

The background of the page is a photograph of numerous concrete blocks stacked together, creating a stepped, architectural appearance. The blocks are light-colored and arranged in a way that creates a sense of depth and perspective. The lighting is soft, highlighting the edges and surfaces of the blocks.

Report of the Expert Group on the Enhanced Defective Concrete Blocks Grant Scheme

16th, March 2022

Expert Group Members

Members

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0.0 Chair's Introduction

The Expert Group first met on 27th January 2022 and has met on each subsequent Thursday. Three Working Groups were formed to address the various issues arising (see Section 2).

The Responses in respect of the matters posed for consideration within the Department's Briefing Paper and the Advices to the Minister in relation to the 'Short Term Issues' have been set out in Section 3. Observations in relation to the 'Longer Term Technical Issues' have been provided in Section 4. Where additional matters arose during the meetings of the Expert Group and the Working Groups, these have also been set out and addressed under the relevant headings. Two meetings were held with representative of the homeowners and discussions took place in relation to the Expert Group's Terms of Reference.

During the meetings of the Expert Group a particular concern has been raised on a number of occasions. This concern relates to Item 4 (Table 2) 'Review by NSAI Masonry Committee of Irish Standard for Concrete Blocks (incl. Aggregates).' The members are of the opinion that this review needs to be completed as soon as possible in order to assist in ensuring that there will be no ongoing, or future, recurrence of the issue of defective concrete blocks.

It is clearly in the interest of all parties involved in the DCB Grant Scheme that there be no interruption to the operation of the Scheme. The Expert Group considers that the Enhanced version of the Scheme, to be operational by early autumn, is a positive development. However, it is a significant concern of the Expert Group that the specification of remedial works under the Enhanced Scheme should be informed by the outcomes of the review of the relevant Standards at the earliest opportunity.

The Expert Group would encourage the completion of the NSAI Standard review as soon as possible. It has been brought to the attention of the Expert Group that the lack of significant progress to date of the 'Review of the Stage 1 Submissions received under the current DCB Scheme' (Item 1 of Table 2 of the Terms of Reference) is hampering the work of NSAI.

The Chair wishes to acknowledge the inputs and dedicated work of the members of the Expert Group together with those of the team at the Department of Housing, Local Government and Heritage and expresses his thanks to all involved.

1.0 Terms of Reference for the Expert Group on the Enhanced Defective Concrete Blocks Grant Scheme

The Department of Housing, Local Government & Heritage (“the Department”) is the department with responsibility for the Defective Concrete Blocks Grant Scheme currently underpinned by Dwellings Damaged by the Use of Defective Concrete Blocks in Construction (Remediation) (Financial Assistance) Regulations 2020 (S.I. No. 25/2020).

On the 30th November 2021, the Government made a decision to proceed with short term changes to the current Defective Concrete Blocks (DCB) Grant Scheme which would enhance the supports available for homeowners, remove the perceived financial barrier to scheme entry and also improve overall governance of the scheme.

Primary and secondary legislation will be required to give legislative effect to the enhanced scheme. A number of items of work, most of which are of a technical nature, need to be completed by the middle of March 2022 as they will be required for either the Bill itself or the secondary legislation.

Minister O'Brien and the Attorney General have asked that a high level Expert Group be established to consider the technical issues which need to be resolved and advise the Minister and his Department accordingly. These items of work are set out below in Table 1.

Table 1. Short term issues which need to be resolved for the enhanced DCB Scheme

	Item
1.1	Damage Threshold for Entry to the DCB Grant Scheme
1.2	Building Condition Assessment Report
2.1	Parameters around Second Grant Application incl. Time Limits
2.2	Time Limits on Grant approvals.
2.3	Independent Appeal's Process
3.1	Requirement for Remedial Works Plan to be prepared and submitted
3.2	Review Existing Certificate of Remediation Cert. to have Statutory footing
4	Extension of the Scheme – Research on how Many Counties are potentially impacted
5	Engagement with SCSi on Rebuild Costs – Options 1 – 5
6	Exempt Development Status for like for like Demolition & Rebuild

In addition to the matters posed for consideration within the Briefing Paper, a number of other items arose during the various meetings of the Expert Group and the three Working Groups. Where these arose, they have been incorporated into the various ‘Matters Considered’ Sections of this Report.

The Government, in its decision of the 30th November 2021, also emphasized that time and space must be allowed for some critical longer term work and research to be carried out on important homeowner, administrative and technical/scientific issue. These items of work are set out in Table 2 below. The timeframes for the completion of the works in respect of the Table 2 items are as follows:-

- Item 1 – End June 2022
- Items 2 – 5 – End December 2022

Table 2. Longer term technical issues which need to be worked on so as to inform the need for a revised scheme and the most appropriate administrative structure for any such scheme (for oversight by the Expert Group)

	Item
1.	Review of Stage 1 Submissions received under current DCB Scheme
2.	To commission a study on options for the long term administration of the Defective Concrete Blocks Grant Scheme
3.	Review by NSAI of IS:465 Standard & its Application (including Pyrrhotite)
4.	Review by NSAI Masonry Committee of Irish Standard for Concrete Blocks (incl. Aggregates)
5.	Review of Impact of Pumped Cavity Wall Insulation

The Expert Group will support the Minister and his Department with:-

- i. advice on the appropriate approach in respect of the items listed in Table 1.
- ii. oversight on progress with the issues listed in Table 2
- iii. any other issues in relation to implementation of the enhanced defective concrete blocks grant scheme which arise during the course of the Expert Groups deliberations.

This Report constitutes the work and recommendations to date of the Expert Group in respect of the 6 issues set out in Table 1 above. Observations in respect of the 5 issues set out in Table 2 above are also included for information.

The Department issued its ‘Briefing Paper for Expert Group on Key Issues’ on 27th January 2022. The ‘Issues’ set out in this Briefing Paper, together with the items listed ‘For Consideration’ are set out in Section 3 and Section 4 of this Report (for clarity, the ‘Issues’ and the ‘For Consideration’ items set out in the Briefing Paper has been italicized). Other items considered by the Expert Group have also been included (non-italicized).

2.0 Expert Group

2.1 Establishment of Expert Group

The Expert Group met for the first time on 27th January 2022 and decided to form three Working Groups (WG) as follows:-

WG1: Dealing with Items 1.1 & 1.2 (Table 1)

Chair – Martin Lynch

Members - Fiona Fleming
- Damien Owens
- Simon Wall
- Mairtin Ruane
- John Gallagher

WG2: Dealing with Items 2.1, 2.2 & 2.3 (Table 1)

Chair – John O'Connor

Members - Paul Benson
- Damien Owens
- John Gallagher
- Paul Forde

WG3: Dealing with Items 3.1, & 3.2 (Table 1)

Chair – Paul Forde

Members - Paul Benson
- John Wickham
- John O'Connor
- Damien Owens

The WGs have been meeting on a weekly basis since the beginning of February 2022.

Note: The work of the Expert Group was greatly enhanced by the contributions and expertise of the following:

Aidan O'Connell
Thomas Campbell
Robbie Goodhue

2.2 Meetings between Expert Group and Homeowners' Representatives

The representatives of the homeowners, Martina Hegarty (Mayo) and Michael Doherty (Donegal) requested a meeting with the Expert Group through John O'Connor in his role as Homeowners' Forum Liaison. John had earlier forwarded a copy of the Terms of Reference for the Expert Group issued by the Department of Housing, Local Government and Heritage.

John O'Connor and Paul Forde had a meeting with Martina Hegarty and Michael Doherty on 2nd March and discussed the Terms of Reference. At the end of this meeting, it was agreed to hold a further meeting on 9th March. In advance of this meeting the homeowners' representatives issued a written document setting out the 'Homeowner Input' in relation to each of the items set out in Table 1 and Table 2 of the Department's Terms of Reference. (Refer to Appendix 2.2).

The chairs of the three Working Groups, Fiona Fleming (on behalf of Martin Lynch WG1), John O'Connor (WG2) and Paul Forde (WG3) met with Martina Hegarty, Michael Doherty, and Michael Carr on 9th March. The Homeowner Inputs in relation to each of the items set out in Table 1 and Table 2 of the Terms of Reference were discussed. The points discussed, where appropriate, have been included under the 'Matters Considered' sections of each of the items in Sections 3 and 4 of this Report.

3.0 Development of Short Term Items (Table 1 Items)

3(1.1) Damage Threshold for Entry to the DCB Grant Scheme

Currently damage is not defined within SI. 25 of 2020 – Defective Concrete Blocks Regulations so there is no threshold within the regulations for entry to the DCB grant scheme. Government has decided that a damage threshold will be put in place for entry to the enhanced grant scheme.

The requirement now is to define what the damage threshold will be. If it is set too high, it could potentially mean all homes could require Option 1 remediation by the time they come into the scheme. If it is set too low, it will be very difficult to try and ensure that the worst affected homes are first in line for remediation. In addition, it would be important that homeowners would be able to enter the grant scheme before comfort levels within the affected home deteriorate beyond what would be considered acceptable.

Currently, I.S.:465+A1:2020 standard has a damage categorisation by reference to Group 1, 2 3, and 4 homes. The aim of this grouping is to assist the Professional Geologist, in consultation with the Chartered Engineer, in selecting the appropriate Test Suite in accordance with Clause 7 of the standard.

Matters Considered

3(1.1.1) *Is the current grouping within I.S.:465+A1:2020 standard adequate and suitable for use as a damage threshold which must be met for entry to the grant scheme?*

Response:

The Working Group reviewed the current Building Groupings included in IS 465 and examined whether they should be expanded further to allow an appropriate damage threshold to be set. Mayo County Council had previously completed some work on setting a damage threshold and this was shared with the group. This method considers damage categorisations similar to those outlined in Subsidence in Low Rise Buildings, 3rd Edition (Institution of Structural Engineers, 2000) and Digest 251- Assessing Cracks in House (Building Research Establishment, 1995). The WG also considered assigning attribute or index values to the various categories of damage commonly observed in buildings constructed using blocks which contain deleterious materials. This attribute or index value approach is similar that adopted in IS 398-1, Reactive pyrite in sub-floor hardcore material – Part 1: Testing and Categorization protocol. (NSAI, 2017) The group is of the opinion the local authority's approach is more appropriate. The Working Group acknowledges that occupant comfort is an important consideration, and this is reflected in the proposed damage threshold. The Working Group also acknowledges the need for flexibility with the threshold and regular review based on experience gained by local authorities and the Housing Agency and the results of ongoing research and the update of standards being undertaken by NSAI.

