

# Fire Safety Certificate for material alterations in the Irish Life Centre, Abbey Street, Dublin 1

Consideration of Appeal against Condition 2 attached to Fire Safety Certificate (Reg Ref: FA/16/1137)

MSA Reference > 16019

ABP Reference > 29B.FS0539

For An Bord Pleanála

# MMS

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## /1 INTRODUCTION

This report sets out my findings and recommendations on the appeal submitted on 27.06.2016 by Jeremy Gardner Associates (JGA) against Condition 2 attached to the Fire Safety Certificate (Reg Ref No. FA/16/1137) granted by Dublin City Council on 02.06.2016, for proposed material alterations at the Irish Life Centre, Dublin 1.

### 1.1 Subject of Appeal

An application was made by JGA to Dublin City Council on 15.03.2016 for a Fire Safety Certificate for material alterations at the Irish Life Centre, Abbey Street, Dublin 1, comprising the proposal to re-develop the site by demolishing the public house at the main entrance, reducing the size of the mall, constructing a new retail unit accessed from the public realm and providing a new public entrance to the car park at basement level which includes a new stair.

The Fire Safety Certificate granted on 01.06.2016 2016 with 5No. Conditions attached, one of which is the subject of this appeal. The condition being appealed is;

**Condition 2:** *“A minimum L1 (voice alarm) fire detection and alarm system is to be provided. All extensions and modifications to the existing system should be designed, installed, commissioned in accordance with IS 3218:2013. The whole system shall be maintained in accordance with I.S. 3218, 2013.*

**Reason:** *To comply with Part B1 of the Second Schedule to the Building Regulations, 1997 to 2014”*

### 1.2 Documents Reviewed

- Application for a Fire Safety Certificate to Dublin City Council submitted on 15.03.2016 comprising of;
  - Fire Safety Certificate Compliance Report; prepared by JGA
  - Plans, Sections and Elevations by JGA.
  - Revised Compliance Report and drawings dated 25.05.2016 by JGA
- Dublin Fire Brigade Report dated 02.06.2016 with recommendation to grant the FSC subject to 5 Conditions.
- Appeal submissions to An Bord Pleanála
  - Submission dated 27.06.2016 by JGA
  - Submission dated 11.07.2016 by Dublin City Council
  - Submission dated 14.07.2016 by Dublin City Council
  - Submission dated 08.08.2016 by JGA

## /2 FINDINGS & RECOMMENDATIONS

### 2.1 Condition 2

*“A minimum L1 (voice alarm) fire detection and alarm system is to be provided. All extensions and modifications to the existing system should be designed, installed, commissioned in accordance with IS 3218:2013. The whole system shall be maintained in accordance with I.S. 3218, 2013.*

**Reason:** *To comply with Part B1 of the Second Schedule to the Building Regulations, 1997 to 2014”*

#### 2.1.1 Case made by Appellant

The Appellant’s case is based on the following points:

- The appellant suggests that a newly built shopping complex would usually be provided with an L3 fire detection and alarm system to comply with I.S. 3218 : 2013, whereas the existing fire detection and alarm system in the building has been designed to achieve L2 coverage in accordance with I.S. 3218:1989.
- While it is important to ensure that any works to an existing building do not give rise to any new or greater contravention to life safety, there is no requirement to upgrade an existing building to current standards to comply with Building Regulations.

It was noted in JGA the Fire Safety Certificate compliance report that the existing fire detection and alarm system in the building has been designed to achieve L2 coverage in accordance with I.S. 3218: 1989. This system will be retained and serviced to comply with I.S. 3218: 2013.

- They have noted in the Compliance report that the fire detection and alarm system in the new areas out in the mall will be upgraded to achieve L1 coverage and that the new system will comply with IS 3218: 2013.
- Their contention is that the works to the existing shopping mall could be considered minimal and that there are no new or greater contraventions being generated. Accordingly the Appellant is arguing that it is unnecessary to insist on installing a voice alarm system throughout the entire mall.
- The Appellant also refers to the Centre’s Emergency Evacuation Plan and notes that fire drills are carried out twice a year as part of that document.

#### 2.1.2 Case made by the Building Control Authority

Dublin Fire Brigade have made the following key observations in support of this Condition:

- The Irish Life Centre is a large multi storey mix use development consisting of offices, shopping mall/ arcade, residential accommodation, retail units and restaurants over a large basement carpark and is therefore considered to be of large complex building,. Significant works are now proposed to the existing shopping mall area including an extension to same along with the introduction of a new open link between basement carpark and mall area.
- An existing shopping centre or newly constructed shopping centre would typically require an L1 fire detection and alarm system and not an L3 fire

alarm system as suggested in the (JGA) appeal. The L3 alarm requirements are considered appropriate only to individual units within a shopping centre.

- Annex I of IS 3218 provides guidance relating to the type of alarm detection required for developments. For large and complex buildings, the premises are recommended to have an L1 fire alarm detection system installed. The Irish Life Centre is considered to fall under this category.
- Table A1 of BS 5839 also provided guidance on the fire alarm detection system for covered shopping complex. The guide suggests that an L1 to L3 alarm system be installed with the exact design being “tailor made” and often forms part of fire engineering solutions.
- Reference is also made to Annex E of BS 9999 relating to shopping centres and requirements for fire detection systems. Annex E.4.3 control of evacuation in a fire – communications with public common areas’ states;  
*“A public address system conforming to BS 5839-1 should be provided in all covered malls of a shopping complex”.*”

### 2.1.3 Findings and Recommendation

The key issue is the extent of the alterations to the mall and retail areas and whether this is such as to justify bringing the fire detection and alarm system (to include public address voice alarm) up to current standards currently applicable to a shopping mall or whether it is sufficient to rely on the argument that it is sufficient to demonstrate that there is no new or greater contravention of Part B arising as a result of the proposed works.

In my opinion the works to the mall are limited, with the extent of the mall being reduced in size. The proposed new retail unit is fire separated from the mall and is not relying on the mall for access or egress.

Accordingly, while the installation of a fire detection and voice alarm system to meet current standards may be very desirable in this building there is no justification in using the Building Control Regulations and the Fire Safety Certificate process to impose a Condition requiring this. Under the legislation available to them (i.e. Fire Services Act) the Fire Authorities have powers available to them to require any necessary fire upgrade works in the existing centre.

#### Recommendation

Accordingly I recommend that the Building Control Authority be directed to remove this Condition.

Signed: \_\_\_\_\_

Michael Slattery, BE MSc (Fire Eng) CEng FIEI MSFPE EUR ING