

NORTH DEVON COUNCIL

Minutes of a meeting of Building Control Joint Committee held at Woodlands Enterprise Centre, Pathfields Business Park, South Molton on Thursday, 31st October, 2019 at 9.00 am

PRESENT: Members:

Councillor Barnell (Chair)

Councillors Deed, Topham and Yabsley

Officers:

Head of Place, Solicitor and Data Protection Officer and Accountancy Services Manager

13. APOLOGIES FOR ABSENCE

There were no apologies for absence received.

14. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 18TH JULY 2019 (ATTACHED)

RESOLVED, that the minutes of meeting held on 18th July 2019 be approved as a correct record and signed by the Chair, subject to the following points being addressed:

- Minute 8 (b) Key Performance Indicators: “that advance payments for services be treated as an accrual and that the advice of the Chief Finance Officer be sought in relation to the most appropriate mechanism to reflect that within the accounts”

The Group Manager for Financial Services (MDDC), advised that she was waiting to speak with the Head of Resources at North Devon Council to discuss the stage two payments, which could be repayable adding that the authorities shouldn't be recognising income unless it met the right criteria.

The Accountancy Services Manager (NDC), advised that the Head of Resources had sent an email to his equivalent officer at Mid Devon District Council with a view to discussing at the end of the year to assess the outturn position.

- Minute 12 (a) Government Proposals resulting from the Hackitt Enquiry: “that a standing item be added to each agenda of the Joint Committee to provide Members with regular updates in terms of management arrangements”

The Chair sought clarification as to why the item was not on the agenda for the meeting. The Building Control Manager advised that there was nothing further to add at the current time adding that the first stage public enquiry into the Grenfell fire had been published the previous day.

- Minute 9 (b) Building Control Business Update: “the responses from the Chief Executives of both Councils be presented to the next meeting of the Committee”.

RESOLVED:

- (a) that Group Manager for Financial Services (MDDC) liaise with the Head of Resources (NDC) to discuss the management of the one off windfall and decide whether to allocate to the earmarked reserves or recognise as an accrual;
- (b) that the Government Proposals resulting from the Hackitt Enquiry remain as a standing item on the agenda; and
- (c) that the letter be recirculated to the Chief Executives of both Councils in relation to the Hackitt Enquiry.

15. DECLARATIONS OF INTEREST

There were no declarations of Interest received.

16. POOLED BUDGET AND TRADING ACCOUNT FOR QUARTER 1 AS AT 31ST JUNE 2019. REPORT BY THE ACCOUNTANCY SERVICES MANAGER OF NORTH DEVON COUNCIL (ATTACHED).

The Joint Committee received an update by the Accountancy Services Manager in relation to the Pooled Budget and Building Control Trading Account for quarter one as at 31st June 2019 (circulated previously).

The Accountancy Services Manager highlighted the following:

- The figures gave a picture of the trading account for the first three months of 2019.
- Column one detailed the net budget expenditure for the both North Devon and Mid Devon District Councils.
- Column two detailed the actual expenditure for both North Devon and Mid Devon District Councils between April and June 2019.

- Column three detailed the percentage split between the two Councils, which was 56:44% between North Devon Council and Mid Devon District Council.
- The surplus for quarter one was £49K.
- Columns four and five detailed the chargeable and non-chargeable elements for both Councils.

17. POOLED BUDGET AND TRADING ACCOUNT FOR QUARTER 2 AS AT 30TH SEPTEMBER 2019. REPORT BY ACCOUNTANCY SERVICES MANAGER (ATTACHED).

The Joint Committee received an update by the Accountancy Services Manager in relation to the Pooled Budget and Building Control Trading Account for quarter two as at 30th September 2019 (circulated previously).

The Accountancy Services Manager advised that there was a £85K split between both Councils.

In response to a question regarding the forecast for the final budget outcome, the Accountancy Services Manager advised that the quarter two position was the best position at the current time. The Building Control Manager added that demand for the service had reduced significantly since September 2019 with the uncertainty of BREXIT together with the General Election being contributing factors.

RESOLVED, that a profile for the year be produced by the Accountancy Services Manager and circulated to the members of the Joint Committee.

18. KEY PERFORMANCE INDICATORS. REPORT BY THE BUILDING CONTROL MANAGER (ATTACHED).

The Joint Committee received an update by the Building Control Manager (circulated previously) regarding the Key Performance Indicators (KPIs).

The Building Control Manager highlighted the following:

- He drew the Joint Committee's attention to a typographical error in the heading of the final column, which should have read the year 2019/20 not 2020/21.
- The plan check response times were now being checked on average within 10 days but that was masking a wide range of individual performance. One surveyor had allowed a couple of projects to go beyond 21 days, which caused the three week target to be missed.
- The overall market share for the number of applications processed was 78% in quarter two.
- The market share for new housing completions was very low with less than 50 completions for August and September 2019 compared to 176 in July 2019. There was an unusually high number of completions in July 2019 but since then the market share had been evenly split resulting in an average of 33% in quarter two.