The Working Group recommends that the damage threshold used should generally correspond to at least Group 2 in IS 465 with a certain level of crack widths. The proposed wording is given below.

Damage Threshold for application

A minimum of Group 2 damaged dwellings as set out in Table 1 of IS 465 with extensive pattern cracking of **at least 1,5mm**.

3(1.1.2) *Does it need to be improved to bring more clarity/definition to what is required?*

Response:

The Working Group is of the view that Table 1 of IS 465 should be reviewed by NSAI as part of the overall review. The Working Group reviewed the BCA in the context of the Building Groupings and proposed Damage Threshold. The intention of the revised report format is to allow the BCA Professional to complete the assessment efficiently and at a lower cost to the homeowner, while also assisting the Housing Agency to identify the most seriously damaged properties as well as those where earlier intervention may be beneficial. The Working Group recommends that the homeowner's BCA Professional continues to identify the Building Grouping in the BCA report. In addition to the building grouping, it is recommended that the homeowner's BCA Professional provides the evidence that in their opinion the damage threshold has been met.

The Working Group has proposed (See Section 3(1.2) and Appendix 3(1.2)) an amended, standardised report format for the interim BCA. The Working Group notes that this should be reviewed regularly and updated as needed after the overall review of IS 465 is completed.

3(1.1.3) Homeowners inputs in relation to this Item were discussed during the meeting between the chairs of the three Working Groups and the homeowners' representatives at their meeting held on 9th March 2022 as summarised below.

Response:

- Homeowners believe that the Damage Threshold should serve no other purpose than prioritisation of the order of dwellings to be remediated. However, they state that while they accept that a dwelling must be 'damaged' there should be no entry limit to the damage.
- Homeowners expressed concerns in relation to conveyancing homes which have tested positive for mica/pyrite in concrete blocks.
- Homeowners stated that all 'damaged' dwellings should be accepted into the Grant Scheme within a maximum period of one year.
- Homeowners stated that attached dwellings should be prioritized, processed and remediated together.

(Refer to Appendix 2.2)

Advices to Minister

- a) **Ongoing Review of Damage Threshold:** The Minister should allow for regular review of damage thresholds based on the findings from ongoing experience gained by local authorities, the Housing Agency and others; findings from ongoing building assessment, laboratory testing and a review of relevant standards by NSAI, and in particular IS 465.
- b) **Damage Threshold for application:** In the Act provide that a damage threshold be established for application under the DCB scheme; and that the Act provides for the Minister to prescribe in regulation the damage threshold. In order to facilitate regular review and adjustment if required of the damage threshold it is suggested that reference to the requirement to meet a damage threshold for entry to the scheme would be provided for in the primary legislation but that the detail would be set out in regulation.

The Expert Group recommended definition of the Damage Threshold initially for an application is:

Damage Threshold for application

A minimum of Group 2 damaged dwellings as set out in Table 1 of IS 465 with extensive pattern cracking of **at least 1,5mm**.

It is proposed that the definition of the Damage Threshold be also included in the building condition assessment report.

- a) **Prioritization:** The Minister and the Housing Agency may decide to give consideration as to how 'damaged' dwellings are prioritized, including semi-detached and terraced dwellings.

3(1.2) Building Condition Assessment Report

Under the enhanced DCB scheme homeowners will no longer employ their engineer directly to complete the IS:465 report on the assessment, testing and categorisation of the blockwork in their home.

Homeowners will under the enhanced scheme be required to submit a building condition assessment. Currently there is a BCA template set out in Annex A of the I.S.:465+A1:2020 standard.

The introduction of the damage threshold and the revised grant calculation methodology based on the size of the existing home will require certainty over the size of the home, its planning status and the level of manifest damage. The Government decision to investigate the pursuit of wrongdoers will potentially require additional information on the home and its construction.

Matters Considered

3(1.2.1) *Is the BCA contained within the current I.S.:465+A1:2020 standard adequate or is additional information or an entirely new BCA template required?*

Response:

The Group is of the opinion that the BCA Report template in Annex A of IS 465 is appropriate with some additional information. Firstly, additional items listed in Section 5 of IS 465 and in particular section 5.2.1 Desk Study and section 5.2.2 Dwelling Inspection should be added.

Additional Information on Dwelling

The following should also be provided on the BCA Report

- (a) the planning reference number
- (b) Confirmation that the damage to the dwelling exceeds the damage threshold for application to the scheme.

Amendments to Section 5 and the template BCA Report in Annex A of IS 465

The working group is of the opinion that the following changes to IS 465 should be recommended to NSAI.

- (a) That references to “Chartered Engineer” Section 5 and In Annex A to amend to “relevant competent building professional”. And that a definition of a competent building professional is *“a person named on a register maintained pursuant to Part 3 or Part 5 of the Building Control Act 2007 or Section 7 of the Institution of Civil Engineers of Ireland (Charter Amendment) Act 1969 and that is competent to undertake the building condition assessment for the dwelling concerned.”*

Note: This includes Chartered Engineers and Architects and Building Surveyors that are competent to undertake the BCA for the dwelling concerned.

- (b) Items listed in Section 5 of IS 465 and in particular section 5.2.1 Desk Study and section 5.2.2 Dwelling Inspection that are currently not included in Annex A should be added to the BCA Report template.
- (c) The planning reference number should be added.

Refer to Appendix 3(1.2) for draft BCA template.

3(1.2.2) Should a panel of building professionals be established for the BCA from which homeowners must select?

Response:

It is recommended that registered Chartered Engineers, Architects and Building Surveyors that are competent to undertake the BCA for the dwelling concerned be permitted to prepare the BCA report.

A definition of a competent building professional is “a person named on a register maintained pursuant to Part 3 or Part 5 of the Building Control Act 2007 or Section 7 of the Institution of

Civil Engineers of Ireland (Charter Amendment) Act 1969 and that is competent to undertake the building condition assessment for the dwelling concerned.”

Note: This may include Chartered Engineers, Architects and Building Surveyors that are competent to undertake the BCA for the dwelling concerned. It is advisable that anyone undertaking building condition assessments will have completed the IS465 training provided by Engineers Ireland.

3(1.2.3) *Alternatively, would it be sufficient to require that the building professional is either a Chartered Engineer or a building professional on the register maintained by one of the ‘registration bodies’ prescribed under the Building Control Act, 2007?*

Response:

As for 3(1.2.2) above

3(1.2.4) Homeowners inputs in relation to this Item were discussed during the meeting between the chairs of the three Working Groups and the homeowners’ representatives at their meeting held on 9th March 2022 as summarised below.

Response:

- Homeowners understood that the homeowner engineer would outline the most appropriate remediation option in the BCA based on inspection and results of testing – the Chairs of the 3 WGs advised that this was not the intention of the EG.
- Homeowners requested that the BCA would state whether the house was a primary dwelling, a rented dwelling and/or whether it was recently purchased.
- Homeowners requested that following receipt of the BCA there should be a set timeframe for processing the application and for reimbursing any monies owed.
- Homeowners requested that all engineers carrying out and reviewing BCAs should be adequately trained.

(Refer to Appendix 2.2)

Advices to Minister

a) **Building Condition Assessment Report:** In the Act that the Minister may prescribe in regulations the information that is to be provided in a building condition assessment report and that a standard building condition report template is included in regulations.

In order to facilitate regular review and adjustment if required of the building condition assessment template it is suggested that reference to the requirement to submit a building

condition assessment would be provided for in the primary legislation but that the detail would be set out in regulation.

b) Professionals that can undertake a BCA: That the Minister would prescribe in regulation who can undertake a BCA. It is recommended that registered Chartered Engineers, Architects and Building Surveyors that are competent to undertake the BCA for the dwelling concerned be permitted to prepare the BCA report.

- i. A definition of a competent building professional is “a person named on a register maintained pursuant to Part 3 or Part 5 of the Building Control Act 2007 or Section 7 of the Institution of Civil Engineers of Ireland (Charter Amendment) Act 1969 and that is competent to undertake the building condition assessment for the dwelling concerned.”
- ii. Note: This may include Chartered Engineers, Architects and Building Surveyors that are competent to undertake the BCA for the dwelling concerned. It is advisable that anyone undertaking building condition assessments will have completed the IS465 training provided by Engineers Ireland.

c) Relevant changes to IS 465: The NASI should consider changes to IS 465 as set out above; and in particular:

- a. Amending Table 1 - Building Groupings to take account of the damage threshold being proposed.
- b. Amending Section 5 to change “chartered engineer” to “competent building professional”
- c. Amending Annex A – Building Condition Report as recommended above.

See attached Draft BCA (refer to Appendix 3 (1.2))

d) The Minister may decide to give consideration to setting a timeframe for the processing of applications by LAs and by the HA.

3(2.1) Parameters around Second Grant Application including time limits

The Government decision on the enhanced scheme makes provision for eligibility for a second grant for homeowners whose home is initially remediated under Options 2-5 but subsequently blockwork retained within the home after the first remediation proves defective in accordance with the I.S.:465+A1:2020 standard.

It is intended that the second grant option would go with the home and not the homeowner and this may in turn facilitate future conveyancing of the affected home.

Matters Considered

3(2.1.1) *What specific conditions should apply for eligibility for the second grant?*

3(2.1.2) *For how long should the second grant option remain open?*

Response:

(1) It is suggested that the second grant should remain open for 20 years. The reason for this is that the typical design life of a dwelling is of the order of 60 years and typical dwellings damaged by defective concrete blocks may be 30 years old before the remediation is completed. Therefore, 20 years reasonably accounts for a significant proportion of the remaining design life of the dwelling.

