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Ref

PN/DAC/23_11_09

November 26, 2009

Members
Engineers Ireland
Cork Region

Building Control (Amendment) Regulations 2009 (S.I. No. 351 of 2009)

Disability Access Certificates

A Chara,

I wish to draw your attention to recent important changes to the Building Control Regulations.

The Disability Access Certificate (DAC) was introduced through SI 351 of 2009 dated 4 September 2009, in order to improve compliance of buildings with Part M of the Building Regulations, currently Part M 2000.

Application

A DAC is required for new buildings other than dwellings (including apartment buildings) and certain works (as set out in Article 20 D (1) of SI 351) to which the Requirements of Part M apply, which commence or take place on or after 1 January 2010.

It should be noted in this context, that the Requirements of Part M

- apply to all works in connection with a material alteration or an extension, without requiring any further work to the existing building^{1,2}.
- do not apply to a material change of use, except where a material alteration or extension is associated with the material change of use, in which case refer to the previous point.

It is expected that a Disability Access Certificate will normally be applied for at the same time as a Fire Safety Certificate and project programs should schedule Disability Access Certificates accordingly. A period of two months is allowed for the consideration of a Disability Access Certificate application but this period may be extended by agreement between the Authority and the Applicant.

Form of Application

The form of application for a DAC is specified in Article 20D (3) of SI 351. A copy specific to Cork City Council is attached and is also available on the Building Control Section of Cork City Council's website.

The application should be accompanied by -

1. Such drawings (including a site or layout plan)(in duplicate), suitably marked, noted, highlighted (e.g. coloured, toned or other) and such other particulars (e.g. a technical report) as are necessary,
 - a. to identify and describe the works or building to which the application relates, and
 - b. to demonstrate how the Building or works comply with the Requirements of Part M 2000, in particular in relation to the following³, where applicable;
 - Approach to a Building
 - Access to a Building
 - Circulation within a Building
 - Use of facilities within a Building
 - Bedrooms in hotels and other guest accommodations
 - Sanitary conveniences
 - Audience or spectator facilities
 - Apartments in a building.
 - c. to identify the nature and extent of the proposed use and, where appropriate, of the existing use of the building concerned, and
2. A fee of €800 per building (as per Part V of the Building Control Regulations 1997-2009).

Early applications.

In order to facilitate the efficient and effective implementation of the Disability Access Certificates and thus greater compliance with Part M it is recommended that applications be made in good time and that allowance is made in your construction schedules for adequate consideration of such applications by the Building Control Authority.

Where required a valid Disability Access Certificate Number must be quoted for all works commencing after the 1st January, 2009. A revised form of Commencement Notice is attached.

Any advice or clarification in relation to the above and related matters may in the first instance be e-mailed to building@corkcity.ie or by telephone to 021 492 4332.

Mise le meas,



Patrick Nestor
Executive Building Surveyor

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- ¹ Article 11 of the Building Regulations 1997-2008 also stipulates the Regulations apply to every part of a building affected by the material alteration or extension but only to the extent of prohibiting any works which would cause a new or greater contravention, in such building.
- ² Part M does not apply to works in connection with extensions to and the material alterations of existing dwellings, provided that such works do not create a new dwelling
- ³ It should be noted that additional information may be required in relation to the list in item 2 (a) above when future revisions of Part M come into effect.

APPLICATION FOR A DISABILITY ACCESS CERTIFICATE

Comhairle Cathrach Chorcaí Cork City Council



Building Control Section
City Hall - Anglesea Street - Cork

Application is hereby made under Part IIIB of the Building Control Regulations, 1997 to 2009 for a Disability Access Certificate in respect of the works or Building to which the accompanying plans, calculations and specifications apply.

OFFICE USE ONLY

Date received: _____
Register Ref.: _____
Entered on: _____
Entered by: _____
Fee Received: _____
Receipt No: _____

1. APPLICANT: Owner/Leaseholder (delete as appropriate)

FULL NAME: _____

ADDRESS: _____

SIGNATURE: _____

TELEPHONE NO. _____ DATE _____

Owner of works or building (if different to above) _____

FULL NAME: _____

ADDRESS: _____

2. Name and address of persons/s or firm/s to whom notifications should be forwarded
(Owner/Leaseholder or Designer/Developer/Builder)

Phone No. _____ Fax. No. _____

3. Name and address of person/s or firm/s responsible for preparation of accompanying plans, calculations and specifications.

Phone No. _____ Fax. No. _____

4. Address (or other necessary identification) of the proposed works or building to which the application relates.

5. Classification of works or building: (please tick as appropriate)

- Construction of new building YES NO
- Material alteration YES NO
- Material change of use YES NO
- Extension to a building YES NO

Brief description of building:

6. Use of proposed works or building

(a) Existing use (where a change is proposed) _____

(b) New Use _____

7. Has planning permission been applied for and granted for works or building?

(a) Date permission was granted _____

(b) Planning permission No. _____

8. In the case of

(a) Works involving the construction of a building, or a building the material use of which is being changed -

Site area _____ (sq. metres)

Number of basement storeys _____

Number of storeys above ground level _____

Height of top floor above ground level _____ (metres)

Floor area of building _____ (sq. metres)

Total area of ground floor _____ (sq. metres)

(b) Works involving an extension or the material alteration of a building:

Floor area of building extension _____ (sq. metres)

Floor area of material alteration _____ (sq. metres)

9. Amount of Fee (accompanying this application)

€ _____

This Application Form must be accompanied by a complete and certified set of drawings for the works or building.

