

**NORTH DEVON COUNCIL**

Minutes of a meeting of Building Control Joint Committee held as a Virtual - Online meeting on Thursday, 6th August, 2020 at 9.00 am

PRESENT: Members:

Councillors Barnell, Deed and Yabsley

Officers:

Building Control Manager, Head of Place (NDC), Accountancy Services Manager (NDC), Head of Planning, Economy and Regeneration (MDDC), Group Manager Finance (MDDC), Accountant (MDDC), Solicitor and Data Protection Officer (NDC), and Corporate and Community Services Officers (NDC)

**32. VIRTUAL MEETING PROCEDURE - BRIEFING AND ETIQUETTE**

The Chair outlined the virtual meeting procedure and etiquette.

**33. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Topham (NDC).

**34. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 23 JANUARY 2020 (ATTACHED)**

RESOLVED that the minutes of the meeting held on 23<sup>rd</sup> January 2020 (circulated previously) be approved as a correct record and signed by the Chair.

**35. DECLARATIONS OF INTEREST**

There were no declarations of interest announced.

**36. POOLED BUDGET AND TRADING ACCOUNT AS AT 30 JUNE 2020**

The Joint Committee received an update from the Accountancy Services Manager (NDC), in relation to the Pooled Budget and Trading account as at 30<sup>th</sup> June 2020 report, (circulated previously).

The Accountancy Services Manager (NDC), highlighted the following:

- Column one of table one for 2019/20 showed the budgets for both Councils with a deficit of £124,539 across the Partnership
- Column two of table one for 2019/20 showed the actual spend for both Councils with a £30,141 total deficit across the Partnership
- Column three of table one for 2019/20 showed the percentage split of the actual spend across the Partnership, 60% North Devon Council and 40% Mid Devon District Council
- Columns four and five of table one for 2019/20 showed the chargeable/non-chargeable split for each authority with the percentage split remaining at 75% and 25% for North Devon Council and Mid Devon District Council respectively
- Overall the Partnership was better off last financial year
- As discussed at a previous committee 50% of any surplus was to be put into reserve. North Devon Council had a surplus of £59,606 of which £18,000 was put into reserve. This was just over 30% of the surplus, the amount put into reserves reflected what North Devon could afford
- Mid Devon District Council put their 50% into reserves this was £17,000
- Table two shows the Quarter one position for the financial year 20/21 for the Partnership
- The quarterly movement between the two authorities had not been included in the figures in column one
- When the reported figures were adjusted to allow for this movement the budgeted figure for North Devon was £18,615 and for Mid Devon £9,748
- Column two of table two for 2020/21 showed the actual income and expenditure across the Partnership
- The overall joint deficit of £24,452 was very near to the budgeted figure this was achieved due to receiving furloughed monies
- Table three was new for this year and projected an out turn based on a 15% estimated reduction in income for the year 2021
- The projected figures showed a potential budget deficit of £40,000 for North Devon and £36,000 for Mid Devon
- As furlough had stopped in August the next quarter would likely not be on budget

The Head of Building Control added that over the last four months commencements had started to increase along with applications. In July 2020 there had been two more applications received than last year. This increase was due to a surge of smaller scale applications, but income was still down as the bigger projects were not yet commencing.

In response to a question about the 15% projected drop in fee income and if Mid Devon District Council had allowed for this in their budgeting. The Accountant replied that they were aware of the drop in income and the reported figures were actually very similar.

In response to a question on whether other Local Authorities were assuming a 15% drop off in income. The Building Control Manager replied that it was not the same across Devon, and that there was quite a difference of opinion on how recovery was going to take place.

**37. BUILDING CONTROL BUSINESS UPDATE.**

The Joint Committee received an update from the Building Control Manager in relation to the Building Control Business Update Report (circulated previously).