(2) The second grant should apply to the relevant dwelling; and the applicant or a future owner can avail of the second grant where it is applicable.

(3) Qualification for a second grant shall be confirmed by the local authority to the scheme participant following receipt and validation of this Certificate of Remediation by the local authority. This confirmation will take the form of a "Letter of Assurance" for the second grant and will apply to the relevant dwelling.

(4) The "Letter of Assurance" for the second grant remains applicant to the relevant dwelling for the specified period.

(5) The Letter of Assurance shall set out the conditions of eligibility for the second grant and the procedures for applying for a second grant.

(6) The Act shall provide for a second grant to be available for homes where the remediation option carried out in the first instance was not demolition and rebuild of the house on existing foundations, with power for the Minister to make regulations for the detail around the eligibility criteria and process for the second grant.

(7) The following would be better dealt with by way of regulation:-

The prescribed format of the letter of assurance and the detailed eligibility conditions and process attaching to the second grant.

3(2.1.3) Homeowners inputs in relation to this Item were discussed during the meeting between the chairs of the three Working Groups and the homeowners' representatives at their meeting held on 9th March 2022 as summarised below.

Response:

- Homeowners requested that the second grant be available for a period of 40 years.
- Homeowners requested that the second grant be available to new owners, next of kin etc. – the Chairs of the 3WGs advised that the second grant applies to the dwelling itself.

- Homeowners queried whether a dwelling could be sold with the benefit of a Grant Scheme approved grant.

(Refer to Appendix 2.2)

Advices to Minister

- (a) **Second Grant Application / Letter of Assurance:** It is considered that the primary legislation should set out that there will be an entitlement to a second grant where the initial remediation option is anything other than demolition and rebuild of the home. This should be confirmed by a “Letter of Assurance”. The conditions of a Letter of Assurance for a second grant should be prescribed by the Minister in regulations.
- (b) **Time Limit for Second Grant:** It is suggested that the time limit for the second grant should be 20 years. However, it should be noted that homeowner representatives have requested that this be 40 years.

3(2.2) Time Limits on Grant approvals

In terms of overall scheme governance and oversight of the financial liability accruing for the Exchequer with each grant approved, it is considered important that grant approvals would not be open ended. That is not to say that homeowners cannot reactivate applications and approvals but approvals which have not been acted upon need, within reason, to be withdrawn.

Matters Considered

3(2.2.1) *What is considered a reasonable time period for a homeowner to activate a remediation option and commence work?*

Response:

- (1) The time period from the approval of grant to commencement of remediation works **should** be 18 months; or in the case of an appeal, it is 18 months from the date of the decision on appeal.
- (2) Where an applicant, for genuine reasons, is not in a position to commence within this period they should be able to apply to the local authority to have the period extended. This application should be made within a period of not less than 3 months before the 18 month period expires. Approval of the extension of the period should not be unreasonably withheld.
- (3) From the date of commencement of the remediation reworks the work should be completed within 15 months. The date of commencement of the work is to be notified to the local authority. The conditions of grant approval should impose a condition on the scheme participant to notify the local authority of the date of commencement of the works.
- (4) Where an applicant, for genuine reasons, is not in a position to have the works completed within the 15 month period they may apply to the local authority to have the period

extended. This application should be made within a period of not less than 3 months before the 15 month period expires. Approval of the extension of the period should not be unreasonably withheld.

3(2.2.2) *Will this vary depending upon the remediation option approved?*

Response:

No

3(2.2.3) Homeowners inputs in relation to this Item were discussed during the meeting between the chairs of the three Working Groups and the homeowners' representatives at their meeting held on 9th March 2022 as summarised below.

Response:

- Homeowners requested a period of 5 years to make use of a grant and cited difficulties such as lack of suitable temporary rental properties, limited number of contractors available to carry out the remediation work and difficulty in funding any shortfall in monies to carry out the works.

(Refer to Appendix 2.2)

Advices to Minister

- Time Limits on Grant Approvals:** It is suggested that the time limits as set out above be provided for and the primary legislation provides for the Minister making regulations in this regard.
- Time Limits for issuing decision on Applications:** The Minister should consider setting time limits on decisions by local authorities and the Housing Agency.
- Time Limits on date of commencement:** The conditions of grant approval should impose a condition on the scheme participant to notify the local authority of the date of commencement of the works.

3(2.3) Independent Appeals Process

Under the current scheme, each local authority is required to have in place an appeals process. The regulations allow appeals against a refusal of confirmation of Stage 1 eligibility, a refusal to approve a grant under Stage 2 and a refusal by a local authority to make a grant payment.

The Government decision calls for an independent appeals process to be established. It is envisaged in the decision that the appeals body will be permanent and fully independent of the relevant local authorities, the Housing Agency and the Department.

Matters Considered

3(2.3.1) *What is the best approach to take in the establishment of an independent appeals body?*

3(2.3.2) *Under the enhanced scheme what decisions can be appealed and on what grounds and within what time limits?*

3(2.3.3) *It has been suggested that the PRB appeals model is a potential template. Is a similar approach possible and, if not, what is the most suitable approach to take?*

Response:

- (1) An independent appeals process shall be put in place.
- (2) There should be specific decisions that may be appealed.
- (3) Time periods should be set for making an appeal and time periods for determinations of appeals.
- (4) It is suggested that the appeals system should be similar to that set out in “Part 7 – Appeals” of the Housing (Regulation of Approved Housing Bodies) Act 2019. Specifically, sections 61, 62 and 63 of that Act are appropriate. In addition section 31 of that Act is relevant.
- (5) The appeals process under the Pyrite Resolution Act 2014, having been reviewed, was not considered to provide the adequate level of independence needed for the Defective Concrete Blocks Scheme, particularly due to its more complex nature.
- (6) Decisions that may be appealed:**
 - a) In essence the decisions that may be appealed are in relation to decisions notified by the local authority to an applicant. They include:
 - i. Validation of the Application
 - ii. Eligibility of the relevant dwelling to qualify for remediation i.e. whether it had met a specified damage condition threshold
 - iii. Determination by The Housing Agency and notified by the local authority as to the relevant remediation option and the maximum grant amount payable.
 - iv. Decision of the local authority to not grant an extension of the time limits for commencement or completion of works
 - v. Decision of the local authority not to make a payment requested (this could be for example the local authority is of the opinion that sufficient evidence and documentation have not been provided or the payment exceeds the amount allowable).
 - b) Note: The process envisaged for the operation of the Grant Scheme has been summarized in the appended ‘Enhanced Defective Concrete Blocks Grant Scheme Flowchart’ (refer to Appendix 3(2.3)).

3(2.3.4) Homeowners inputs in relation to this Item were discussed during the meeting between the chairs of the three Working Groups and the homeowners' representatives at their meeting held on 9th March 2022 as summarised below.

Response:

- Homeowners requested that the independent appeals panel would consist of engineers qualified in IS465 and having no links with local authorities, the Housing Agency or government departments; and no person retired from those organisations.
- Homeowners requested that the homeowner engineer be part of the appeal process.
- Homeowners requested that clear criteria setting out the appeal process be published prior to the commencement of the enhanced scheme.
- Homeowners requested that members of the appeals panel be locally based rather than centrally based.
- Homeowners requested engagement between the Housing Agency engineer and the homeowner engineer, prior to a remediation Option being decided upon.

(Refer to Appendix 2.2)

Advices to Minister

- (a) **Appeals Panel & Process:** It is considered that the primary legislation should set out the detail of the appeals board/panel, the appeals process and the decisions which can be appealed. The appeals process outlined in the Housing (Regulation of Approved Housing Bodies) Act, 2019 is considered to be a potentially suitable model to follow. The legislation should provide for the appeals being dealt with by way of documentation; as opposed to hearings. In essence an Appeals Panel of at least 10 members should be established and each appeal should be dealt with by an Appeals Board made up of 3 members of the panel.
- (b) **Composition of Appeals Panel:** The Appeals Panel would in general be made up of competent chartered engineers, architects, building surveyors, barristers/solicitors and other appropriate individuals drawn from across the country.

3(3.1) Requirement for Remedial Works Plan to be prepared and submitted

Under the current grant scheme, remedial works plan must be submitted by the grant applicant as part of their stage 2 submission to the local authority. It is a plan for the design, specification and inspection of the works required to be carried out to the dwelling for the purposes of the relevant remedial option, having regard to I.S.:465+A1:2020 standard, which has been prepared by a competent engineer.

In view of the revised grant calculation methodology and the likelihood that applicants will, under the enhanced scheme, be allowed to do work over and above what is grant aided consideration was being given to dispensing with the requirement for the applicant to submit a remedial works plan and a cost plan.

Matters Considered

3(3.1.1) *Is it the case that the preparation of a remedial works plan is something the applicant will have to do in any event as part of oversight of the project?*

Response:

Yes. It will be appended to the Certificate of Remediation and, as such, will form an integral part of the Certification.

The remedial works plan will be prepared by the homeowner's engineer after the scheme participant has been advised of the Housing Agency's determination of the appropriate remediation option. In all cases new construction or remediation works must be constructed off the dwelling's existing foundations.

3(3.1.2) *Is the remedial works plan likely to be required as an important part of the certification process for the works completed?*

Response:

Yes. It will be appended to the Certificate of Remediation and, as such, will form an integral part of the Certification.

3(3.1.3) *Should the remedial works plan be retained and what role will it play in certification of the remediation works?*

Response:

Yes. It will be appended to the Certificate of Remediation and, as such, will form an integral part of the Certification.

3(3.1.4) *Should the remedial works plan detail the remediation option approved by the Housing Agency, or should it detail the actual works carried out?*

Response:

It will detail the works carried out. Most likely, these will be two versions of the remedial works plan. The initial remedial works plan will reflect the works recommended by the Housing Agency, or as upgraded by the homeowner. Following the completion of the remediation works, an updated plan, if relevant, will be prepared detailing the actual remediation works, as implemented. This updated version of the remedial works plan will be appended to the Certificate of Remediation. It will also be important in the context of determining if a 'Letter of Assurance' in respect of the second grant option issues to a scheme participant.

