



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 Environment Centre, Barnstaple on **THURSDAY, 25TH JULY, 2024 at 10.00 am.**

(NOTE: A location plan for the Brynsworthy Environment Centre is attached to the agenda front pages. There are limited car parking spaces in the Visitors parking area. If no spaces are available, please find an alternative space. Please ensure that you enter your name and car registration details in the book in front of the entrance door)

Members of the
Committee:

Representing North Devon Council

Councillors Denton (Chair) and P Leaver.

Representing Mid Devon District Council

Councillors Keable (Vice-Chair) and Clist.

AGENDA

1. Apologies for absence.
2. To approve as a correct record the minutes of the meeting held on 25th April 2024 (attached) (Pages 7 - 14).
3. Items brought forward which in the opinion of the Chair should be considered as a matter of urgency.
4. Declarations of Interest.

Please telephone the Corporate and Community Services team to prepare a form for your signature before the meeting. Interests must be re-declared when the item is called. A declaration of interest under the Code of Conduct will be a Disclosable Pecuniary Interest, an Other Registrable Interest or a Non-Registrable Interest. If the item directly relates to your interest you must declare the interest and leave

the room for the item, save in the case of Other Registrable Interests or Non-Registrable Interests where you may first speak on the item as a member of the public if provision has been made for the public to speak. If the matter does not directly relate to your interest but still affects it then you must consider whether you are affected to a greater extent than most people and whether a reasonable person would consider your judgement to be clouded, if you are then you must leave the room for the item (although you may speak as a member of the public if provision has been made for the public to speak) or, if you are not, then you can declare the interest but still take part).

5. To agree agenda between Part 'A' and Part 'B' (Confidential Restricted Information)

PART 'A'

6. **2023/24 Building Control Partnership trading account Quarter 4 (attached).** (Pages 15 - 16).
7. **Building Control Business Update. Report by Building Control Manager (attached).** (Pages 17 - 30).
8. **Dates and locations of future meetings. To agree dates and locations of future meetings of the Committee for 2024/25.**
 - Thursday 24th October 2024 at 10:00am in the Barum Room.
 - Thursday 23rd January 2025 at 10:00am in the Barum Room.

(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



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The rules that the Council will apply are:

1. The recording must be overt (clearly visible to anyone at the meeting) and must not disrupt proceedings. The Council will put signs up at any meeting where we know recording is taking place.
2. The Chairman of the meeting has absolute discretion to stop or suspend recording if, in their opinion, continuing to do so would prejudice proceedings at the meeting or if the person recording is in breach of these rules.
3. We will ask for recording to stop if the meeting goes into 'part B' where the public is excluded for confidentiality reasons. In such a case, the person filming should leave the room ensuring all recording equipment is switched off.
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5. The recording should not be edited in a way that could lead to misinterpretation or misrepresentation of the proceedings or in a way that ridicules or shows a lack of respect for those in the recording. The Council would expect any recording in breach of these rules to be removed from public view.

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North Devon Council offices at Brynsworthy, the full address is:
Brynsworthy Environment Centre (BEC), Roundswell,
Barnstaple, Devon, EX31 3NP.

Sat Nav postcode is EX31 3NS.

At the Roundswell roundabout take the exit onto the B3232, after about ½ mile take the first right, BEC is about ½ a mile on the right.

Drive into the site, visitors parking is in front of the main building on the left hand side.

On arrival at the main entrance, please dial 8253 for Corporate and Community Services.



NORTH DEVON COUNCIL

Minutes of a meeting of Building Control Joint Committee held at Exmoor Room, Brynsworthy Environment Centre, Barnstaple on Thursday, 25th April, 2024 at 10.00 am

PRESENT: Members:

Councillor

Councillors Keable, Clist, Denton and P Leaver

Officers:

Director of Resources and Deputy Chief Executive, North Devon Council, Building Control Manager, NDM Building Control Partnership and Director of Place, Mid Devon District Council.

1. APPOINTMENT OF CHAIR FOR 2023/24.

RESOLVED, that Councillor Denton be appointed Chair of the Joint Committee.

The appointment would be for a period up until when the appointments for the Chair and Vice Chair would cease and new appointments would need to be made.

