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OPINION ON COMPLIANCE WITH BUILDING REGULATIONS

1. I am a Registered Member of The Royal Institute of the Architects of Ireland, this being a qualification listed in Directive 384/85/EEC of the European Community (The Architects Directive), retained by **Empire Homes Ltd.**, (hereinafter called the "Employer") of **36 Charlestown Park, Finglas, Dublin 11** to furnish an Opinion on Compliance with **Building Regulations of No 54 Trimelston, Hamlet Lane, Balbriggan, Co. Dublin** including such parts of the common and amenity areas, supporting, serving or leading to that Apartment to which the Building Regulations apply and those elements of the development of which it forms part, which materially affect the substantial compliance of such Apartment with the Building Regulations (the said Apartment, areas and elements being hereunder together referred to as "the Relevant Building or Works") forming part of **Trimelston, Hamlet Lane, Balbriggan, Co. Dublin** ("the Development").

This opinion is issued solely for the purpose of providing evidence for title purposes of the compliance of the **Relevant Building or Works** with the requirements of the **Building Control Act**. Except insofar as it relates to such compliance, it is not a report on the condition or structure of the **Relevant Building or Works**.

2. I have provided the following architectural services in connection with the **Relevant Building or Works**. Preparation of drawings and documents on foot of which planning permission for the Development was granted and preparation of construction drawings, in compliance with Building Regulations and periodic inspection during construction.
3. **DESIGN**; I am of the opinion that the Design of the Relevant Building or Works is in substantial compliance with the Building Regulations.
4. **FIRE SAFETY**; I am of the Opinion that the Fire Safety Certificate detailed at Schedule B hereto relates to the Relevant Building or Works and was obtained in accordance with the provisions of the Building Control Act and the Building Regulations.
5. **COMMENCEMENT**; Commencement Notices relating to the Relevant Development were served on 26/02/2004 (COM N/10286/04) as required under the terms of the Building Control Act.

6. **INSPECTION;** On 14th April 2005 I carried out an **Inspection** of the **Relevant Building or Works** for the purposes of (a) comparing such with its **Design** and (b) establishing its substantial compliance with the **Building Regulations**.

7. **CONSTRUCTION**

It is the responsibility of those concerned with the construction of the **Relevant Building or Works** to ensure the compliance of such with the **Building Regulations**.

I am of the opinion that the Construction of the Relevant Building or Works is in Substantial Compliance with the Building Regulations.

DEFINITIONS

"Building Control Acts"

means the Building Control Act 1990 and any statutory modification or re-enactment thereof current at the date of the Commencement Notice referred to at Schedule C hereto.

"Building", "Works" "Construction" and "Design" have the meanings respectively assigned by the **Building Control Act**.

"Building Regulations"

means regulations made under the **Building Control Act**.

"Confirmations"

means statements received from the persons detailed at Schedule A hereto, confirming substantial compliance of elements of the **Relevant Building or Works** with **Building Regulations**.

"Substantial Compliance" when applied to Design

means that the Design of the Relevant Building or Works, is in accordance with the Building Regulations, saving and excepting such deviations as would not in my opinion warrant the issue of enforcement proceedings as provided for in the Building Control Act.

"Substantial Compliance" when applied to Construction

means that such Construction of the Relevant Building or Works, as is evident by Visual Inspection, is in accordance with the Building Regulations, saving and excepting such deviations as would not in my opinion warrant the issue of enforcement proceedings as provided for in the Building Control Act.

"Visual Inspection" means

[a] Periodic inspections carried out by the architect during the construction stage, being part of the services described at 2 above.

- [b] the inspection of the **Relevant Building or Works** as existed on the Inspection Date. For the purposes of the Inspection no opening up was carried out. The inspection was therefore superficial only and took no account of works covered up, inaccessible or otherwise obscured from view.

Schedule A:

Confirmations

Contractor:
Of:

Empire Homes Ltd.
36 Charlestown Park, Finglas, Dublin 11

Element:

Construction.

Schedule B;

Fire Safety Certificate:

Building Control Authority:

Fingal County Council.

Reference No:

03/4291

Date of Issue:

3rd September 2003

Decision Order No:

FSC/565/03

Date:

3rd September 2003

Schedule C:

Commencement Notice

Building Control Authority

Fingal County Council

Date of Lodgment:

26th February 2004

Reference Number:

COM N/10286/04

THIS OPINION DOES NOT IN ANY WAY WARRANT REPRESENT OR TAKE INTO ACCOUNT:

Construction carried out or changes made to the **Relevant Building or Works** after the Inspection Date.

Date of Issue

19th April 2005

Signed


Registered Member of the Royal Institute of the Architects of Ireland.