3(3.1.5) *Should the remedial works plan specify a time limit for the completion of the remediation works?*

Response:

Yes. The duration of the remedial works is not to exceed 15 months.

3(3.1.6) *If new circumstances come to light after approved remediation works have commenced under remediation (Options 3 - 5), can the scheme participant seek an amended higher order remediation option up to, and including, Option 2 remediation works.*

Response:

Yes, in exceptional circumstances this may be permissible.

A draft of a proposed amended version of the Remedial Works Plan is appended to this Report (refer to Appendix 3(3.1)). This draft sets out the typical content of the proposed remedial works plan.

3(3.1.7) Homeowners inputs in relation to this Item were discussed during the meeting between the chairs of the three Working Groups and the homeowners' representatives at their meeting held on 9th March 2022 as summarised below.

Response:

- Homeowners understand that the RWP is to be prepared by the homeowner's engineer but are concerned that there is currently no funding available to the homeowner to cover the cost of this report – it is the Chairs of the three Working Groups understanding

that the costs associated with the homeowners' engineers' work is included in the amount of the grant.

(Refer to Appendix 2.2)

Advices to Minister

It is recommended to the Minister that the Remedial Works Plan be prescribed in the regulations.

3(3.2) Review Existing Certificate of Remediation

The current certificate of remediation is in a prescribed form and issued in accordance with Regulation 3 of S.I. No. 25 of 2020.

It is signed by both the contractor and a competent engineer and confirms that the works have been completed in accordance with the remedial works plan, that the remedial option represents the minimum feasible remedial works to the dwelling, for the remediation of the damage arising out of, or in connection with, the use of defective concrete blocks in its construction and are compliant with the requirements of the Second Schedule to the Building regulations 1997 (S.I. No. 497 of 1997).

The Government in its decision asked that the current certificate of remediation be reviewed to see if it can be strengthened.

Matters Considered

3(3.2.1) *Should the certification process for remediation works under Option 1 be differentiated from that of Options 2-5?*

Response:

No (refer to Section 3 (3.2.5)).

3(3.2.2) *Can the certification process be strengthened in light of the second grant for remediation Options 2 – 5?*

Response:

Yes. It is intended that the new Certificate of Remediation will be provided for in the primary legislation and that its format will be prescribed in the Regulations to the new Act.

Additionally, the proposed Certificate of Remediation includes, at Clause 11 of Part B, details of the availability of a second grant, where subsequent damage consistent with defective concrete blocks within the relevant dwelling occurs. The proposed Certificate of Remediation notes that confirmation of such a second grant in respect of a dwelling will take the form of a "Letter of Assurance" which will apply to the relevant dwelling (refer to Section 3(2.1) of this Report).

3(3.2.3) *Can commentary be provided within the certificate of remediation based on the I.S.:465+A1:2020 report to provide some certainty in respect of retained blockwork at the time of inspection, testing and report?*

Response:

'Certainty' cannot be provided in respect of the retained blockwork itself. However, Clause 11 of the proposed Draft Certificate of Remediation provides for a second grant option.

3(3.2.4) *The green certificate available under the PRB scheme has been referenced by homeowners as being much stronger than that available under the DCB scheme. Can aspects of it be replicated for certification under the DCB scheme?*

Response:

It is considered that the green certificate under the PRB Scheme is not appropriate for the DCB Scheme.

3(3.2.5) The draft Certificate of Remediation was sent to the CSSO on 21st February for review.

Response:

The Chief States Solicitor's Office on 3rd March 2022, responded to the Expert Group's request for a review of the then current version of the Draft Certificate of Remediation. The CSSO's response included an Opinion of Counsel.

The Expert Group reviewed Counsel's suggestion that "*consideration should be given to having separate certificates dealing with remediation works completed under (a) Option 1 where eligibility for a second grant would not arise, and (b), remediation works completed under Options 2 – 5 where the dwelling may be eligible for a second grant where subsequent damages occurs to unremediated blockwork within the dwelling*".

Following this review, the Expert Group decided not to propose separate Certificates for Option 1 and for Options 2 – 5 on the basis that an 'Option1 Certificate' would likely be viewed as a superior certificate, with an 'Option 2 – 5 Certificate' , being viewed as an inferior Certificate.

3(3.2.6) Homeowners inputs in relation to this Item were discussed during the meeting between the chairs of the three Working Groups and the homeowners' representatives at their meeting held on 9th March 2022 as summarised below.

Response:

- Homeowners requested that a guarantee for the remediation works be provided for a minimum of 40 years - the chairs of the 3 WG's stated that the proposed Certificate of Remediation will have no time limit.
- Homeowners also sought assurances that the proposed Certificate of Remediation will facilitate full reinstatement of the dwellings' value, no adverse impact on mortgaging institutions, ensure that the dwellings can be insured and provide opportunities for sale of homes.
- Homeowners requested that the proposed Certificate of Remediation would not be impacted by any change of Government

(Refer to Appendix 2.2)

A draft proposed Certificate of Remediation is appended to this Report (refer to Appendix 3(3.2)).

Advices to Minister

- a) Certificate of Remediation:** It would be advisable that in order help strengthen the Certificate of Remediation and instil more confidence in it that it be provided for in the primary legislation and that the format be prescribed in regulations to be made by the Minister. The Expert Group recommends a single Certificate to cover all remediation Options.
- b) Engagement on Certification:** The Expert Group believes that it would also be advisable for the Department to engage with the Conveyancing Committee of the Law Society, the Financial / Mortgaging Institutions, the providers of home insurance, and with Engineers Ireland.
- c) Principal Aim of Certification:** It should be noted that a key principle for the Expert Group in preparing the Draft Certificate of Remediation is that this Certificate will facilitate the conveyancing of dwellings.

3(4). Extension of the Scheme – Research on How Many Counties are Potentially Impacted

The Expert Panel on Defective Concrete Blocks examined the extent of the problem in the counties of Mayo and Donegal and estimated the likely number of homes impacted.

Since the report of the panel was published in 2017 it has come to light that homes in other counties may be impacted. DHLGH is currently in discussions with local authorities in Clare, Sligo, Limerick and Tipperary about an extension of the scheme to those counties. The relevant local authority is taking the lead in carrying out the due diligence required to prove beyond doubt that manifest damage in homes in those counties is as a result of excessive amounts of reactive pyrite or mica in the blockwork in accordance with the I.S.:465+A1:2020 standard.

Engineers Ireland have also been advised by members on their register of I.S. 465 engineers that private homeowners outside of the counties already mentioned also have concerns after having carried out testing of their homes in accordance with the national standard.

Matters Considered

3(4.1) *The lack of certainty over the number of homes likely to be impacted within the counties already identified is of itself problematic.*

Response:

Unfortunately, there does not appear to be any way to more accurately estimate the number of homes which are impacted in Donegal and Mayo outside of what has already been analysed and estimated by the Expert Panel in their original report. The damage associated with defective blockwork can take years to manifest and it can also, for obvious reasons, take some time for homeowners to acknowledge the issue.

3(4.2) *The lack of certainty over how widespread the problem may be is also problematic.*

Response:

Dwellings damaged by defective concrete blocks used in their construction are known to be present in Donegal and Mayo and there are widespread reports that it is present in Clare, Sligo, Limerick and Tipperary with the local authorities in those areas currently working on submissions to the Department for inclusion of their areas in the scheme.

Engineers Ireland have signalled that their members have been testing homes in other counties the results of which are indicating that the problem may be far more widespread than feared. What is not clear is how many homes within these additional counties may ultimately be impacted. If the numbers are small it will not have significant financial implications on current cost projections for the scheme but there can be no certainty in this regard.

3(4.3) *Is it possible through research to identify with greater certainty the likely spread of the problem across the country based on known lithology and data available on quarries, block manufacturers etc.?*

Response:

Further research which builds on that within the Report of the Expert Panel from 2017 may reveal a higher susceptibility to deleterious material in aggregate in specific geographic areas but that is not of itself sufficient proof for establishing that there is a likely presence of defective concrete blockwork in those areas.

The consequences of any public commentary in this regard would also need to be carefully considered. Any suggestion that a particular geographic area could be susceptible to the defective concrete blockwork issue could cause unnecessary alarm and impact on homeowners which could have knock on consequences for the property market in those areas and the behaviour of insurers and lenders.

3(4.4) Homeowners inputs in relation to this Item were discussed during the meeting between the chairs of the three Working Groups and the homeowners' representatives at their meeting held on 9th March 2022 as summarised below.

Response:

- Homeowners stated that Counties Clare, Limerick, Sligo and Tipperary are currently seeking entry to the DCB Grant Scheme and should be admitted with immediate effect.
- Homeowners are seeking a 'streamlined way' for additional counties to gain entry to the Grant Scheme.
(refer to Appendix 2.2)

Advices to Minister

- Research:** Research could be commissioned but this would require further consideration.
- Extension of Scheme to other Areas:** It appears inevitable that the scheme will have to be extended to additional counties and that such provision should be made within the primary legislation but provided for by way of regulation. Consideration should also be given to the feasibility of extending the scheme to estates, towns or parts of counties but not necessarily the full county where the evidence supports such a strategy.

3(5) Engagement with SCSi on Rebuild Costs - Options 1 – 5

SCSi have undertaken to report back to the Department by the end of February with up to date construction costs for Option 1 remediation works on 8 different house types and sizes. They have also agreed to revert on costs for works under remediation Options 2-5. The report from SCSi is to be cognisant that homes are being rebuilt on existing foundations and that upgrades to the home will not be grant aided.

The report of SCSi on construction costs will be reviewed by the Department and Housing Agency QS personnel to help inform the appropriate grant rates to be put in place for the enhanced DCB scheme. The report of the QS teams will be submitted to the Expert Group on the Enhanced Defective Concrete Blocks Grant Scheme for review and final advice to the Minister on the appropriate grant rates which should apply.