The appointment would be considered after the 10th August 2024 when it expired and new appointments would need to be made.

Councillor Denton took the Chair.

2. APOLOGIES FOR ABSENCE

There were no apologies for absence made.

3. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 25TH JANUARY 2024 (ATTACHED).

RESOLVED, that the minutes of the meeting held on 25th January 2024 (circulated previously) be approved as a correct and signed by the Chair.

4. DECLARATIONS OF INTEREST

There were no declarations of interest announced.

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

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

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

- Key Performance Indicators 2022/2023.
- Key Performance Indicators 2023/2024.
- Resources.
- Internal Audit.
- Building Control Charges.
- Building Safety Regulator Hourly Rate.
- Validation Process and Building Safety Regulator Registration.
- Training Logs and Plans.
- Building Safety Regulator Registration Deadline Delayed.
- Upgrade to Uniform Building Safety Regulator Module.
- Performance Standard Reporting.
- LABC ISO Framework.
- Partnership Priorities.

He drew the Joint Committee's attention to the following key points within the report:

- Performance was on target and whilst there were certain areas which were better performing than others, it was consistent as the figures below showed.
- Decisions taken within two months was at 98% against a target of 95%, plan examination response times with applications being examined within 3 weeks was at 83% against a target of 95% and the average time to first response was 17 days against a target of 10 days.
- There was an error on page 15 of the report regarding the total number of application numbers comparison at the end of quarter 4 for the year 2020/21, which stated that there had been 1303 applications received when in actual fact there had been 1035 applications received.
- Improvement in the three week and time to first response KPIs remained the partnership's long term target but the significant additional workload being created implementing and undertaking the administration of the Building Safety Regulator regime changes meant that any improvement in the processing times were unlikely and it was anticipated performance in relation to these targets was likely to drop rather than improve in the following two quarters.
- The partnership's share of completions in the Housing Market was low at 18% and this reflected the decreased activity that the partnership had experienced in the area of submitted new housing applications in the past two years. It was also a reflection on the rate of development slowing on sites that the Partnership was overseeing.
- Developers had been scaling back building operations as they had been unable to sell completed houses in the recent economic conditions.

- At the last Joint Committee, general Market Share was reported for Quarter 3 2023/24 at 80%. For Quarter 4, Market Share had settled back and sat on target at 75% which gave the Partnership an average of 74% Market Share for the financial year.
- It was reported at the last Committee Meeting, total application numbers were at a lower level than the total number of applications received at the same point in previous years, but having reviewed the end of year figures, applications numbers for 2023-24 appeared to have recovered in the final quarter and were on a par with 2019-20; 2020-21; and an improvement on 2022-23 figures.
- It has also been apparent that among the applications being submitted since the New Year there had been an increase in larger domestic projects, more commercial work and increased activity in the new build housing sector. In the housing sector, the Partnership had seen two medium sized housing developments get under way in Braunton and Chivenor.
- New housing development, commercial activity and more complex domestic work were all encouraging indicators that the sector was showing signs of increased confidence. While Finance would provide the overall picture of the financial position at the net meeting of the Joint Committee, it was clearly evident income had been stronger and more consistent in the final quarter of the year.
- The income figures for the final quarter totalled £150,000.
- The vacant Trainee and Building Control Inspector posts had been advertised and candidates had been interviewed and selected.
- The successful Trainee candidate started with the partnership on 15th April 2024 and would register with the Building Safety Regulator as a Class 1 Inspector.
- The new recruit would only be allowed to perform restricted functions of plan examination and site inspection under supervision until they were able to demonstrate their competence through a validation scheme and register as a Class 2 Surveyor with the BSR.
- The vacant Building Control Inspector's position was advertised and the Partnership received just two applications and after shortlisting, interviewed one of the applicants.
- A verbal offer had been made to the candidate and if they accept the offer, the Building Inspector (due to the new Building Safety Regulator regime rules), would also be required to register as a Class 1 Inspector and would only be able to perform restricted functions of plan examination and site inspection under supervision until they were able to demonstrate their competence through the validation process and then registering as a Class 2 Inspector.
- That would leave just one senior vacant post within the partnership.
- With the challenges that the partnership had experienced recruiting to the senior vacant positions it was unlikely they would be able to attract a Registered Senior Inspector.
- Market Supplements for Mid Devon staff were due to stop at the end of June 2024 but may continue for the North Devon Inspectors. The Partnership was undertaking a re-evaluation process with new BSR regime Job Descriptions and Personal Specification with a view to closing the 10% gap for the Mid Devon Staff.

