

## **Barbara Reilly**

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02 February 2017

Ms. Barbara Reilly

Meetings, Public Lighting, Special Permits

Land Use, Planning and Transportation Department,

South Dublin County Council,

County Hall,

Tallaght,

Dublin 24

**RE: REP 82-SC-17**

REP126-SC-17

Dear Ms Reilly,

I have been asked by Mr. Simon Coveney, T.D. Minister for the Environment, Community and Local Government, to refer further to your correspondence in connection with building defects in Hansted Estate, Lucan.

At the outset, it is important to clarify that neither the Minister nor this Department has any statutory role in resolving defects in privately owned buildings.

This Department does not have a budget for such matters nor is it aware of any grants or state aids that have general application in such circumstances. Accordingly, the Department is not in a position to guarantee loans or provide other financial assistance towards the costs of remedial works that may be required where defects are identified in private developments.

Under the Building Control Acts 1990 to 2014, primary responsibility for compliance with the requirements of the Building Regulations rests with the designers, builders and owners of buildings. Enforcement of the Building Regulations is a matter for the 31 local Building Control Authorities who have extensive powers of inspection and investigation under the Acts. In addition local authorities also have extensive powers of inspection and enforcement under the Fire Services Act 1981, the Housing Acts and the Planning and Development Acts, all of which may be relevant where concerns arise in residential developments.

Neither the Minister nor the Department has any role in relation to enforcement matters and, as you may appreciate, cannot interfere in individual cases.

Building defects, in general, are matters for resolution between the contracting parties involved, i.e. the homeowner, the builder/developer and/or their respective insurers.

Minister Coveney acknowledges the distressing and stressful nature of the situation and wishes the owners and residents every success in their efforts to resolve matters.

I trust the above is of some help in clarifying the position.

Yours sincerely,

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**Niamh Redmond**

**Private Secretary**