3(5.1) *SCSi had been requested to issue advices to the Department in respect of up to date construction costs for the DCB Grant Scheme to help in the determination of the appropriate grant rates for the Scheme. SCSi had also been requested to advise on the most appropriate grant calculation methodology for remediation Options 2-5.*

Response:

SCSi issued its report 'SCSi Report on Construction Costs for the Defective Concrete Blocks Grant Scheme' dated 28th February 2022.

The Expert Group have been asked to review the SCSi Report for the Defective Concrete Blocks Grant Scheme and to provide advice on it being operationalised.

3(5.2) Homeowners inputs in relation to this Item were discussed during the meeting between the chairs of the three Working Groups and the homeowners' representatives at their meeting held on 9th March 2022 as summarised below.

Response:

- Homeowners urged that the SCSi report rates be used as the basis for rebuild costs.
- Homeowners requested that full grant amount be available in cases where the rebuild involved downsizing.
- Homeowner requested the inclusion of other items such as new foundations, septic tanks, fees etc.
- Homeowners requested that there be a 'seamless' inclusion of the SEAI grant during the remediation stage as many homeowners have upgraded their dwellings in order to achieve enhanced energy performances. (refer to Appendix 2.2).

Advices to Minister

The Expert Group will review the SCSI Report for the Defective Concrete Blocks Grant Scheme and will provide advice to the Minister in accordance with the Minister's request that the Expert Group analyse the SCSI Report, and make recommendations on how to operationalise its findings.

As the grant rates for the scheme will be adjusted annually in line with changes in construction costs it will be advised that the actual grant rates would not be set out in the primary legislation but in regulations thereunder.

The current DCB Grant rates will provide funding for the remediation of dwellings to the Building Standards applicable before the coming into effect of S.I. No. 854/2007 – Building Regulations (Amendment) Regulations 2007 as the grant scheme does not pay for home upgrades. Compliance with the building regulations applicable to individual homes will be a matter for homeowners as they undertake remediation works.

Grant assistance for home upgrades is, however, available to DCB homeowners from SEAI under the same terms and conditions as those available to all homeowners. As many DCB homeowners will carry out upgrading works in order to improve the energy performances of their dwellings, and this is supported under the Governments Climate Action Plan and the Programme for Government, it appears prudent that access for homeowners to SEAI grants during the remediation process is facilitated as much as possible.

3(6) Exempt Development Status for like for like Demolition & Rebuild

3(6.1) This is being dealt with by the Planning Division of the Department who will forward their advices to the Expert Group when they are to hand. Legal issues are being considered currently.

3(6.2) Homeowners inputs in relation to this Item were discussed during the meeting between the chairs of the three Working Groups and the homeowners' representatives at their meeting held on 9th March 2022 as summarised below.

Response:

- Homeowners believe that a like for like demolition and rebuild should be exempt for having to apply for planning permission.
- Homeowners requested that any planning application fees that may be incurred should be waived, or at a minimum be greatly reduced.
(refer to Appendix 2.2)

Advices to Minister

It appears likely that exempt development status for DCB impacted homes which require demolition and rebuilding on existing foundations will require primary legislation and cannot be done by way of regulations. The Expert Group supports exempt development status for all DCB remediation works and advises that provision be made for such an exemption in the primary legislation to be put in place for the defective concrete blocks grant scheme. This will allow the exemption for remediation works under the DCB scheme to finish up when the DCB scheme itself draws to a close and not remain on the statute books long after it is required as part of planning legislation.

4.0. Development of Longer Term Technical Items (Table 2 Items)

4(1) Review of Stage 1 Submissions received under current DCB Scheme – (Contract)

4(1.1) *Currently local authorities hold c.700 Stage 1 submissions which contain competent engineers reports under the I.S.:465+A1:2020 standard. DHLGH will arrange for a review of these reports to be completed so as to inform how the current standard has been applied and the findings arising from the analysis carried out. This information will be made available to NSAI as part of the review work which it will be undertaking of relevant standards*

Response:

An evidence based approach is fundamental to the review of the relevant I.S.465 standard.

In this regard, it is critical that at least 500 redacted reports (and more if possible), that have been submitted to Donegal and Mayo County Councils, be made available to the Department and NSAI, without delay. (Note: The redaction is required of any personal information in the reports).

4(1.2) Homeowners inputs in relation to this Item were discussed during the meeting between the chairs of the three Working Groups and the homeowners' representatives at their meeting held on 9th March 2022 as summarised below.

Response:

- Homeowners believe that the current DCB Grant Scheme is 'stalled' and they expressed concerns in relation to how the current Scheme will continue to operate until the Enhanced Grant Scheme is operational.
- Homeowner requested details of how the transition will take place from the operation of the current Grant Scheme to the operation of the Enhanced Grant Scheme.

(refer to Appendix 2.2)

4(2) To commission a study on options for the long-term administration of the Defective Concrete Blocks Grant Scheme – (Contract/Consultancy)

4(2.1) *The enhanced DCB grant scheme has been put in place in order to provide additional financial support for homeowners, to remove the financial barrier to scheme entry and improve overall governance. It is intended that the enhanced scheme will be in place by late summer 2022.*

In parallel with the longer term review of the I.S.:465+A1:2020 standard a review of options for the long-term administration of the DCB Grant Scheme will be commissioned. What is the most appropriate administrative approach and governance model for the scheme itself and the wider building defects issues which have been responded to or will require a response?

Response:

This is currently being advanced by the Department of Housing, Local Government and Heritage with the Housing Agency. The Expert Group has received feedback from NSAI that before it can make meaningful progress in relation to Items 4(3), 4(4) and 4(5) below, it needs the completion of this study, in respect of the over 800 applications that have now been submitted. This is in excess of 100 more than the 700 which had been submitted at the time that the Briefing Paper was prepared.

4(2.2) Homeowners inputs in relation to this Item were discussed during the meeting between the chairs of the three Working Groups and the homeowners' representatives at their meeting held on 9th March 2022 as summarised below.

Response:

- Homeowners stated that they believed that the Housing Agency should provide a full end to end operation of the Scheme, similar to the work it provides in relation to the I.S.398 Pyrite Remediation Scheme.
- Homeowners requested, amongst other matters, that dwellings that have been deemed to be unsafe as a result of mica/pyrite damaged blockwork should be prioritized – the Chairs of the 3WGs drew the attention of the Homeowners to the provision of €5,000 in the Enhanced Grant Scheme to address issues of immediate structural instability.

4(3) Review by NSAI of IS:465 Standard & its Application (including Pyrrhotite) – (NSAI to Lead)

4(3.1) *As part of the deliberations of the Working Group on the DCB Scheme, homeowners raised concerns over the efficacy of the existing I.S.:465+A1:2020 standard and the remediation options contained therein. In addition, concerns were raised over deleterious materials identified within blockwork samples which are not covered under the current standard e.g. pyrrhotite.*

The concerns raised by homeowners were also raised by Engineers Ireland in a submission to the Working Group. Engineers Ireland have called for the existing I.S.:465+A1:2020 standard to be reviewed.

The Government, in its decision of the 30 November 2021, has directed that there should be a review by NSAI of the current I.S.:465+A1:2020 standard. NSAI have indicated to DHLGH that they are prepared to carry out a review of the standard and this will be progressed.

Response:

A small steering committee has been set up including NSAI, Geological Survey Ireland, Sustainable Authority of Ireland and the Department, to develop a detailed scope for the work outlined in 4(3), 4(4) and 4(5) and an implementation plan for same.

Given that the DCB grant scheme has been operating since mid-2020, there is a large volume of technical data now available with over 800 I.S. 465 reports submitted to local authorities to date. These reports (including a dataset) must be made available to NSAI and will provide a deeper understanding of how I.S. 465 is being interpreted and applied and how damage is being assessed and categorised. It is noted that, it would be worthwhile for the HA to maintain the dataset going forward.

4(3.2) Homeowners inputs in relation to this Item were discussed during the meeting between the chairs of the three Working Groups and the homeowners' representatives at their meeting held on 9th March 2022 as summarised below.

Response:

- Refer to Section 4(5.2)

4(4) Review by NSAI Masonry Committee of Irish Standard for Concrete Blocks (including Aggregates) – (NSAI to Lead)

4(4.1) *Concerns were raised by homeowners during the Working Group deliberations around the ongoing suitability of concrete blockwork for its intended purpose. Concerns were also raised by local authorities and Engineers Ireland around the strength of blockwork and the aggregates used to manufacture them based on findings as part of the testing, assessment and categorisation of the blockwork in hundreds of homes in accordance with the I.S.:465+A1:2020 standard.*

The Government, in its decision of the 30 November 2021, has directed that there should be a review by the NSAI Masonry Committee of the Irish Standard for Concrete Blocks, including the standard for aggregates.

Response:

This review will be informed by an analysis of the 800+ final reports submitted as part of the DCB Grant scheme. In due course, learnings from the market surveillance audit of quarries in County Donegal¹ (currently underway), may also inform NSAI's review of the relevant standards and offer an insight to the application of standards.

Reliant on the above, NSAI in collaboration with GSI and the Department are developing a detailed scope for the review of the relevant standards and an implementation plan.

Ongoing monitoring and data collection from houses undergoing remedial works to assist with building up experience and improve our understanding of deterioration mechanisms should be also undertaken.

4(4.2) Homeowners inputs in relation to this Item were discussed during the meeting between the chairs of the three Working Groups and the homeowners' representatives at their meeting held on 9th March 2022 as summarised below.

Response:

- Refer to Section 4(5.2)

4(5) Review of Impact of Pumped Cavity Wall Insulation – (NSAI to Lead)

4(5.1) *There has been a suggestion for some time now that the pumping of cavity walls has potentially exacerbated the defective concrete blocks issue in homes which are susceptible to the issue. This issue was first flagged in the Report of the Expert Panel on Concrete Blocks, 2017.*

The concerns raised by homeowners in this regard with the Working Group, were also flagged by Engineers Ireland in their submission to the Working Group where the potential for moisture trap in the cavity and the prevention of drying associated with this work has been highlighted. Engineers Ireland have requested technical guidance on processes and materials suitable to retrofitting in these circumstances.