Form of Commencement Notice for Development

(Notice to a Building Control Authority pursuant to Part II of the Building Control Regulations, 1997-2009)



Comhairle Cathrach Chorcaí

Cork City Council

OFFICE USE ONLY

Date received: _____
Register Ref.: _____
Entered on: _____
Entered by: _____
Fee Received: _____
Receipt No: _____

1. I, the undersigned, hereby give notice/give notice on behalf of the person(s) named below* (*at question 4*) to the above Building Control Authority (in accordance with Part II of the Building Control Regulations 1997 to 2009) that I/the persons named below* (*at question 4*) intend to carry out the development as described below.

(* Delete whichever is inappropriate)

Signature: _____ Date: _____ Tel: _____ Fax: _____

Name of person(s): _____ Email: _____

Address: _____

Commencement date (of works): _____ Fee payable (€): _____

2a. PROJECT PARTICULARS: (*In addition, for Residential Developments, please complete Section 2b below*)

Description of proposed development: _____

Planning Permission No.: _____ Date Granted: _____ Date of expiry: _____

Fire Safety Certificate No. (*if applicable*): _____

Disability Access Certificate No. (*if applicable*): _____

Location of development: _____

2b. Residential Development Information:

Total number of dwelling units (all phases*): _____ Total no of phases*: _____

Phase for this commencement notice: _____ No. of units for this phase/commencement notice**: _____

Commencement date for this phase: _____ (Proposed) End-date for this phase: _____

* Where applicable, i.e. phasing not relevant for single houses. ** Include single house figure here also.

3. Builder:

Name: _____ Tel: _____ Fax: _____

Address: _____ Email: _____

4. Building Owner Details: (*if different from Section 1 above*)

Name: _____ Tel: _____ Fax: _____

Address: _____ Email: _____

5. Building Designer Details:

Name: _____ Tel: _____ Fax: _____

Address: _____ Email: _____

6. **Information:** Person(s) from whom such plans, documents and any other information, as are necessary to show that the building or works will, if built in accordance with design, comply with the requirements of the Building Regulations, may be obtained.

Name: _____ Tel: _____ Fax: _____

Address: _____ Email: _____

7. **Drainage System Foundations:** Person(s) from whom notifications of the pouring of any foundations and/or the covering up of any drainage systems may be obtained

Name: _____ Tel: _____ Fax: _____

Address: _____ Email: _____

NOTES FOR THE COMPLETION OF THIS FORM

A valid notice should be completed fully and received **not less than 14 days** and **not more than 28 days** before commencement of the works or the making of the material change of use.

Document to be completed in block capitals excluding signature at Item 1.

SECTION 2B: RESIDENTIAL DEVELOPMENT INFORMATION:

Total number of dwelling units (all phases):

The total number of units (houses and apartments) for the entire residential development, i.e. all phases. Include single houses.

Total number of phases (not relevant for single houses):

Give the total number of different phases of development for this project.

Phase for this commencement notice:

A commencement notice should be given at the start of each phase of development. Insert the number of the particular phase that this commencement notice is relevant to, e.g. 1st, 2nd.

Number of units for this phase/commencement notice:

The corresponding number of units (houses and apartments) for this particular phase. A single house should also be included here, as it will be commencing in the short/ medium term.

Commencement date for this phase:

Commencement date of works for this particular phase of development.

(Proposed) end-date for this phase:

Expected end-date for this particular phase of the development.

COMMENCEMENT NOTICES ARE REQUIRED FOR:

1. (a) the erection of a building
(b) the material alteration or extension of a building, and
(c) a material change of use of a building

in which the Building Regulations apply, other than exempted development for the purpose of the Local Government (Planning & Development) Act, 2000 to 2002.

2. Any works for which the Fire Safety Certificates are required under Part III of the Building Control Regulations, 1997 to 2009 and any material alteration (excluding a material alteration consisting solely of minor works) of a shop, office or industrial building to which Part III of the Building Control Regulations do not apply.

COMMENCEMENT NOTICE FEES

€0 or where –

- (a) the proposed works or the material change of use (as the case may be) relates to more than one building, and
- (b) neither Part III of the Building Control Regulations 1997 to 2009, nor Part III of the Building Control Regulations 1991 and 1994, apply to such works or buildings,

€0 in respect of each building.

The maximum fee payable to a Building Control Authority shall be €3,800 in respect of the submission of a Commencement Notice.

CORRESPONDENCE ADDRESS

Building Control Section
Cork City Council
City Hall
Anglesea Street
Cork

**INCOMPLETE NOTICES WILL RENDER THE COMMENCEMENT NOTICE INVALID
AND MAY BE RETURNED TO THE APPLICANT.**