



K. Miles
Chief Executive
North Devon Council

S. Walford
Chief Executive and
Director of Growth
Mid Devon District
Council

BUILDING CONTROL JOINT COMMITTEE

A meeting of the Building Control Joint Committee will be held in the Barum Room - Brynsworthy on **THURSDAY, 4TH NOVEMBER, 2021 at 9.30 am.**

Members of the
Committee:

Representing North Devon Council

Councillors Tucker and Yabsley (Chair)

Representing Mid Devon District Council

Councillors Chesterton and Deed

AGENDA

1. Apologies for absence
2. To approve as a correct record the minutes of the meeting held on 8th July 2021 (attached) (Pages 3 - 8)
3. Items brought forward which in the opinion of the Chair should be considered as a matter of urgency.
4. Declarations of Interest
(Please complete the enclosed form or telephone the Corporate and Community Services Unit to prepare a form for your signature before the meeting. Interests must be re-declared when the item is called, and Councillors must leave the room if necessary).
5. To agree agenda between Part 'A' and Part 'B' (Confidential Restricted Information)

PART 'A'

6. **2021/22 Q2 Forecast Building Control Partnership trading account.** (Pages 9 - 10)
Report by North Devon Council Accountancy Services Manager (attached).
7. **Building Control Business Update.** (Pages 11 - 12)
Report by Building Control Manager (attached).
8. **Key Performance Indicators.** (Pages 13 - 16)
Report by the Building Control Manager (attached).
9. **Dates and locations of future meetings. To agree dates and locations of future meetings of the Committee for 2021/22.**
(NOTE: Unless otherwise agreed the Joint Committee must meet at least on a quarterly basis with the meeting held at 10.00am and at the offices of the Chairman's partner authority).

PART 'B' (CONFIDENTIAL RESTRICTED INFORMATION).

Nil

If you have any enquiries about this agenda, please contact Corporate and Community Services, telephone 01271 388253

North Devon Council
Brynsworthy Environment Centre
Barnstaple
North Devon EX31 3NP

NORTH DEVON COUNCIL

Minutes of a meeting of Building Control Joint Committee held at Barum Room - Brynsworthy on Thursday, 8th July, 2021 at 9.30 am

PRESENT: Members:

Councillor Yabsley (Chair)

Councillors Chesterton, Deed and Tucker

Officers:

Building Control Manager, Accountancy Services Manager and Solicitor and Data Protection Officer

Also Present:

Head of Planning, Economy and Regeneration (Mid Devon District Council), Corporate Manager for Finance (Mid Devon District Council) and Accountant (Mid Devon District Council).

1. APPOINTMENT OF CHAIR 2021/22.

RESOLVED that Councillor Yabsley be appointed Chairman of the Joint Committee for a period of one year from date of appointment.

2. APPOINTMENT OF VICE-CHAIR 2021/22

RESOLVED that Councillor Deed be appointed Vice Chairman of the Joint Committee for a period of one year from date of appointment.

3. APOLOGIES FOR ABSENCE

There were no apologies for absence received.

4. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 11TH FEBRUARY 2021 (ATTACHED)

RESOLVED, that the minutes of the meeting held on 11th February 2021 be approved as a correct record and signed by the Chair.

Councillor Deed abstained from voting, as he was not present at the meeting.

5. **DECLARATIONS OF INTEREST**

There were no declarations of interest received.

6. **2020/21 BUILDING CONTROL PARTNERSHIP TRADING ACCOUNT. REPORT BY NORTH DEVON COUNCIL HEAD OF RESOURCES**

The Joint Committee considered a report by Report by North Devon Council Head of Resources (circulated previously) regarding the 2020/21 Building Control Partnership Trading Account.

The Accountancy Services manager (NDC), gave the Committee the following summary:

- Section one of the trading account showed the budget for each Council.
- Section two showed the actuals expenditure and income.
- Section three showed the percentage split of trade income between the two authorities, with the trading position for North Devon Council at £46K and Mid Devon District Council at 24K.