The issue has been brought to the attention of SEAI and will be the subject of discussion between the Department and NSAI, GSI and SEAI.

¹ In October 2021, the Minister for Housing, Local Government and Heritage called for an audit of all quarries in County Donegal. The purpose of this specific audit is to evaluate relevant economic operators' compliance with the Construction Products Regulation (CPR) when placing relevant construction products (aggregate concrete blocks and/or aggregates for use in concrete products) on the market.

Response:

NSAI in consultation with Sustainability Authority of Ireland who are responsible for the National Home Retrofit Scheme, will satisfy themselves that installation of such products are fit for the purpose in which they are intended and in the conditions which they are used and being installed correctly.

A detailed scope for the work above and an implementation plan is currently being developed.

4(5.2) Homeowners inputs in relation to this Item were discussed during the meeting between the chairs of the three Working Groups and the homeowners' representatives at their meeting held on 9th March 2022 as summarised below.

Response:

- Homeowners requested a copy of the Terms of Reference issued to NSAI in respect of Items 3, 4 & 5 of Table 2.
- Homeowners asked what deadlines have been set for NSAI to report on Items 3, 4 & 5 of Table 2.
- Homeowners requested that NSAI be asked to consider testing / stability of existing foundations for the lifetime of the dwelling.
- Homeowners requested confirmation of a plan for dealing with current and new applications during the currency of these NSAI reviews.

APPENDICES

Appendix

2.2 Homeowner Input document issued on 6th March 2022 in respect of the items set out in Table 1 and Table 2 of the Department's Terms of Reference.

3(1.1) Damage Threshold

3(1.2) Draft Building Condition Assessment Report Template.

3(2.3) Enhanced Defective Concrete Blocks Grant Scheme Flowchart.

3(3.1) Remedial Works Plan

3(3.2) Draft Certificate of Remediation (updated).

Homeowner Input document issued on 6th March 2022 in respect of
the items set out in Table 1 and Table 2 of the Department's Terms of Reference

Expert Groups – Items for discussion

Discussion points based on items extracted from Table 1

Expert Group 1

1. Damage Threshold for Entry to the DCB Grant Scheme

Homeowner Input:

The inclusion of a damage threshold must serve no other purpose than to allow an opportunity to support the applications of worst first to be processed. All homeowners impacted by mica/pyrite/deleterious materials must be accepted onto the scheme, without exceptions. We can accept that a home must be “damaged” however there can be no entry limit to the damage. Any level of cracking in a home is seen as damaged. Exclusion of homeowners onto the scheme will result in:

- Sale of properties – Currently any home that has tested and is positive for mica / pyrite under the IS465 criteria cannot be sold. Any homes excluded from the scheme due to a “damage” threshold must be permitted to be sold with a guarantee that if the home show damage, the new homeowner will then be accepted onto the scheme
- Any homeowner that submits an application to the DCB scheme, showing a lower level of damage, must be accepted within a period of no longer than one year. This must be clearly communicated with the homeowner on the initial review of the application.
- In the case of an estate, two homes that are attached and have varying degrees of damage, should be prioritized to be processed together.

2. Building Condition Assessment Report

Homeowner Input:

The creation of a Building Condition Assessment (BCA) report must be clear in criteria and not open to misinterpretation. The BCA must include

- The opportunity for the homeowner engineer to clearly outline the most appropriate remediation option for the homeowner in his/her opinion
- If no precedence is available e.g. no other local test results for neighbors etc., the engineer must be provided with the opportunity to review the test results before they put forward a final remediation option selection for the homeowner
- The report allows for an opportunity for the homeowner to define if this is a primary, rental, or recent purchase (without being aware of the damage/material issues in the property)
- Clear indication of the cost of the BCA report must be included on the report
- Receipt of the BCA must include a response to the homeowner to include
 - Timeframe for process of application
 - Timeframe for any monies owed on the application

- Training must be provided to all engineers involved in reviewing & creation of the BCA to avoid any confusion

Expert Group 2:

1. Parameters around Second Grant Application incl. Time Limits

Homeowner Input:

Any homeowner who chooses, in consultation with their own engineer, to select option 2 – 5, must be provided with an opportunity to apply for a second grant for a period of 40 years. The second application will also

- Be extended to new owners should the home be sold
- Be extended to next of kin / those left the property should the homeowner be deceased

2. Time Limits on Grant approvals

Homeowner Input:

We appreciate there may be a requirement for a limit of use of grant approvals. Due to economic / personal circumstances, a reasonable period of time is required to be allocated to homeowners to make use of the grant. A reasonable period of time is deemed to be 5 years. This time frame is similar to the build of a new home with planning permission. There may be extreme circumstances that prevent a homeowner from completing within a 5-year period, and these are required to be dealt with on a case-by-case basis. Circumstances include

- No suitable property to rent
- No contractors available
- The homeowner cannot afford the shortfall in funds to rebuild their home

3. Independent Appeals Process

Homeowner Input:

The independent appeal process is critical. The panel must consist of engineers qualified in IS465 (or changes to the scheme as expected) and have no links to either the housing agency or local authorities. The homeowner engineer must also be part of the appeal process and all / any decision-making criteria. There are two circumstances for an appeal process to be triggered. Clear criteria of the steps of the appeal process must be published prior to the roll out of the enhanced scheme.

- Homeowner rejected from the scheme: The test results / reasoning why the homeowner has been rejected from the scheme must include a transparent reason on why the homeowner is being excluded.
- Disagreement in the remediation option selected by the HA: Should the HA choose a remediation option which is not agreeable to the homeowner & homeowner engineer, an appeal process can be triggered before the final decision is made. All data available to the

HA on why the remediation option was chosen, to be provided to the homeowner engineer prior to the appeal process.

Expert Group 3:

1. Requirement for Remedial Works Plan to be prepared and submitted

Homeowner Input:

The remedial works plan is to be prepared and submitted by the homeowner engineer. There is currently no funding available to the homeowner to cover the cost of this report.

2. Review Existing Certificate of Remediation

Homeowner Input:

Any homeowner who is accepted onto the DBS must be awarded a guarantee over the remedial works completed on their home. This must last at a minimum 40 years. The department must seek assurances that the certificate provided will

- Allow the home to reinstate its value / worth
- Have no impact to the homeowner mortgages with banks
- Will ensure insurance options for homes
- Be recognized as an industry guarantee and not impacted by any change in government
- Provide opportunities for the resale of homes i.e. the certificate is linked to the home and can be transferable after sale

Remaining items for discussion

1. Extension of the Scheme – Research on How Many Counties are Potentially Impacted

Homeowner Input:

As of March 2022 there are currently 4 counties awaiting entry to the scheme: Sligo, Clare, Limerick & Tipperary. These counties need to be accepted onto the scheme with immediate effect.

There also needs to be a streamlined way for any new county impacted to gain entry to an existing scheme, without legislation.

2. Engagement with SCSi on Rebuild Costs - Options 1 – 5

Homeowner Input:

SCSi has provided their report based on the Feb 2022 rates for 8 house types. The department must accept these rates as the basis of real time costs to rebuild homes, within the terms of reference as defined by the department. For house types/sizes not listed, the closest house type must be selected and the sq. ft. rate listed then applied to the homeowner's house size, up to the overall grant cap, as

per the guidelines of SCSi. Where the grant cap is triggered, the homeowner must be allowed the option to downsize using the full grant that was available for their existing home. This is to ensure affordability and access to 100% Redress as with homeowners that don't trigger the cap.

During the review of the rates, the department needs to provide for those items excluded from the terms of reference to include

- Foundations
- Septic tanks
- Any building attached to a home e.g. garage, granny flat
- Boundary walls (currently excluded)
- Professional fees for all stage criteria with the DBS e.g. remedial report, drawing plans
- Planning cost fees (only like for like currently exempt)
- Certification fees
- Inflation of prices between the yearly SCSi reviews
- Delays in review and approval of applications (stage 2) by local authorities which results in the homeowner being further out of pocket
- Seamless inclusion to the SEAI grant

3. Exempt Development Status for like for like Demolition & Rebuild

Homeowner Input:

Any home that is submitting a like for like planning should not have to apply for planning permission. Clear criteria needs to be published to homeowners as to what may result in alternative planning e.g. if a homeowner includes a skylight, does this require further planning, rebuilding of a smaller home etc.

Any homeowner that is required to submit for planning should have the rate waived, or at a minimum a greatly reduced price, and fast-tracked.

Table 2:

1. Review of Stage 1 Submissions received under current DCB Scheme

Homeowner Input:

The 90/10 scheme will be in process until the new enhanced scheme has passed legislation, expected by the end of June 2022. Until the new scheme is up and running (date yet to be confirmed), the existing scheme will still progress applications – To date over 100 Stage 1 applications are on-hold with Mayo County Council and over 200 Donegal applications on hold also that need to be progressed. Payment of funds for testing is not processing applications.

2. To commission a study on options for the long-term administration of the Defective Concrete Blocks Grant Scheme

Homeowner Input:

The Housing Agency should own full end to end of the scheme, with an opt-in/opt-out should a homeowner choose to project manage the rebuild of their homes. The current / enhanced scheme requires

- Prioritization of homes that are deemed unsafe due to damage
 - Prioritization of homes where homeowners may be considered as vulnerable e.g. elderly, physical/mental health issues
 - Inclusion of in-county liaison officers who can support the homeowners in the application process
 - Increase in local authority / department of housing staff (either employee or contract) to deal with increased applications
 - Opportunities for homeowners to consult with liaison officers / local authority / department of housing staff via a hotline / drop in on Saturday mornings
 - Allow for opportunities for homeowners in estates to be fast-tracked if earlier applications from neighbors are submitted
3. Review by NSAI of IS:465 Standard & its Application (including Pyrrhotite)
 4. Review by NSAI Masonry Committee of Irish Standard for Concrete Blocks (incl Aggregates)
 5. Review of Impact of Pumped Cavity Wall Insulation

Homeowner Input:

For each of the above, we would ask for a copy of the terms of reference that has been shared to NSAI.

