



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, 12TH MAY, 2022 at 9.30 am.**

(NOTE: A location plan for the Brynsworthy Environment Centre is attached to the agenda front pages. From the 7 May 2021, the law requires all councils to hold formal meetings in person. The council is also ensuring that all venues used are Covid secure and that all appropriate measures are put in place. There are a limited number of spaces available for members of the public to attend. Please check the Council's website for the latest information regarding the arrangements that are in place and the requirement to book a place 2 working days prior to the meeting [Taking part in meetings \(northdevon.gov.uk\)](https://www.northdevon.gov.uk))

Members of the
Committee:

Representing North Devon Council

Councillors Tucker and Yabsley

Representing Mid Devon District Council

Councillors Chesterton and Deed

AGENDA

1. Appointment of Chair for 2022/23
To appoint a Chair from Mid Devon District Devon Council for a period of one year from date of appointment.
2. Appointment of Vice Chair for 2022/23.
To appoint a Vice-Chair from North Devon Council for a period of one year from date of appointment.
3. Apologies for absence

4. To approve as a correct record the minutes of the meeting held on 10th February 2022 (attached) (Pages 5 - 10)
5. Items brought forward which in the opinion of the Chair should be considered as a matter of urgency.
6. 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).
7. To agree agenda between Part 'A' and Part 'B' (Confidential Restricted Information)

PART 'A'

8. **2021/22 Building Control Partnership trading account Quarter 4.** (Pages 11 - 12)
Report by North Devon Council Accountancy Services Manager (attached).
9. **Local Authority Building Control (LABC) Event. Presentation by the Head of Planning, Housing and Health.**
To cascade key messages from the Local Authority Briefing event held in Bridgwater on 6th April 2022.
10. **Dates and locations of future meetings. To agree dates and locations of future meetings of the Committee for 2022/23.**
(NOTE: Unless otherwise agreed the Joint Committee must meet at least on a quarterly basis with the meeting held at 10.00am and 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

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NORTH DEVON COUNCIL

Minutes of a meeting of Building Control Joint Committee held at Barum Room - Brynsworthy on Thursday, 10th February, 2022 at 9.30 am

PRESENT: Members:

Councillor Yabsley (Chair)

Councillors Chesterton, Deed and Tucker

Officers:

Head of Planning, Housing and Health, Building Control Manager and Accountancy Services Manager.

Also Present:

Head of Place – Mid Devon District Council and Mr A. Howard - Mid Devon District Council.

18. APOLOGIES FOR ABSENCE

Apologies for absence were received from Angela Barratt and Paul Deal MDDC.

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

RESOLVED, that the minutes of the meeting held on 4th November 2021 (circulated previously) be approved as a correct record and signed by the Chair.

20. DECLARATIONS OF INTEREST

There were no declarations of interest received.

21. POOLED BUDGET AND 2021-22 TRADING ACCOUNT FOR QUARTER 3

The Joint Committee considered a report by North Devon Council Director of Resources and Deputy Chief Executive (circulated previously) regarding the 2021/22 Q3 Forecast Building Control Partnership Trading Account.

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

- Column one of the trading account showed the budget for each Council.
- Column two showed the actuals expenditure and income.
- Column three showed the percentage split of trade income between the two authorities, with the trading position for North Devon Council at 58.15% and Mid Devon District Council at 41.85%.

He added that there was an improvement in the figures from quarter two of £3,940. The quarter four outturns indicated a slightly higher surplus.

He explained that for revenue monitoring purposes shown in the reconciliation table there was a forecast surplus of £12K for North Devon Council and £15K for Mid Devon District Council.

Councillor Deed requested that the abbreviation for Mid Devon District Council in the report was changed from MDC to MDDC to reflect the official name of the authority.

The Chair added that she should have mentioned at the start of the meeting that following an email from the Senior Solicitor at North Devon Council, legal representation at the meeting will only be utilised if required and the joint Committee agreed to keep the agreement under review.

RESOLVED, that the report be noted.