- Applications for in-scope building work, which applied to buildings that contained two or more residential units with a floor height above 18m; or a Care Home or Hospital with a floor height of over 18 metres must now be submitted through the Building Safety Regulator.
- From 6th April 2024, Class 3 Registered Inspectors maybe required by the Building Safety Regulator to become part of a multi-disciplined team to check in-scope buildings and where required to do so the employing Local Authority would be able to recover costs based on an hourly rate.
- The Partnership had recently reviewed its BSR hourly rate and this had now been submitted to them and for this financial year would be set at £83.52 an hour.
- All the Partnership Inspectors had taken the appropriate exams for their stage one assessed validation competence and to date and had received five out of six results, with one result pending for a further class 2.
- Now the Partnership's Inspectors had largely received their validation results their individual action plans and training plans would require updating.
- In the intervening three years until the next registration cycle in 2028, individuals would be required to maintain a portfolio of work relevant to their Class and anticipate an audit from the BSR annually.
- Employees would assume responsibility for maintaining their CPD logs recording topics that were relevant to their Registered Class for annual scrutiny by the BSR.
- The Building Control Manager had now received the results of the Level 6 qualification in Public Service Building Control Management and achieved a Merit.
- The Mid Devon Building Inspector was still working through the Level 6 Legislative Compliance qualification and the result should be known by the next Joint Committee Meeting.
- The Uniform Systems Administrator courses for the Technical Support Team Leader were delayed by IDOX. These courses had now been completed.
- While the Partnership had been successful in being able to validate five out of six Inspectors with one result pending, the picture across the industry was not so positive.
- The validation bodies had been overwhelmed by the volume and submissions from Building Inspectors and there were reports that many professionals had not engaged with the Registration process at all.
- As a result, just days before the 6th April Deadline the BSR announced a delay to the Registration deadline with transitional arrangements being introduced. The new deadline date for Registration was 6th July 2024.
- It had been frustrating that the Partnership did not receive the IDOX BSR Module upgrade until the third week in March leaving limited time to make the required changes to the back office systems to be ready for the 6th April deadline.
- The required changes had been communicated to the team. However, with such little time to prepare, it was inevitable that the data would not be recorded as consistently and as accurately as it would have been had there been a longer lead-in time for the team to become familiar with what was required.

- The changes to Uniform and the BSR Module allowed the Partnership to enter Duty Holder information and building height which they had been recording to DMS since the 1st October 2023, under the phase one changes introduced.
- The most recent changes to the back office processes were significant and the Partnership had created and distributed guidance notes to both the Technical Support Team and the Building Inspectors to assist with them with entering data at the appropriate time and in the correct place.
- Despite extending the Registration deadline for Inspectors the BSR had not announced a delay in the requirement for Building Control Bodies to submit the required new KPI data at the end of Q1 for 2024/25.
- The BSR were also currently advising that shared services would be required to submit data individually for each of the Partnership authorities, in the same way authorities were required to do so for P2 Housing returns.
- It had been formally reported to Members by the LABC that the BSR did not yet have a reporting system in place and that they were unlikely to have it ready in time for the end of June 2024. However, as it stood, the BSR still expected Building Control Bodies to capture and submit the new KPI data in early July.
- There was currently no in-house service or authority wide expertise to provide the required reports to submit this data.
- The Technical Support Team leader was in the process of completing the Uniform Administrator and Microsoft Access training but it was not anticipated that knowledge gained from this training would be sufficient to complete the report writing requirements without the further support of a consultant.
- Having approached IDOX, the Partnership had been advised that while they had given the BSR an undertaking to prepare reports, IDOX had not yet written them themselves to enable authorities to report on the new information now being captured.
- The Partnership had requested and was waiting on a quotation from IDOX to produce these reports in a consulting capacity.
- Until an automated reporting system was in place the Partnership staff would manually record the data required to spreadsheets so that it was in a position to submit information at the end of June assuming the deadline was not extended.
- The data capture requirements were significant and would require all team members to spend a significant amount of time recording the new information to Uniform and to spreadsheets for the time being.
- As a result, the team would require up to an additional five hours a week per employee to capture this data. Therefore additional hours had been agreed in the form of overtime until an automated system was in place or confirmation the data capture deadline had been delayed.
- Spreadsheets had been created for the individual authorities, for staff to record data as they process with various activities being captured at the following stages of Partnership processing:
 - Validation.
 - Plan Examination.
 - Decisions.
 - Inspections.