He added that there was underspend on the supplies and services budget of £15k together with same amount for the job retention scheme. This gave a surplus saving for North Devon Council of approximately £30K.

In response to a question regarding the income compensation scheme, the Accountancy Services Manager advised that there was a small surplus balance in the trading account, which the Council could utilise if required. The Corporate Manager for Finance at Mid Devon District Council added that there was also a small provision set aside in their budget.

The Committee noted the Building Control Partnership Trading Account 2020-21 4th Quarter.

7. **BUILDING CONTROL BUSINESS UPDATE. REPORT BY BUILDING CONTROL MANAGER (ATTACHED).**

The Joint Committee considered a report by the Building Control Manager (circulated previously) regarding the Building Control Business update.

The Building Control Manager advised that workloads had remained high and there appeared to be a shift in the ratio of work between North and Mid Devon to approximately 50:50 rather than the 60:40 split previously seen. He added that this was due to an increase in the general volume of work in each area of the service rather than any large projects or change in the market share. There was a distortion in workloads within individual teams and this was exacerbated by technical issues related to the reporting module, which delayed the use of reports to identify the issue

and contributed to a reduction in the Performance Indicators (PIs). The resources were now being redistributed with a member of the Surveying team transferring across the Mid Devon boarder to balance the workloads of the teams.

He explained that the backlog in the listing of cases for the Magistrates Court appeared to easing, which enabled the Councils to move ahead with actions under Section 77. There has been one complaint escalated to Stage 2 regarding lack of action in relation to an empty derelict property at Croyde. This complaint had now been resolved to the satisfaction of the complainant. The Technical Support Team Leader was due to retire in January 2022 and to enable sufficient resource planning, had formally resigned with six months' notice. This had enabled the post to be advertised internally and an existing Technical Support Officer had been appointed.

In response to a question regarding the increased workload on the Mid Devon side of the business. The Building Control Manager advised that the majority of the work, was located within the south east boarder, with Cullumpton and Credition being a wealthy area, which could also be seen in the figures and was driving the domestic market in terms of housing.

In response to a further question regarding the surge in house prices together with the rising cost of building materials and the supply and demand implications. The Building Control Manager advised that because the surge in prices was domestically driven, the windfall generated by Covid in the housing market could stop at any time and could have an impact on the business in the future. He explained that there was a requirement to address the resources for balance.

8. SERVICE PLAN PRIORITIES.

The Joint Committee considered a report by the Building Control Manager (circulated previously) regarding the Service Plan Priorities.

The Building Control Manager advised that the competency of all Surveyors to undertake their role must be validated in order for them to be registered with the Building Safety Regulator (BSR) and become a licensed Building Inspector. He added that the validation process was expected to dominate the next 12 months, with registration applications to the BSR opening from 22nd October 2022. As yet it was still unclear as to the nature of the process validation for domestic and commercial Surveyors together with the immediate consequences of failure to register or the potential impact on new recruits.

He explained that there would be a significant impact on front line resources together with financial implications due to the time needed to prepare and support staff through the process. There was also a requirement to undertake a review of job descriptions and potential job evaluation, which would be further complicated by the differing approaches by the two Local Authorities and the need to maintain equity and fairness.

In response to a question regarding how the joint Committee could support the process, the Accountancy Services Manager advised that the service plan was a key element to ensuring that all relevant funding was secured from the existing reserves.

In response to a further question in relation to resources, the Building Control Manager advised that there was a long term shortage of Building Control officers and not enough professionals available to undertake the work. He added that Human Resources were due to review the job descriptions and roles as part of a major review of the Building Control service to ensure that employees were retained.

RESOLVED:

- (a) That the report be noted; and
- (b) That the Chief Executive Officers of both Councils jointly approach the appropriate Government Ministers and MPs to express their concerns in relation to Councils registering with the BSR.

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

The Joint Committee considered a report by the Building Control Manager (circulated previously) regarding Key Performance Indicators (KPIs).