The following highlights were made by the Building Control Manager:

Staffing

At the point of lockdown (due to the Covid-19 pandemic), the Building Control Officers were in a very good position to adapt to working from home as they were already well equipped with mobile devices. This ensured they could set up at home and work remotely

There was a three week suspension of on-site inspections. Inspections were available to be carried out remotely. Since June 2020 100 remote site inspections had been completed. On-site inspections had resumed where safe to do so

Furloughed staff were now returning to the office in preparation for September which was normally a busy time

Marketing

- Devonshire Homes may be leaving as a customer, the numerous conditions and cost of insurance was a factor in this decision, something which was beyond the control of the Partnership

In response to a question about whether there was a legal obligation to use the Local Authority Building Control (LABC) scheme the Building Control Manager replied that no there was nothing tying the Partnership in but that the service offered by LABC was held in better regard. Other cheaper options had been discussed but with these companies registered overseas and therefore not accountable to the Financial Services Agency, it meant too much risk was left with the Local Authority if anything happened to the company. The LABC scheme ensured no liability was left with the Local Authority. The LABC was seen as a gold star insurance scheme.

- Every year the Partnership enter buildings into the LABC Excellence Awards which due to the Covid-19 pandemic had been cancelled but was due to be held virtually in September 2020. There were two projects in with a very good chance of winning, the Ark in Ashford a Peregrine Mears Architects project and Sherwood in Bampton a Snowden Architects project
- Mid Devon District Council had adopted their new local plan within this were a set of new requirements for disability accesses on new buildings and Building Control would be responsible for checking these requirements were being met. Close liaison between the planning team and Building control would be needed.

The Head of Planning, Economy, Regeneration, MDDC, confirmed that Mid Devon had adopted the local plan as of 29<sup>th</sup> July 2020 and that a site of more than 10 homes 20% would have to meet the requirements for disabled access but that they had a member of staff well versed in this area and were confident the requirements could be implemented without too much extra burden.

Chair requested a progress report on this to be brought to the next meeting.

### **38. KEY PERFORMANCE INDICATORS.**

The Building Control Manager update the Joint Committee on the Key Performance Indicators report (circulated previously).

The following points were highlighted:

- Despite a drop off in work load performance was looking good with 99% of applications received looked at within three weeks and 98% of decisions made within two months
- The reason for a couple being over the deadline was due to staff being furloughed and this would not have impacted on the customer
- Market share had gone up to 81% and increase of 6% on last quarter
- House completions was 32% which was comparable with last year
- Financial position against budget showed as slightly being up

In response to a question from the Chair on why the targets had been set at 40% when realistically 33% was attainable. The Building Control Manager confirmed that a previous request to change the target percentage figure had been denied.

In response to a question on whether the loss of business from Devonshire homes had been factored into the KPI's. The Building Control Manager advised that no it hadn't been as too difficult to factor in objectively due to fluctuations in income, but that the impact was not expected to be too large.

### **39. IMPACT OF BUILDING SAFETY BILL**

The Building Control Manager updated the Joint Committee on the impact of the Building Safety Bill (report circulated previously).

The Joint Committee received the following updates:

- The draft Building Safety Bill was published on 20<sup>th</sup> July 2020
- The Building Safety Bill was a result of a review of building and fire safety regulations carried out by the Hackitt enquiry
- A Building Safety regulator had been created and appointed a Chief Inspector of Buildings run under the health and safety executive

- The Partnership was making preparations in readiness for the new regulations that would follow over the next few years as a result of the new Bill
- The Building Safety Regulator would take over the responsibility for overseeing residential buildings over six storeys
- The scope of the regime was likely to be expanded to take into account hospitals, hotels or any other high risk building
- Local Authorities were being encouraged to be more proactive in carrying out prosecutions
- It was thought Local Authority Officers would be used to carry out the monitoring roles on behalf of the Regulator
- Also a New Homes Ombudsman had been introduced who would be handling complaints
- Every Local Authority Officer working in Building Control would need to be licensed
- Criminal sanctions had been introduced against all duty holders which included Building Control, licences could be removed and unlimited fines could be imposed on individuals as well as Local Authorities
- The Partnership needed to ensure their systems could handle any issues that arose
- There was a backlog of around 7000 jobs that could not be looked at.
- No current job could go 'dead' a three month review would be carried out going forward. So in practice once a notification of the completion of a job had been received a visit would be needed
- There would be the need for an enforcement Lead who could take an overview of any potential case that might be required to move forward to prosecution

In response to a question on when it might be possible to quantify any resource implications as a result of the changes. The Building Control Manager replied that the team would aim to make the changes on a cost neutral basis and it would take the remainder of this year to see how this would work before reporting back to committee. If there was a need for a new post then a business case would be brought to the Joint Committee.

Chair

The meeting ended at 10.10 am