- The number of applications received had remained steady.

In response to a question regarding whether the Joint Committee should be mindful in terms of housing completions. The Building Control Manager advised that the number of completions was a good indication of economic confidence. He added that the housing market was extremely volatile at the present time and had been for the previous two year period.

In response to a further question in relation to the market share percentage for new housing completions, the Building Control Manager advised that the target was an aspirational one and that it was greatly impacted by the number of housing completions. He went on to explain the number of completions with NHBC and its impact upon local Councils.

The Head of Place added that in the broader context, there would always be some areas where Councils would find it difficult to compete with larger organisations.

In response to a question regarding any actions that the Councils could put in place to prepare for any potential prolonged economic downturn. The Building Control Manager advised that if there was a downturn, approved inspectors would cut fees to maintain their workload and then review their resource requirements in the new financial year.

The Joint Committee agreed that the Building Control Manager and his team should continue to promote their services to ensure that contact was maintained with architects and builders within the North Devon area to ensure the promotion of quality, consistency and service.

19. BUILDING CONTROL BUSINESS UPDATE. REPORT BY BUILDING CONTROL MANAGER (ATTACHED).

The Joint Committee received an update by the Building Control Manager (circulated previously) regarding the Building Control Business Update.

The Building Control Manager highlighted the following:

- A number of staff had enrolled for the Local Authority Building Control (LABC) validation of fire safety expertise. The Surveyors had been preparing for the examination, which was scheduled for 19th November 2019.
- Only three approved inspectors failed to renew their insurance and had ceased trading as a result, they were:
 - Aedis.
 - Guy Shattock.
 - Thames Building Control.

- The only company of those three which was active in the North Devon area was Aedis. All applicants with projects that had not been closed had received letters from the Council explaining the situation and were either providing completion certificates where not previously notified or would need to make reversion applications. Two reversion applications had been received.
- The revised approved documents were published incorporating the 2019 amendments but were almost immediately withdrawn due to errors. They had now been republished but were not available in hard copy.

In response to a question regarding the potential risk of any Surveyors failing to pass the examination for the LABC validation of fire safety expertise, the Building Control Manager advised that officers could retake the exam. However, only one Surveyor within the authority needed to pass the exam.

20. SERVICE PLANNING. REPORT BY THE BUILDING CONTROL MANAGER (ATTACHED).

The Joint Committee received an update by the Building Control Manager (circulated previously) regarding Service Planning.

The Building Control Manager highlighted the following:

- All departments were currently undertaking their Service Plan exercise.
- The purpose of the report was to gain input from the Joint Committee into the short, medium and long term objectives of the partnership to inform the service plan for 2020/21.
- The report included the service objectives for 2019/20, which he outlined to the Joint Committee and were quite well advanced in terms of meeting their short term objectives whilst working to achieve the medium term objectives.

The Joint Committee raised and discussed the following points:

- The difficult economic situation together with the requirement to have a clear approach to how the business was managed, whilst being mindful of the volatility of the market together with the falling share of the building development profile.
- Cutting fees was not an option and there was a requirement to be more business focussed in any preparations for a downturn in the market whilst maintaining quality and reliability.
- The requirement to continue to be mindful of the reduction in income and be responsive terms of cost control where necessary, whilst maintaining the market share.

The Building Control Manager added that one short term objective was to target local and regional businesses within the market.

RESOLVED, the any revisions to the Service Plan be circulated to the Joint Committee prior to final inclusion and circulation of the plan.

21. DEFINITION OF NEARLY ZERO BUILDING. BUILDING CONTROL MANAGER TO REPORT.

The Building Control Manager explained that the definition of nearly zero was a term used in the EU Energy Performance and Buildings Directive 2010. He added that regulation 25(b) came into effect in January 2019.

The Head of Place added that both North Devon and Torridge District Councils were developing their climate emergency responses utilising the model of Friends of the Earth. That model focussed on the overall planning of the area together with the building materials that were used and the biodiversity gain through planning. He further added that in the coming months every local authority would be addressing the issue.

The joint Committee discussed and raised the following points:

- Discussions had taken place at the Joint Local Development Plan Working Group, which had been wide ranging and covered several different aspects, including the rising sea levels.
- That a dialogue should be established at officer level between North Devon and Mid Devon District Councils.

The Head of Place agreed that an established line of communication should be established between the Councils to agree a way forward.

The Joint Committee agreed to monitor any changes in Building Regulations and discuss at a future meeting.

22. DATES AND LOCATIONS OF FUTURE MEETINGS. TO AGREE DATES AND LOCATIONS OF FUTURE MEETINGS OF THE COMMITTEE FOR 2018/19.

The Joint Committee discussed the dates and locations of future meetings for 2019/20.

RESOLVED, that the Clerk to the Committee circulate an email with potential dates for April 2019.

Chairman

The meeting ended at 10.02 am