The Building Control Manager advised that Building Regulation applications considered within three weeks had slipped below target for the first time for the first part of quarter one, however, the target was now 90%. The Market share for number of applications was 77% for quarter three.

In response to a question regarding the Councils ability to retain business from larger customers, the Building Control Manager advised that the Councils were still competitive and that they were also being commissioned for work from smaller companies, which was encouraging. He added that the first quarter of 2021/22 had an estimated figure of 360 applications received.

RESOLVED, that the report be noted.

10. DATES AND LOCATIONS OF FUTURE MEETINGS. TO AGREE DATES AND LOCATIONS OF FUTURE MEETINGS OF THE COMMITTEE FOR 2021/22.

The Joint Committee considered the scheduled dates of future meetings (circulated previously).

In response to a question regarding the meaning of "Chairman's partner authority" in the note under item 12 on the agenda, the Solicitor and Data Protection Officer advised that it meant the "authority of the Chairman".

He added that the Constitution of the Joint Committee provides that the meetings of the Joint Committee shall be held at the offices of the Member appointed as the Chair, unless otherwise agreed by the Joint Committee, which to date had been agreed to be held at the Woodlands Enterprise Centre, South Molton.

However, to ensure that meetings were held safely in line with Covid 19 guidelines and social distancing rules, the existing venue was not sufficient in size to allow for safe social distancing. As the Chair of the Joint Committee for the forthcoming year was a North Devon Councillor, it had been agreed that meetings be held the venue had reverted to being North Devon Council owned premises at Brynsworthy Environment Centre. Where there was a designated Committee room, which remained permanently set up to safely manage all face to face meetings going forward.

Chair

The meeting ended at 10.28 am

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2021/22 Building Control Partnership Trading Account 2nd Qtr

	1		2			3		4		5	
	2021/22 BUDGET		2021/22 ACTUAL					NDC 2021/22		MDC 2021/22	
	NDC	MDC	NDC	MDC	Total	NDC	MDC	Chargeable	Non Chargeable	Chargeable	Non Chargeable
	£	£	£	£	£	56.88% £	43.12% £	75% £	25% £	75% £	25% £
Expenditure											
Employees	188,205	80,310	179,638	74,428	254,066	144,513	109,553	108,385	36,128	82,164	27,388
Transport	8,050	7,195	7,945	5,327	13,272	7,549	5,723	5,662	1,887	4,292	1,431
Supplies and Services	9,740	6,905	10,964	2,484	13,449	7,650	5,799	5,737	1,912	4,349	1,450
Third Party Payments	0	0	0	0	0	0	0	0	0	0	0
Central & Support Service charges	38,490	13,105	38,490	13,105	51,595	29,347	22,248	22,011	7,337	16,686	5,562
Total Expenditure	244,485	107,515	237,037	95,344	332,381	189,059	143,322	141,794	47,265	107,492	35,831
Income											
Building Regulation Charges (profiled budgeted income 53.6% for first 2 quarters)	-195,640	-131,320	-188,297	-142,744	-331,041	-188,297	-142,744	-188,297		-142,744	
Misc Income/S106 Receipts	0	0	0	0	0	0	0	0		0	
Job Ret Scheme											
Total Income	-195,640	-131,320	-188,297	-142,744	-331,041	-188,297	-142,744	-188,297	0	-142,744	0
(Surplus)/Deficit for Year	48,845	-23,805	48,741	-47,400	1,341	763	578	-46,502	47,265	-35,252	35,831

% income split

56.88%

43.12%

1,341

763

578

Total Actual Variance To Budget Spend -23,699

Appropriation Profit/Loss

Cash require to pay over from MDC to NDC

47,978

Debtor to be raised by NDC to MDC

-47,978

0

Reconciliation - 2020/21 position compared to budget

	NDC	MDC
Base budget excluding transfer between authority	48,845.00	-23,805.00
Budgeted contribution between each authority	-36,620.00	36,620.00
Bottom line for comparison	12,225.00	12,815.00
Actual from above	762.64	578.14
Deficit / (Surplus) compared to budgeted position	-11,462.36	-12,236.86

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NOTE TO: JOINT SERVICES COMMITTEE
DATE: 04/11/2021
TOPIC: BUILDING CONTROL BUSINESS UPDATE
REPORT BY: MIKE TUCKER (BUILDING CONTROL MANAGER)

1 INTRODUCTION

- 1.1 The purpose of this report is to update members regarding the progress of the Partnership and contains no recommendations.

