertakings that the landlords have made in the parent applications in respect of each pertinent provision (See 5 above).
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8) A Final Word of Caution

While applying for and paying the fee for a 7-Day Notice authorises a developer to commence works on site early subject to the accompanying fire safety certificate application being valid; it does not authorise the occupation of the development until such time as a fire safety certificate issues and any conditions attaching to same have been complied with.

NOTES FOR GUIDANCE OF APPLICANTS FOR A FIRE SAFETY CERTIFICATE

A valid application should normally include all of the following items:

1. A duly completed and signed **Application Form** in the form set out in Article 8 of the Building Control (Amendment) Regulations, 2000,
2. (a) **Plans** in duplicate, to include
 - Site Location Map,
 - Dimensioned Site Layout Plan,
 - Dimensioned Plans of each floor clearly showing inter alia the extent of the 'relevant floor area' and or 'floor area' as defined in Article 25 of the Building Control Regulations for fee measurement purposes,
 - Elevation Drawings, and
 - Section Drawings,
 (b) **Calculations and Specifications**, to include:
 - A Report demonstrating compliance with each of the requirements B1, B2, B3, B4 & B5 of the Second Schedule to the Building Regulations, 1997,
3. **Particulars of the nature and extent of the proposed use** and where appropriate of the existing use, of the building concerned, and
4. **Fee** in accordance with Part V of the Building Control Regulations, 1997.

The commentary below gives further guidance to applicants in this regard.

0. General

Article 13 of the Building Control Regulations, 1997, provides as follows:

13. (1) *An application for a fire safety certificate shall be in the form set out in the Third Schedule.*
- (2) *An application for a fire safety certificate shall be accompanied by-*
 - (a) *such plans (including a site or layout plan and drawings of floor plans, elevations and sections) (in duplicate), calculations, specifications and such other particulars as are necessary to –*
 - (i) *identify and describe the works or building to which the application relates, and*
 - (ii) *enable the building control authority to assess, whether the said works or building would, if constructed in accordance with the said plans, calculations, specifications and other particulars, comply with the requirements of Part B of the Second Schedule to the Building Regulations,*
 - (b) *particulars of the nature and extent of the proposed use and, where appropriate, of the existing use, of the building concerned, and*
 - (c) *such fee (if any) as may from time to time be prescribed for that purpose in Part V.*

NOTE 0.1: The extent to which plans, calculations and specifications will be required to establish compliance with the Building Regulations will vary in individual cases depending on the type, size and complexity of the building concerned. However, paragraphs 1 & 2 below provide guidance on the range and format of the documentation which is likely to be generally required.

NOTE 0.2: Separate buildings require separate applications. However, a terrace of maisonettes for instance or separate office blocks rising off a common basement carpark may be considered to be a single building for the purposes of an application.

NOTE 0.3: All drawings calculations and specifications included in the application to be consistent with and complementary to each other and should be cross-referenced accordingly.

NOTE 0.4: All plans and calculations must be expressed in measurements (such as metres, kilograms, amperes, newtons, etc.) in accordance with the European Communities (Unit of Measurements) Regulations, 1992 (S.I. 255 of 1992).

1. Plans (including drawings)

The following plans (including drawings) are likely to be generally required:

1.1 Site Location Map with a north point to a scale of 1:1000 or 1:2500 clearly identifying the location of the site and showing buildings roads boundaries and other features in the vicinity of the proposed works or building,

1.2 Dimensioned Site Layout (Block Plan) to a suitable scale showing:

- boundaries of any land belonging to the building,
- distances from the building to the boundary,
- roadways within the boundaries together with their widths,
- location of gateways or other restrictions to width of vehicular access at or within the boundaries and the narrowest such width,
- location of bridges, arches, cables or other overhead restrictions to height of vehicle access and the lowest such height,
- access points to the building,
- location and diameter of any watermain or hydrant adjacent to or within the boundaries,
- storage compounds and materials being stored,
- location and diameter of internal rising fire water mains (dry or wet) and location of foam inlets,
- location of control devices for active fire control systems, and
- north point,