- Completions.
 - Enforcement.
 - Complaints.
 - Initial Notice Processing.
- LABC released the changes to the ISO Quality Framework System on the 5th April to bring this accreditation in line with the BSR regime.
 - The Partnership would need to review and re-engage with this platform, make any further appropriate adjustments to our back office systems and then operate in accordance with those confirmed changes.

The Chair thanked the Building Control Manager for his comprehensive report.

Following the presentation of the report, the officers present from North Devon and Mid Devon District Councils answered questions in relation to the following:

- Under the KPIs, the time to first response was working days and following a supplementary question regarding how that linked to the percentage figures for examination within three weeks, the Building Control Manager advised that the figures would be assessed and if there was insufficient evidence an amendment request would be written and that would then be considered as a first response.
- The BSR reporting process had 40 completely separate new KPIs, which were split across headings for validation through to completion. The new KPIs were fairly vague and were all being interpreted slightly differently and it was predicted that some KPIs would eventually be removed.
- The increase in the new building control charges of 6.7% across the board was difficult to compare with private sector companies, as private firms did not publish their figures. However, if the partnership continued to increase their prices there might come a point where that might change.
- The BSR hourly rate of £83.52 an hour when compared with other local authorities varied, as some London based companies charged more. However, employees in those areas were on higher salaries.
- A benchmarking exercise 18 months ago had placed the partnership in the upper quartile for their hourly charge rates. However, the position was not higher than average.
- Congratulated the partnership on its successful navigation of the validation process and following a question regarding how other companies were progressing with the process, were advised by the Building Control Manager that there were alternative validation processes that didn't involve exams but instead a portfolio of submissions to be checked. If companies were not on the BSR list from 6th July 2024 onwards they were not allowed to undertake work and any notices that were produced would be rejected if not compliant.
- North Devon Council and Mid Devon District Council contributed 0.5% of their annual payroll into the apprenticeship levy to facilitate the apprenticeship training scheme.
- Administrative resources to support the delivery of the validation process would be assessed when there was more information available.

- Hospitals with buildings of 18m or higher would need to submit their application to the Building Safety Regulator as opposed to the local authority. North Devon District Hospital had confirmed that their building was below the height of 18m.

The Chair expressed recognition to the Building Control Manager and his team for their hard work on achieving BSR validation and wished them well with the ongoing process.

The Director of Resources and Deputy Chief Executive advised that the financial trading account figures for the 2023/24 financial would be presented to the next meeting of the joint committee where it was hoped that an improved financial position would be reported for the final outturn report for quarter 4.

He added that there was now less reliance upon agency employees and associated costs and with the team now in a much more positive position as a result of the hard work by the Building Control Manager and his team.

In response to a question regarding the budgeted figures for 2024/25, the Director of Resources and Deputy Chief Executive advised that he didn't have the figures for 2024/25 to hand. However, the budgeted income figures for 2023/24 were as follows:

- North Devon Council - £400k (just under).
- Mid Devon District Council - £270k.

In response to a further question regarding the figures within the KPIs, he advised that those figures showed the net position with the total outturn projection at quarter 3 as follows:

- North Devon Council - £186k against a net budget of £98k, which was £88k over budget.
- Mid Devon District Council - £97k against a net budget of £66k, which was £31k over budget.

He added that the final outturn figures for quarter 4 should be lower due to improved income in the last quarter and the net budget gap forecast at quarter 3 should be reduced.