2 REPORT

2.1 Workload

Despite the decrease in applications in July and August workloads have remained high for individuals as this takes time to filter through to impact day to day activity and the impact of the holiday season.

2.2 Enforcement

The Magistrates Court application for an order under Section 77 for the building Act regarding Rowan Cottage, Chittlehampton was heard and granted by the Magistrate on 28 September 2021.

We are now waiting to see if the owner takes any action.

2.3 Staffing

We still have a member of our Technical Support Team on maternity leave who anticipates returning to work after the Christmas break. As previously reported we have created a permanent vacancy in the team by appointing one of our current Technical Support Officers to fill the team Leader post that becomes available in December due to retirement. However, after two attempts to recruit into the post it remains vacant due to a lack of applicants. The post is now being advertised a third time.

One of our Surveyors retired on 22/10/2021 and I am happy to say that this vacancy has been filled through the appointment of our trainee, who has just completed his apprenticeship with confirmation of the award of a first class honours degree in Public Service Building Control.

The business case has been approved for recruitment of a new trainee which is currently being recruited.

This does leave us with less resource as it takes time to bring a new trainee to the point where they can make a useful contribution and we have taken the opportunity to shuffle the areas to better balance workloads based on geographic allocation.

We have has some staffing issues due to sickness with four Surveyors in total now having to take time off due to COVID and the Building Control Manager has also been on sick leave for two weeks

2.4 Approved Inspectors

As anticipated with the transition to the new regime for Building Control under the Building Safety Regulator Approved Inspectors are reviewing their operations and cleaning up their books. As a result we are experiencing an increase in Initial Notice cancellations and reversions as Approved Inspectors return projects to the Local Authority that they have lost control of and are unable to bring to a satisfactory completion.

In addition CICAIR (Construction Industry Council Approved Inspector Register) who are currently responsible for monitoring Approved Inspectors have withdrawn approval of Celtech Consultancy Ltd and Campagna Ltd following their failure to meet the required standards during re-approval audit of their systems and processes.

Their licences remain valid until April 2022 in order to provide them the opportunity to wind down their operations in an orderly manner. However, we have already received Initial Notice cancellations from Celtech Consultancy Ltd who have some projects in this area.



NMD BUILDING CONTROL

REPORT TO: JOINT SERVICES COMMITTEE
 Date: 04/11/2021
 TOPIC: Key Performance Indicators
 Report By: Mike Tucker (Building Control Manager)

1 INTRODUCTION

1.1 The purpose of this report is to update members regarding the progress of the partnership and contains no recommendations.

2 REPORT

2.1 Key performance indicators

KPI	Year Target	2020/21				2021/22	
		Q1	Q2	Q3	Q4	Q1	Q2
Building Regulation Full Plan applications determined in 2 months	95%	98%	99%	99%	97%	100%	97%
Building Regulation Applications examined within 3 weeks	95%	99%	100%	99%	98%	90%	98%
Average time to first response (Days)	10	5	7	7	7	8.5	7.5
Market Share - Number of applications %	75%	81%	82%	77%	81%	77%	80%
Market Share - New Housing Completions %	40%	32%	38%	42%	51%	47%	39%
Financial Position	Breakeven	9,506	20,499	55,094	92,546	TBA	81,775
Number of applications received	N/A	237	356	329	381	379	322

