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FIRE SAFETY IN BUILDINGS

Guidelines for Owners Management Companies



Introduction

Legislation

The primary piece of legislation in relation to fire safety is the Fire Services Act 1981 and 2003. Section 18(2) places several duties on persons having **control** over a premises including, to take all reasonable measures to guard against the outbreak of fire, provide reasonable fire safety measures and procedures and to ensure as far as is reasonably practicable the safety of persons on the premises in the event of an outbreak of fire. An Owners Management Company (OMC) is generally the legal entity in **control** of a multi-unit development. The Board of Directors of the OMC should therefore be aware of their important responsibilities in this regard. Further legal advice should be sought if in any doubt.

Under Section 19 of the Act, a building can be considered as ‘potentially dangerous’ under a number of headings including, for example, if it has inadequate or no provisions are in place with regard to a range of fire safety measures including:

- Automatic detection and warning of fire (fire alarm)
- Emergency Lighting
- Fire protection of escape routes and structure
- AOVs (Automatic Opening Vents in multi storey buildings)
- Fire compartmentation of the building
- Access for fire brigade
- A range of other matters

Up to 1992 there was no formal system of approval for the fire safety design of buildings and, therefore, many apartment complexes were built without or inadequate fire detection and alarm systems (despite the requirements of the Fire Services Act 1981).

The Building Control Act 1990 and subsequent regulations required all new buildings to go through an approval process by way of application to the local Building Control Authority for a Fire Safety Certificate. A Fire Safety Certificate is an approval of the fire safety design of a building prior to construction. It is important to note and frequently misunderstood that it is not an approval of the fire safety of the completed building. As Fire Authorities are **not** required to carry out random inspection of blocks unless a fire safety issue is brought to their attention there can be issues with regard to non-compliance that have been undetected.



Since 2014 the Building Control (Amendment) Regulations commonly known as BC(A)R do require mandatory appointment of a competent professional such as Registered Building Surveyor and mandatory inspection and certification of works. However, prior to 2014 this system did not exist.

In 1994 the Department of Environment issued a guide “[Fire Safety in Flats](#)”, giving information on compliance with the Fire Services Act, which included guidance on management of fire safety, means of escape including fire detection and alarm systems, structural fire precautions and building services.

All multi-unit developments should be audited periodically to ensure they have appropriate fire safety measures in place such as those listed below and that the equipment is properly serviced.

- Fire Alarms (quarterly system test and annual test of the equipment within apartments)
- Fire Extinguishers (annually tested)
- Hose Reels (half yearly tests)
- Signage of escape routes
- Escape routes and structures are fire protected
- Emergency Lighting (Quarterly tests)
- Automatic Opening Vents (annually tested)
- Compartmentation of building in case of fire
- Sprinklers & riser pipes (various tests from quarterly to five yearly)
- Maintenance of fire doors, smoke seals and closers
- Compliance of services including electrical services, gas installations, heat producing appliances, ventilation ducts and fire dampers
- Operation of fastenings on escape routes
- Compliance with the Fire Safety Certification documentation lodges with the Local Authority and the granted certificate itself.
- A fire safety register is kept and continually updated.



OMCs should be aware of the following:

1. The Fire Services Act 1981 and 2003 requires that a multi-unit development have adequate fire safety and detection equipment and management.
2. The Irish Standards prescribe strict criteria as to the design, installation and commissioning of fire safety systems. These standards also have strict requirements on the testing, servicing and maintenance of these systems.
3. A common fault found in multi-unit developments is the failure to provide adequate fire stopping in service shafts and floor openings. It is advisable to have a fire safety audit carried out on your multi-unit development by a Fire Safety Practitioner/Chartered Building Surveyor.
4. Almost all insurers now require that fire safety systems be put in place in order to obtain insurance cover on multi-unit developments. Most insurers recognise that major fire safety upgrades will require significant capital expenditure and are generally agreeable to reasonable time scales for the tendering process and the phased installation of new or upgraded systems to comply with minimum standards.
5. The Multi Units Developments Act 2011(MUD act) requires OMCs to provide an annual report setting out the fire safety equipment installed in the development and the arrangements in place for the maintenance of such equipment.
6. The Housing (Standards for Rented Houses) Regulations currently require that all rented multi-unit dwellings have both emergency lighting and a suitable fire detection and alarm system in the common areas and an emergency evacuation plan. The regulations further state that this equipment together with first aid fire fighting equipment in apartments, must be maintained and serviced in accordance with current practices.
7. The servicing/maintenance of fire protection systems, including fire alarms, emergency lighting and fire extinguishers, should be carried out at the appropriate intervals, by competent providers and ensure that all work is correctly certified and logged in a Fire Safety Register for the building.
8. The responsibility for the fire safety in an apartment complex is first and foremost with the OMC.

The OMC Board of Directors should consider their responsibilities in relation to fire safety in the MUD Act. They should consider if they need to get the advice of a competent professional to carry out a fire safety assessment/audit of their building. The practitioner should establish the extent of compliance or otherwise with the relevant fire safety standards and make recommendations for rectifying any deficiencies. This may include maintenance of fire protection systems, fire related elements of the building construction (e.g. fire doors and partitions), fire stopping, collaring of waste pipes, compartmentation and management of unprotected openings such as service shafts and of ignition sources such as refuse.

The consultant, in association with other professionals as required such as a Building Surveyor and/or a Quantity Surveyor, should be requested to:

1. List and prioritise works and, following approval from the OMC Board, seek quotations for carrying out the works.
2. Properly specify the works in advance and ensure that they are certified after completion as having been correctly carried out in accordance with IS (Irish Standards), such as IS3217 and IS3218.
3. To consult with the Fire Authority if deemed necessary to ensure that they are in agreement with any proposed solutions. Certain works may also be subject to the requirements of the Building Control Regulations, i.e. a Fire Safety Certificate may need to be applied for in advance of the works.
4. Contact the block insurance company and update the insurers as required.
5. Assist the OMC Board in its communications with members of the OMC including attendance at EGMs and AGMs as required.

Although there are no set time intervals between which a building should be re-assessed, any building that has not been assessed after 1992 (the date of introduction of the Building Regulations and the Fire Safety Certificate system) should be assessed.



Reasonable Actions to take for Fire Safety

Owners' Management Companies should arrange with their contracted fire service maintenance team to provide a fire orientation day once per year on one of the planned quarterly visits.

The fire orientation is a brief explanation to occupants attending on the use of the fire panel, the locations of fire assembly points and, where applicable, the use of extinguishers whereby they are annually tested.

The Department of Housing Planning and Local Government web site provides useful information including the 'Guide for Fire Safety in Flats, Bedsitters and apartments (1994)' and a 2017 publication entitled 'Framework for Enhancing Fire Safety in Dwellings where concerns arise' which can also provide useful guidance. These can be accessed on housing.gov.ie





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