22. BUILDING CONTROL BUSINESS UPDATE.

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

The Building Control Manager advised the following:

- There a typographical error with regards to 2.1 of the report, which had resulted from the copy and paste from the previous report.
- In January 2022, the service received more applications than it had since the beginning of the partnership, which had put a lot of pressure on the department and led to a couple of resourcing issues.
- There was still a member of the Technical Support team on maternity leave who anticipated returning to work on 17 February 2022 on a part time 20 hour contract. As soon as her revised contract was signed and returned the service anticipated advertising for a further part time post to make up the difference.
- The service had advertised unsuccessfully three times to fill the vacancy created by the promotion of a member of the Technical Support Team to Team Leader. However, due to a change of circumstances the out-going team leader had decided not to retire at this point and had been appointed as a Technical Support Officer to fill the vacancy although the contracted hours had been reduced to 29.6 hrs.
- A new trainee has now been recruited to the team with a BSc (Hons) Degree in Building Surveying. The service was hopeful that their training and development would follow the pattern of the previous trainee resulting in a

fairly rapid contribution to servicing the workload. However, at the current time this was an effective reduction in productive resource.

- There was also a long term sickness issue with a Senior Surveyor who had been absent since the beginning of December 2021.
- Staffing issues were now placing a strain on individuals due to the reduction in available resource. This would be further exasperated with the retirement of the Building Control Manager at the end of March 2022 as duties were delegated to other senior members of the team until a replacement was in post.
- At current workloads this reduction in resource would impact performance and was likely to require some prioritisation of inspections. In the short term it was anticipated that the shortfall in resource would in part be relieved by the use of overtime to aid plan checking response times. This would be budgeted for via the absence of the Building Control Manager.
- More information with regard to the requirements for validation as a registered Building Inspector was gradually becoming available although the distribution of information from the Building Safety Regulator and LABC had been limited and contradictory to date, which had caused significant despondency and moral issues amongst staff. Unfortunately it now transpired that the Level 6 validation achieved by five of the staff in November 2019 would no longer be considered adequate for registration purposes with the scope of skills and experience required having been expanded beyond just the fire safety elements.
- Grant aided funding was now available for upgrading of Surveying staff but currently this was limited to Local Authorities that had high rise residential buildings (HRB's) within their area. However, it was anticipated that costs would be covered by LABC for the NMD Partnership and a budget had been allocated to support this. Resource problems were not limited to the NMD partnership as there was a shortage of resources across the South West.
- The partnership was continuing to receive an increase number initial notice cancellations from Approved Inspectors as they were unable issue completion certificates as they did not consider themselves in a position to certify compliance. As a result of this the partnership was required to obtain reversion applications from the person carrying out the work and take over supervision. These projects could be difficult and time consuming which was further impacting limited resources.

The Head of Planning, Housing and Health advised that the current Building Control Manager had been hugely supportive in his assistance with the planning of the service for the transitional period together with the redrafting of the job description for his replacement. He added that the service was currently under review and that both organisations were keen to progress in the direction of a partnership going forward. There was currently an unnecessary complexity between the two authorities and there were aspirations to bring the partnership together as a single entity.

He explained that any proposed changes to the delivery model of the partnership would be reported informally to the Joint Committee.

In response to a question regarding timescales for a new Manager to be in post, the Head of Planning, Housing and Health, North Devon Council advised that an advert would be published shortly.

The Chair requested that the Joint Committee be kept fully informed in relation to the recruitment process. He added that both authorities would be sad to lose the current Building Control Manager, which such an important role and stressed the importance of finding a suitable replacement.

The Director of Place, Mid Devon District Council echoed the sentiments of the Chair having recently joined the District Council. He added that there would be conversations in relation to efficiency of the service. The progress and track record of the service was robust. However, there were operational challenges to recruit, attract and retain employees. There were a range of options available and officers would need to decide upon the best option for the service moving forward. The short term priority would be to replace the current Building Control Manager with the relevant expertise already within the existing team whilst the recruitment process took place.

The Chair added that he was delighted to see both Councils were working together and the departure of the current Building Control Manager would have an impact upon the service.

The Committee agreed that it was important that they were kept fully updated in relation to the progress of the appointment of a new manager.

The Director of Place, Mid Devon District Council advised that the development of the partnership would take nine to twelve months.

In response to a question regarding the involvement of the Joint Committee in the process, the Head of Planning, Housing and Health advised that he would be happy to keep Members updated outside of the Committee process.

The Building Control Manager advised that interim measures would be put in place until a new Manager had been appointed. He explained that the role would be delegated to three officers within the team but that there were additional pressures such as the impact of the Building Safety Act and the development of a business case for an additional officer.

The Chair together with the joint committee members thanked the current Building Control Manager for his hard work in delivering the service.

RESOLVED:

- (a) That the report be noted; and
- (b) That the potential pressures and demands on the Building Control Partnership be added to the Corporate Risk Register for both authorities.