- What is the specific deadline for the NSAI IS465 review to be completed?
- Can it be confirmed that the review and amendment of IS465 will take into account other deleterious materials beyond mica/pyrite such as pyrrhotite, chalcopyrite, marcasite and they will be included in the revised workings?
- Can it be confirmed that the NSAI IS465 review will take into account testing to ensure the stability of foundations for the lifetime of the structure?
- Confirmation of the plan to process current and new applications during the course of this NSAI review is required. In the absence of adequate research that clearly supports anything less than complete demolition including foundation is required, then the default must meantime be to 'if in doubt, take it down, take them out (foundations)'. Research for anything less must amount to 'beyond all reasonable doubt'. No Homeowner should have to go through the DCB scheme twice in their lifetime.

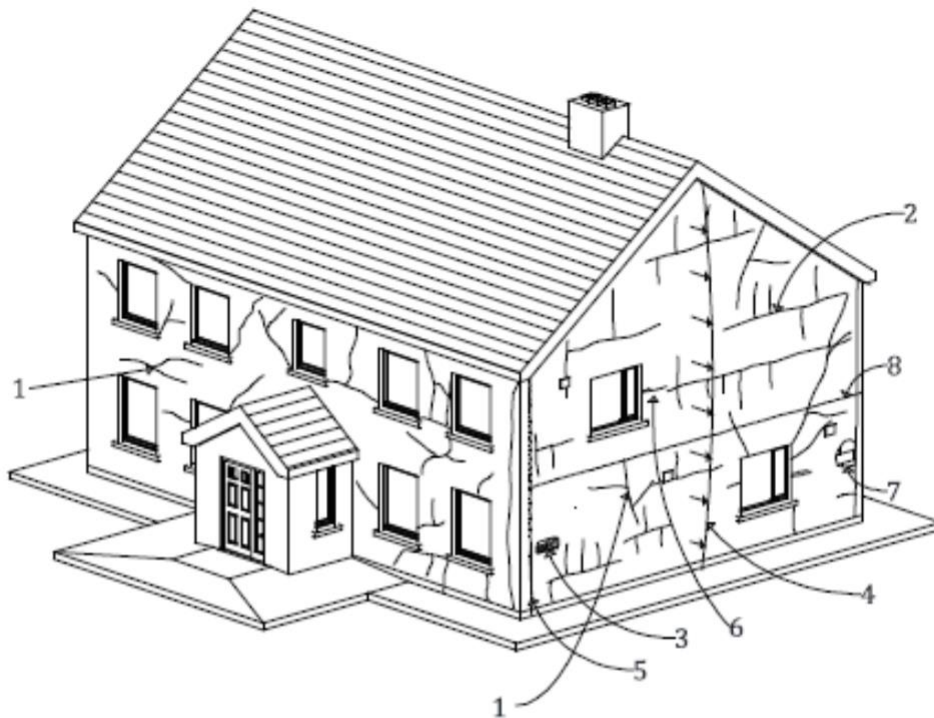
Appendix 3(1.1)

Damage Threshold

Damage Threshold for application

A minimum of Group 2 damaged dwellings as set out in Table 1 of IS 465 with extensive pattern cracking-of at least 1,5mm.

* refer to Item 2 Fig 1 of IS 465



Key

- 1 Web like cracking
- 2 Pattern like cracking (combined horizontal and vertical)
- 3 Disintegrated blocks leaving void in external leaf
- 4 Outward bowing of external leaf
- 5 Wide vertical crack, typically 200 mm from corner
- 6 Displacement at window/door reveals
- 7 Render blown or missing
- 8 Horizontal cracks (possibly attributable to day joint in blockwork)

Refer to the Report of the Expert Panel on Concrete Blocks [1] for examples of the typical defects encountered.

Figure 2 — Typical defects encountered

Draft Building Condition Assessment Report Template

BUILDING CONDITION ASSESSMENT REPORT TEMPLATE

BUILDING & SITE INFORMATION

Site Plan / GPS Location:	<div style="border: 1px solid black; padding: 20px; text-align: center;">INSERT SITE LOCATION MAP</div>
Address:	
Eircode:	
Planning Ref:	
Current Owner	
Site Description:	
Orientation	
Weather at time of assessment:	
Building Type:	
Approximate Floor Area:	
Year of Construction:	
Year 1st Defects Appeared:	
Extension(s):	
Year Extension(s) Constructed:	
Linear Metres Affected:	
Ground Floor Structure:	
First Floor Structure:	
Roof Structure Type:	
Attic Conversion:	

Cavity Insulation: Type and thickness (if known)	
Type of Render: Type and thickness	
External Walls Dry-lined?	
Brief History of Damage:	

COMPETENT BUILDING PROFESSIONAL'S DETAIL

Name		Company	
Date of inspection		Qualifications	

CIRCUMSTANTIAL EVIDENCE:

Is there information that the blocks in the dwelling came from manufacture(s) reported to have supplied blocks to other dwellings exhibiting damage likely to have arisen from deleterious materials in concrete blocks?	
Comment	
Was the dwelling constructed within the date range mentioned in the report of the expert panel on concrete blocks [1] and in the areas reported to be affected?	
Comment	
Is there documented information (e.g. Competent Building Professional Report) that the other dwellings in the same area/estate have exhibited signs of damage likely to have arisen from deleterious material in concrete blocks?	
Comment:	
Are other houses in the same area/estate exhibiting signs of damage likely to have arisen from deleterious materials in concrete blocks?	
Comment:	

FRONT ELEVATION:

Orientation:			
Pattern like cracking (combined and vertical):		Width:	
Web like cracking:		Width:	
Disintegrated blocks leaving void in external leaf:			
Render blown or missing:			
Horizontal cracks (possibly attributable to day joint in blockwork):		Width:	
Wide vertical crack, typically 200mm from corner:		Width:	
Displacement at window/door reveals:		Width:	
Outward bowing of external leaf:		Slope:	
Front Elevation Photos:			
Description:	Photo		
Description:	Photo		

REAR ELEVATION:

Orientation:			
Pattern like cracking (combined and vertical):		Width:	
Web like cracking:		Width:	
Disintegrated blocks leaving void in external leaf:			
Render blown or missing:			
Horizontal cracks (possibly attributable to day joint in blockwork):		Width:	
Wide vertical crack, typically 200mm from corner:		Width:	
Displacement at window/door reveals:		Width:	
Outward bowing of external leaf:		Slope:	
Front Elevation Photos:			
Description:	<div style="border: 1px solid black; width: 100%; height: 100%; display: flex; align-items: center; justify-content: center;"> <p>Photo</p> </div>		

Description:	Photo
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SIDE 1 ELEVATION:

Orientation:			
Pattern like cracking (combined and vertical):		Width:	
Web like cracking:		Width:	
Disintegrated blocks leaving void in external leaf:			
Render blown or missing:			
Horizontal cracks (possibly attributable to day joint in blockwork):		Width:	
Wide vertical crack, typically 200mm from corner:		Width:	
Displacement at window/door reveals:		Width:	
Outward bowing of external leaf:		Slope:	
Front Elevation Photos:			

Description:	<div style="border: 1px solid black; width: 100%; height: 100%; display: flex; align-items: center; justify-content: center;"> <p>Photo</p> </div>
Description:	<div style="border: 1px solid black; width: 100%; height: 100%; display: flex; align-items: center; justify-content: center;"> <p>Photo</p> </div>

SIDE 2 ELEVATION:

Orientation:			
Pattern like cracking (combined and vertical):		Width:	
Web like cracking:		Width:	
Disintegrated blocks leaving void in external leaf:			
Render blown or missing:			
Horizontal cracks (possibly attributable to day joint in blockwork):		Width:	
Wide vertical crack, typically 200mm from corner:		Width:	
Displacement at window/door reveals:		Width:	

Outward bowing of external leaf:		Slope:	
Front Elevation Photos:			
Description:	Photo		
Description:	Photo		

BUILDING GROUPING

Building Grouping Per IS 465			
Group 1		Group 2	
Group 3		Group 4	

Competent Building Professional's Statement Regarding Damage Threshold	
Has the building met the minimum damage threshold *	
Competent Building Professional's	

Signature	
<p>*A minimum of Group 2 or Group 3 damaged blockwork as set out in Table 1 of IS 465 with extensive pattern cracking of at least 1,5mm; with some or all of the circumstantial evidence recorded in the building condition assessment report.</p>	

Competent Building Professional's Statement Regarding Immediately Required Works	
<p>Details of Immediate Structural Stabilisation Works required (if any)</p>	
<p>Competent Building Professional's Signature</p>	
<p>Date</p>	

Appendix 3 (2.3-1)

Enhanced Defective Concrete Blocks Grant Scheme Flowchart



Homeowner

- Engages a competent building professional to carry out a Building Condition Assessment (BCA) report
- If the damage to the home is consistent with defective concrete blocks, as per I.S.465, the homeowner should make an application under the Defective Concrete Blocks Grant Scheme to the relevant Local Authority



Local Authority

- The local authority will carry out a validation of the application considering issues such as whether the home is a relevant dwelling and the owner a relevant owner under the scheme regulations. They will also ensure that all reports required have been submitted and that the application form is fully complete
- If the application is validated by the local authority they will then refer it to the Housing Agency to consider the merits of the application
- If the application cannot be validated by the local authority, the application will be refused. Potential Appeal



The Housing Agency

- The Housing Agency will establish a framework of competent engineers to assist them with their role
- The Housing Agency may enter into an agreement with homeowners to allow survey and testing of their properties
- The Housing Agency will review the application and BCA and inspect the dwelling to determine if it meets the damage threshold [which will be set out in law] for entry to the scheme.
- If the dwelling does not meet the damage threshold it will be deemed ineligible to progress under the scheme. The Housing Agency will notify the local authority and they will in turn notify the applicant. Potential Appeal
- If the dwelling meets the damage threshold it will be assigned a priority rating by the Housing Agency so as to inform when an engineer from its framework will be contracted to test the dwelling in accordance with I.S 465 standard
- Following receipt of the I.S. 465 report from their engineer the Housing Agency will determine the appropriate remediation option and the maximum grant amount available for the dwelling, based on the grant calculation methodology and rates which will be provided for in law and notify the local authority of its determination.



