

NORTH DEVON COUNCIL

Minutes of a meeting of Building Control Joint Committee held at Barum Room - Brynsworthy on Thursday, 10th August, 2023 at 10.00 am

PRESENT: Members:

Councillor

Councillors Clist, Denton, Keable and Walker

Officers:

Head of Planning, Housing and Health, Director of Place, Building Control Manager and Finance Manager

Also Present (virtually): Accountant

1. APPOINTMENT OF CHAIR FOR 2023/24.

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

Councillor Walker took the Chair.

2. APPOINTMENT OF VICE CHAIR FOR 2023/24.

RESOLVED that Councillor Keable be appointed Vice Chair for a period of one year from date of appointment.

3. APOLOGIES FOR ABSENCE

There were no apologies for absence.

4. TO APPROVE AS CORRECT RECORDS THE MINUTES OF THE MEETING HELD ON 10TH NOVEMBER 2022 AND 16TH FEBRUARY 2023 (ATTACHED)

RESOLVED, that the minutes of the meetings held on 10th November 2022 and 16th February 2023 (circulated previously) be noted, subject to the following amendments to the minutes of 10th November 2022; reference to "Andy Howard's job title being amended to Building Control Manager and the title of minute item 18 being amended to "2022/23 Building Control Partnership Trading Account Quarter 2". The minutes could not be approved as correct, or signed, as those Members present at the two previous meetings were no longer members of this committee, nor District Councillors.

5. DECLARATIONS OF INTEREST

There were no declarations of interest announced.

6. 2023/23 BUILDING CONTROL PARTNERSHIP TRADING ACCOUNT FOR QUARTER 1. REPORT BY NORTH DEVON COUNCIL ACCOUNTANCY SERVICES MANAGER.

The Joint Committee considered a report by the Finance Manager (NDC) (circulated previously) regarding the 2023/24 Q2 Forecast Building Control Partnership Trading Account.

The Finance Manager gave the Committee the following summary:

- Section one of the trading account showed the yearly budget for each Council.
- Section two showed the Forecasted Outturn for the year.
- Section three showed the percentage split of trade income between the two authorities, as per the agreement the joint expenditure is also split on the same basis, with the trading position for North Devon at 63.77% for North Devon Council and 36.23% for Mid Devon District Council.

In response to questions from the Joint Committee, the Building Control Manager (MDDC) advised that:

- The main reason for the reduction in income was the reduction in activity in the market place. NDC had experienced slightly less of a reduction than MDDC. The economic market was not there. The Authorities were not losing out to competitors.
- Until there had been changes in the Building Safety Act, the Local Authorities (LA) were unable to benefit from a 'level playing field' with competitors in the commercial sector. The private/commercial still did not have the same regulations to adhere to; they were able to rely on photographic evidence, rather than the site visits legal required of the LAs. This would change from April 2024, when it should be a more level playing field.

The Committee noted the report.

7. BUILDING CONTROL BUSINESS UPDATE. REPORT BY THE PRINCIPAL SURVEYOR (ATTACHED).

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

He advised that since the last Joint Committee meeting, the Activity Reports had been updated to include figures for quarters 3 and 4 of 2022/23 together with quarter 1 of 2023/24.

He outlined the main areas of the report, which were under the following headings:

- Key Performance Indicators 2022/23 and 2023/24
- Resource Implications
- Agency Staff and Temporary Resource
- Building Control Charges
- Building Safety Regulator Validation and Registration
- Partnership Priorities

He confirmed the following to the committee:

- A processing time of 10 days was being achieved; against a target of 19 days.
- Market share was stable at 72% (quarter 1 of 2023/24).
- Market activity was slowing – reasons for this included interest rates, cost of living, and financial insecurity.
- Six posts were still vacant. Cover was being provided by agency staff.
- Two offers of employment were shortly to be made to two new Principal Surveyors. A post for support/admin staff would be advertised shortly.
- With regard to enforcement, changes to section 36 of the Building Safety Act would increase the time scale for Building Control Authorities to consider taking enforcement action from two to ten years. This will take effect from April 2024. This was likely to add burden to the authority due to the increased pressure on the workload, and enforcement works were not chargeable.
- Priorities included the need to get an agile partnership established to be more adaptable to workloads as applications increase.

In response to questions from the Joint Committee, the Building Control Manager advised that;

- Fines could be issued but those fines would not cover costs.
- The authorities did not have the resources available to cover the additional work.
- The Building Regulator had the ultimate power to deal with sanctions, although would likely see to cascade the processing of that work to the LAs.

The Director of Place (MDDC) advised that the additional work for the surveyors was non-chargeable – so would not result in additional income.

Councillor Denton noted that he felt that if developers were aware of the pressures on the LAs, in respect of enforcement, they could take advantage.

The Committee noted the report.

8. **DATES AND LOCATIONS OF FUTURE MEETINGS. TO AGREE DATES AND LOCATIONS OF FUTURE MEETINGS OF THE COMMITTEE FOR 2023/24.**

The Joint Committee agreed the dates of the meetings for 2023/24, which were scheduled to be held on the following:

Building Control Joint Committee - 10 August 2023

- Thursday 26th October 2023 at 10:00am in the Barum room, Brynsworthy Environment Centre.
- Thursday 25th January 2024 at 10:00am in the Barum room, Brynsworthy Environment Centre.

RESOLVED, that the dates for future meetings be noted.

Chair

The meeting ended at 10.30 am