23. KEY PERFORMANCE INDICATORS.

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

The Building Control Manager advised the following:

- That 98% of Building Regulation Full Plan applications had been determined within two months.
- That 99% Building Regulation Applications examined within 3 weeks.
- That the average time to first response (Days) was eight days.
- The figure of 295 for the number of applications received to date was high for the time of year.
- The market share had risen to 84% for quarter three which was the highest percentage recorded using the current methodology which was adopted in 2015.
- The market share of new housing completions had contoured to be strong at 42% although this was based on a relatively low level of activity in the sector.
- The service had not seen a marked drop in demand in Quarter 3 with December's activity being sufficiently strong to ensure income currently exceeds budget expectation at this point in the year.
- The net result was that the budget at the end of quarter two was on target at this point taking into account the uneven receipt of fees throughout the year.

In response to a question regarding resource issues within both the planning and building control service and how additional income could be utilised to support those services and procure staff, the Director of Place, Mid Devon District Council advised that each Council currently had its own structure and support staff. He acknowledged that a different joint operational structure might allow for more flexibility in the future. However, there was still a long way to go in terms of exploring such options.

RESOLVED, that the report be noted.

The Joint Committee thanked the Building Control Manager for his hard work and dedication to the partnership, wishing him well in his retirement.

24. DATES AND LOCATIONS OF FUTURE MEETINGS.

The Joint Committee noted the scheduled dates of the meetings for 2022/23, which were scheduled to be held on the following dates:

- Thursday 12th May 2022 at 9.30am.
- Thursday 7th July 2022 at 9.30am.
- Thursday 10th November 2022 at 9.30am.
- Thursday 16th February 2023 at 9.30am.

Agenda Item 4

Building Control Joint Committee - 10 February 2022

Following discussions in relation to the venue for future meetings, the Joint Committee agreed to keep the option of meetings being held at the Woodlands Enterprise Centre under review until such a time that COVID 19 restrictions permitted.

Chair

The meeting ended at 10.21 am

2021/22 Building Control Partnership Trading Account 4th Qtr

	1		2			3		4		5	
	2021/22 BUDGET		2021/22 ACTUAL					NDC 2021/22		MDDC 2021/22	
	NDC	MDDC	NDC	MDDC	Total	NDC	MDDC	Chargeable	Non Chargeable	Chargeable	Non Chargeable
	£	£	£	£	£	58.43% £	41.57% £	75% £	25% £	75% £	25% £
Expenditure											
Employees	376,410	158,850	349,651	163,919	513,571	300,062	213,509	225,046	75,015	160,132	53,377
Transport	16,100	14,390	15,579	10,621	26,200	15,308	10,892	11,481	3,827	8,169	2,723
Supplies and Services	12,940	12,210	7,400	9,339	16,738	9,780	6,959	7,335	2,445	5,219	1,740
Third Party Payments	0	0	0	0	0	0	0	0	0	0	0
Central & Support Service charges	76,980	26,210	78,410	26,210	104,620	61,126	43,494	45,844	15,281	32,621	10,874
Total Expenditure	482,430	211,660	451,040	210,089	661,129	386,275	274,854	289,706	96,569	206,141	68,714
Income											
Building Regulation Charges	-365,000	-245,000	-374,151	-266,227	-640,378	-374,151	-266,227	-374,151		-266,227	
Misc Income/S106 Receipts		0			0	0	0	0		0	
Total Income	-365,000	-245,000	-374,151	-266,227	-640,378	-374,151	-266,227	-374,151	0	-266,227	0
(Surplus)/Deficit for Year	117,430	-33,340	76,890	-56,138	20,751	12,124	8,627	-84,445	96,569	-60,087	68,714

% income split

58.43%

41.57%

20,751

12,124

8,627

Total Actual Variance To Budget Spend	-63,339
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Appropriation Profit/Loss

Cash require to pay over from MDDC to NDC

64,765

Debtor to be raised by NDC to MDDC

-64,765

0

MEMO for Tony

Reconciliation - 12 month position compared to budget		
	NDC	MDDC
Base budget excluding transfer between authority	117,430.00	-33,340.00
Budgeted contribution between each authority	-73,240.00	73,240.00
Bottom line for comparison	44,190.00	39,900.00
12 Month Actual from above	12,124.23	8,627.00
12 Month Deficit / (Surplus) compared to budgete	-32,065.77	-31,273.00

-63,338.77

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