Local Authority

- The local authority will notify the applicant of the decision on its application. The decision may be to either approve or refuse the application. Potential Appeal
- Where the decision is to refuse an application the local authority will communicate the reasons for the refusal to the applicant and include details of the appeal process
- Where the decision is to approve the application the local authority will confirm to the applicant which remediation option has been approved, the maximum level of grant assistance and the conditions of approval



Homeowner

- The homeowner may proceed with the remediation option approved or carry out a higher order remediation option, up to and including Option 1, if they are willing to fund the marginal costs of the higher order remediation option themselves
- The homeowner engages a competent engineer to prepare a Remedial Works Plan (RWP) for the remediation option being carried out and submits a copy to the relevant local authority.



Execution and Certification of the Works and Grant Payments

- The homeowner appoints a tax compliant Contractor to carry out the remediation works in accordance with the RWP prepared by the competent engineer
- In exceptional cases, after work has commenced and new circumstances come to light, a homeowner approved for remediation works under Options 3-5 may, where it is supported by the engineering evidence and accepted by the Housing Agency, seek a higher order remediation option up to and including Option 2 remediation works.
- The homeowner can request stage payments from the local authority in the draw down of the grant.
- All stage payments requests will have to be prepared by the homeowners competent engineer and clearly set out the value of the works completed for which a stage payment is being requested and their compliance with the RWP
- The local authority may refuse to pay a grant or make a stage payment where the conditions of grant approval have not been complied with. Potential Appeal
- On completion of the works the competent engineer and contractor will complete the certificate of remediation [which will be prescribed in law] and submit a copy of the Certificate of Remediation, the RWP and all relevant ancillary reports and certificates to the local authority with the final grant payment request



Second Grant Option

- A second grant option will be available for a dwelling which is remediated under Option 2-5 in the first instance where subsequent damage occurs to the unremediated blockwork within the dwelling, consistent with defective concrete blocks, as per I.S 465. The second grant option will go with the home and not the homeowner
- Upon receipt and validation of the Certificate of Remediation, the RWP and all relevant ancillary reports and certificates the local authority will issue a letter of assurance to the homeowner, of the availability, subject to conditions, of a second grant option for dwellings remediated under options 2-5

Appendix 3(3.1)
Remedial Works Plan

DEFECTIVE CONCRETE BLOCKS GRANT SCHEME

Remedial Works Plan

(Remedial Works Plan to be in Regulations to new Act or to be prescribed in new Act or to be dealt with in Guidance document).

1 Introduction

- 1.1 A remedial works plan, in relation to a relevant dwelling, means a plan for the design, specification and inspection of the works required to be carried out to the dwelling. In all cases new construction or remediation works must be constructed off the dwelling's existing foundations. New foundations are not part of the Grant Scheme.
- 1.2 The remedial works plan should be prepared by a competent engineer who is named on a register maintained pursuant to Section 7 of the Institution of Civil Engineers of Ireland (Charter Amendment) Act 1969 and is competent to carry out the design for the remediation works plan.

2 Preparation

- 2.1 The competent engineer is responsible for the design of the remedial works, and should coordinate input by other members of the design team and specialist designers to ensure that the remedial works plan demonstrates compliance with the requirements of the Second Schedule to the Building Regulations insofar as they apply to the remediation works concerned.

3 Content

- 3.1 The remedial works plan may consist of a specification document, construction drawings and/or other technical information, which sets out the necessary measures for the remediation of a damaged dwelling having due regard to Section 8 of I.S. 465, along with other works intended to be carried out.
- 3.2 The remedial works plan must contain sufficient detail to allow a contractor to provide an itemised quotation to an eligible applicant for carrying out the remediation works and includes:
 - Construction drawing i.e. plan(s), elevation(s) and section(s) of remedial option, demonstrating compliance with Second Schedule of the Building Regulations.
 - Removal and direct reuse of existing materials (except concrete blocks), where practical;
 - Specification of materials e.g. concrete blocks, external render etc.
 - Quality control of construction products/ materials used;
 - Identification of dwelling specific risks e.g. services etc.;
 - Extent of blockwork to be removed/ retained;
 - Detailing/ treatment of retained blockwork;
 - Outline Programme for the works.
 - Inspection plan

- 3.3 The remedial works plan should contain an outline programme setting out the manner in which the completion of the works will be achieved no later than 15 months after these works have commenced.
- 3.4 In exceptional cases, after remediation work has commenced and new circumstances come to light, a homeowner already approved for remediation works under Options 3-5 may, where it is supported by engineering evidence and accepted by the Housing Agency, seek an amended higher order remediation Option up to, and including, Option 2 remediation works.
- 3.5 Following the completion of the remediation works, an updated plan, if relevant, will be prepared detailing the actual remediation works, as implemented. This updated version of the remedial works plan will be appended to the Certificate of Remediation.

4 Inspection plan

- 4.1 The competent Engineer should use professional judgement to determine the risk associated with the recommended remedial option and develop an inspection plan for the implementation of the remedial works plan.
- 4.2 Each dwelling should be assessed on its merits, taking into account the complexity of the site, its environment, the type, size and complexity of remedial works being implemented along with the capabilities and expertise of the potential contractor and the outline programme of works referred to in 3.3 above.
- 4.3 Based on the risk assessment, the key stages of the remedial works should be identified in the table below. Key elements from each stage should be prioritised for inspection and other appropriate checks carried out as deemed necessary.
- 4.4 Implementation of remedial works plan, ongoing supervision by the contractor, supported by an inspection plan (as implemented by the contractor and competent engineer) will facilitate the certification of the remediation works upon completion, by both the contractor and competent engineer. A sample Inspection Plan is outlined in Table 1 below.

Table 1 Sample inspection plan (as implemented)

Stage of work	Inspections by the competent engineer	
	Confirmation of inspection of priority elements as identified in the Inspection Plan and other appropriate checks, as deemed necessary	
	Elements inspected	Date of inspection by competent engineer

NOTE: The contractor must supervise ALL elements as work progresses.

Appendix 3(3.2)

Draft Certificate of Remediation (updated)



Rialtas na hÉireann
Government of Ireland

Defective Concrete Blocks Grant Scheme

Certificate of Remediation

This Certificate of Remediation is issued in accordance with Regulation

(Certificate to be in Regulations to new Act)

Part A - Certificate signed by the contractor

1. I confirm that I am the contractor appointed by the following dwelling owner:

Dwelling owner's name:

at the following dwelling address:

Eircode:

to carry out, supervise and certify the remedial works further to the remedial works plan, and that I am competent to undertake the remedial works concerned.

2. I certify, having exercised reasonable skill, care and diligence that the remedial works as completed have been carried out, under my supervision, in accordance with the remedial works plan.

3. Reliant on the foregoing, I certify that the remedial works are in compliance with the requirements of the Second Schedule to the Building Regulations, insofar as they apply to the remedial works concerned.

Signature: _____

(to be signed by a Principal or Director of a Contactor Company only)

Date:

Name (BLOCK CAPITALS):

On behalf of:

Address:

Contact Phone Number:

Email Address:

Construction Industry Register Ireland Registration Number (where applicable):

Part B - Certificate signed by a Competent

Engineer

4. I confirm that I am the competent engineer appointed by the following dwelling owner:

Dwelling owner's name:

at the following dwelling address:

Eircode:

to prepare a remedial works plan for the dwelling, which included a plan for the design, specification and inspection of the works required to be carried out to the dwelling.

- 5 I confirm that I am a person named on a register maintained pursuant to Section 7 of the Institution of Civil Engineers of Ireland (Charter Amendment) Act 1969 and that I am competent to carry out my design for the remediation works plan.
6. I confirm that I have prepared a remedial works plan for (insert 'Option1' or 'the remedial works' as appropriate), having due regard for Section 8 of I.S. 465:2018, along with such other remediation works as set out in the appended remediation works plan.
7. I confirm that the design of the remedial works has been prepared exercising reasonable skill, care and diligence by me, and by other members of the design team and specialist designers whose design activities I have coordinated, to demonstrate compliance with the requirements of the Second Schedule to the Building Regulations insofar as they apply to the remedial works concerned.
8. I confirm that, having exercised reasonable skill, care and diligence, I prepared an inspection plan for the remedial works and accordingly, I have inspected the remedial works, at the stages outlined in the remedial works plan appended to this Certificate.
9. Based on the above, I now certify, having exercised reasonable skill, care and diligence, that the remedial works have been completed in accordance with the remedial works plan, as implemented, and that the remedial works are in compliance with the requirements of the Second Schedule to the Building Regulations, insofar as they apply to the remedial works concerned.

10. I confirm that the remedial works plan, as implemented, is included in the appendix to this Certificate and that I have advised the dwelling owner to seek professional advice from a competent engineer, if any future works to the dwelling are planned.

11. I understand that where this Certificate relates to remedial works other than Option 1, it is noted that the dwelling may be eligible for a second grant under the Defective Concrete Blocks Grant Scheme, where subsequent damage consistent with defective concrete blocks within the relevant dwelling occurs.

Note: Qualification for a second grant shall be confirmed by the local authority to the scheme participant following receipt and validation of this Certificate of Remediation by the local authority. This confirmation will take the form of a "Letter of Assurance" for the second grant and will apply to the relevant dwelling.

Signature:

Date:

Name (BLOCK CAPITALS):

Registration Number:

Where the signatory is performing the role for, or on behalf of, an employer or partnership please provide the name, address and contact details of the employer/partnership.

Name:

Address:

Contact Phone Number:

Email Address:

APPENDIX

Remedial works plan (as implemented), Inspection Plan (as implemented), Ancillary Certificates are attached hereto.