2.2 Market share

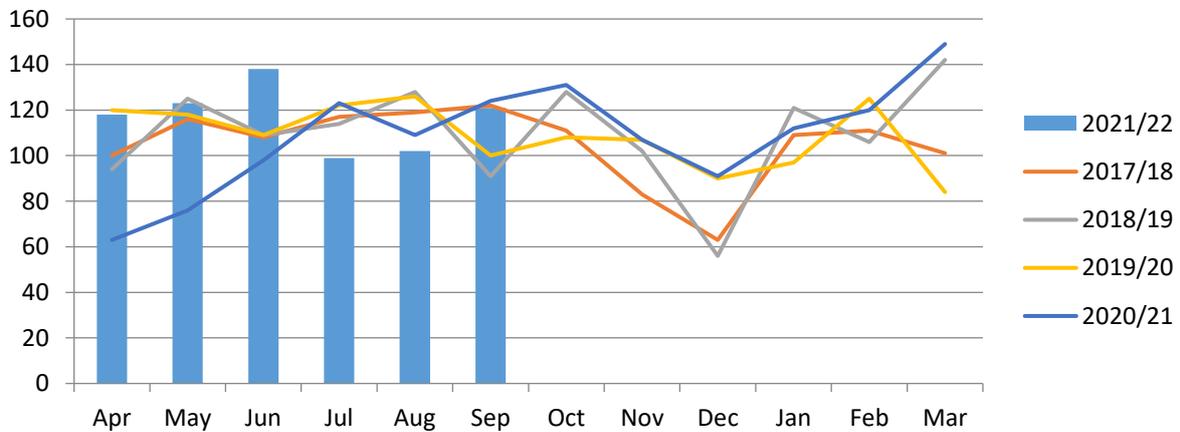
Market share has bounced back to 80% maintaining to levels achieved throughout the pandemic.

The market share of new housing completions has normalised as more completions have come through from NHBC but remains strong at 39%.

2.3 Workload

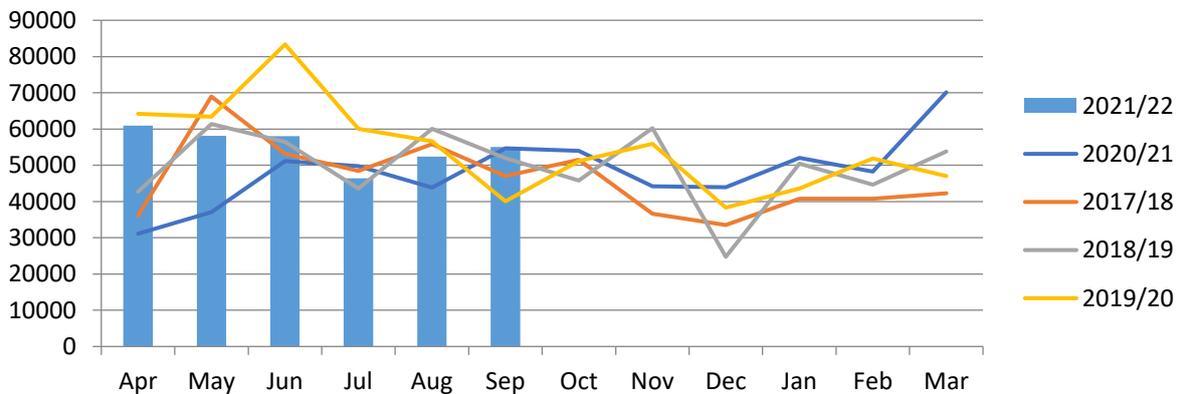
The number of applications appeared to drop off in July and August but has recovered strongly in September. This has been reflected in the income but this has largely followed the pattern of previous years.

Applications per month



2.4 Financial performance

Income per month



The net result is that the budget at the end of Q2 is on target at this point taking into account the uneven receipt of fees throughout the year.

2.5 Customer Service

Agenda Item 8

The average time to first response for plans examination has remained under the 10 day target and the 21 day is now again within target.

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