1.3 Dimensioned plans of each floor to a suitable scale showing the information listed at >overleaf,

1.4 Elevation drawings as appropriate, to a suitable scale showing the information listed at >overleaf,

1.5 Section drawings as appropriate, to a suitable scale showing the information listed at >overleaf,

- principal dimensions, including travel distances where relevant,
- forms and materials of construction,
- periods of fire resistance of elements of structure, compartmentation, fire stopping and fire resisting doors,
- intended use of each room or space,
- maximum number of persons likely to occupy each floor or space,
- fire escape routes within and from the building to a place of safety, including their minimum widths (corridors, stairs, doors, external routes, etc.),
- barriers to the passage of fire and smoke in cavities,
- service ducts,
- areas of high fire risk,
- location of fire fighting hose reels,
- fire fighting shafts,
- smoke ventilation provisions,
- internal fire main outlets, and
- any other significant detail pertinent to the consideration of fire safety or on which the applicant relies to demonstrate compliance.

NOTE 1.1: All plans elevations sections or other drawings referred to above should:

- where they relate to works involving extensions or material alterations, be so marked as to distinguish between the existing building structure and the proposed works,
- where they are based on an Ordnance Survey map, indicate the OS sheet number,
- have a unique identification number, (including date and any revisions),
- indicate the name and address of the person or firm which prepared them,
- all drawings should bear a clear note to indicate that they must be read only in conjunction with the (any) specific reports and separate specifications included in the application, and
- see NOTE 2.1 below.

NOTE 1.2: Where the application relates to different alternative designs:

- each alternative should be shown on separate drawings,
- each alternative design should be uniquely labelled (e.g.: Option A, Option B), and
- the area to which the application relates should be clearly shown for each alternative so that the aggregate fee can be calculated.

2. Calculations and Specifications

Sometimes it is possible with very small applications to show all the information required on the drawings alone. However, this is generally not possible and in most cases it is necessary for the application documentation to include a report demonstrating compliance with the Requirements of Part B1, B2, B3, B4, & B5 (of the Second Schedule to the Building Control Regulations, 1997).

The Compliance Report should include:

a detailed argument to demonstrate how the proposed building or works as shown on the submitted drawings complies with each of the requirements of Part B of the second schedule to the Building Regulations, 1997, as follows:

- B1 – Means of Escape in Case of Fire,**
- B2 – Internal Fire Spread (Linings),**
- B3 – Internal Fire Spread (Structure),**
- B4 – External Fire Spread,**
- B5 – Access and Facilities for the Fire Service.**

Under each of the above headings the compliance report should indicate the basis for the fire safety design i.e. whether it is based upon

- (a) the guidance contained in Technical Guidance Document B to the Building Regulations, 1997,
- (b) a recognised and appropriate alternative guidance document, or
- (c) a fire safety engineering design.

Where the design is based on TGD B or other appropriate alternative guidance the report should specify the details of the particular provision under consideration and demonstrate compliance. It is generally not adequate to merely state that the building or works will comply with such provision but rather it is necessary to specify how it will comply. Where appropriate reference should be made to relevant dimensions and calculations to show compliance with the detailed guidance and these should be presented in a way that facilitates assessment by the Building Control Authority.

Where a fire safety engineering design is employed a qualitative review of the design, defining the fire safety design in terms suitable for detailed analysis and quantification should be provided. The quantified analysis should demonstrate the adequacy of the design by reference to appropriate life safety criteria. The sources of any equations or fire models employed together with their limits of application should be clearly established. All design parameters and any assumptions should be clearly stated.

The performance of passive and active systems (for example fire detection and alarm or emergency lighting or sprinkler systems) should be specified by reference to appropriate technical standards or other reference documents and while it is necessary to specify in the report the level of provision and performance for such fire safety systems it is not necessary to provide a detailed design.

NOTE 2.1: It is desirable that the drawings should include some proof of the various fire safety provisions included in the design; as drawings which are devoid of the relevant fire safety information; and which rely only on the statements and specifications in the report; are not helpful in the assessment of an application. Furthermore, applications presented in a fashion where only the exercise of enormous diligence would unravel the information necessary for the determination of the application may be rejected as invalid or refused.