In response to a statement regarding the advantages of knowing what the partnerships competitors were charging, the Director of Resources and Deputy Chief Executive advised that the key element was market share and quality of service.

The Building Control Manager advised that he was hopeful that the new regime would provide a level playing field in terms of the charges as the regulator had great powers.

He added that following a recent internal audit, one of the recommendations made was to write to potential clients to offer the partnerships services and also to send out a customer survey to engage customers more within the process.

He explained that it was the government's intention to eventually regulate architects and builders.

RESOLVED, that the report be noted.

6. **DATES AND LOCATIONS OF FUTURE MEETINGS. TO AGREE
DATES AND LOCATIONS OF FUTURE MEETINGS OF THE
COMMITTEE FOR 2024/25.**

RESOLVED, that the following proposed dates for the Joint Committee meetings for 2024/25 be agreed:

- a) Thursday 25th July 2024 at 10:00am.
- b) Thursday 24th September 2024 at 10:00am.
- c) Thursday 23rd January 2025 at 10:00am.

Chair

The meeting ended at 10.51 am

2023/24 Building Control Partnership Trading Account Qtr 4

	1		2			3		4		5	
	2023/24 BUDGET		2023/24 OUTTURN					NDC 2023/24		MDDC 2023/24	
	NDC	MDDC	NDC	MDDC	Total	NDC	MDDC	Chargeable	Non Chargeable	Chargeable	Non Chargeable
	£	£	£	£	£	65.14% £	34.86% £	75% £	25% £	75% £	25% £
Expenditure											
Employees	401,510	225,003	401,757	158,406	560,163	364,910	195,253	273,682	91,227	146,440	48,813
Transport	22,480	11,500	11,659	8,107	19,766	12,876	6,890	9,657	3,219	5,167	1,722
Supplies and Services	9,400	14,420	5,403	13,926	19,329	12,592	6,737	9,444	3,148	5,053	1,684
Third Party Payments	0	0	0	0	0	0	0	0	0	0	0
Central & Support Service charges	86,170	58,540	86,170	50,460	136,630	89,005	47,625	66,754	22,251	35,718	11,906
Total Expenditure	519,560	309,463	504,989	230,899	735,888	479,383	256,505	359,537	119,846	192,379	64,126
Income											
Building Regulation Charges	-397,870	-266,328	-338,131	-180,925	-519,056	-338,131	-180,925	-338,131		-180,925	
Misc Income/S106 Receipts					0	0	0	0		0	
Total Income	-397,870	-266,328	-338,131	-180,925	-519,056	-338,131	-180,925	-338,131	0	-180,925	0
(Surplus)/Deficit for Year	121,690	43,135	166,858	49,974	216,832	141,252	75,580	21,406	119,846	11,454	64,126
	% income split	60%	40%	65.14%	34.86%						
								216,832		141,252	
											75,580
Total Actual Variance To Budget Spend					52,007						

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Appropriation Profit/Loss

Cash require to pay over from MDDC to NDC

25,606 MD to pay ND

Debtor to be raised by NDC to MDDC

-25,606
0

MEMO for Tony

Reconciliation - 12 month position compared to budget		
	NDC	MDDC
Base budget excluding transfer between authority	121,690.00	43,135.00
Budgeted contribution between each authority	-23,430.00	23,430.00
Bottom line for comparison	98,260.00	66,565.00
12 Month Actual from above	141,251.85	75,580.15
12 Month Deficit / (Surplus) compared to budgete	42,991.85	9,015.15

52,007.00

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Building Control Joint Service Committee

Report Date: 11.7.2024

Report By: Building Control Manager

Introduction

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

Report

Since the last Joint Committee Meeting the Activity Reports have been updated to include figures for Q1 2024/25.

The data from 2023/24 below has been included to provide a comparison and help demonstrate the current trend for the figures for 2024/25 on the following page.

Key Performance Indicators 2023/2024

KPI	KPI	Q1	Q2	Q3	Q4
Building Regulation Full Plan applications determined in 2 months	95%	94%	98%	98%	98%
Building Regulation Applications examined within 3 weeks	95%	75%	93%	85%	83%
Average time to first response (Days)	10	19	18	17	17
Market Share - Number of applications %	75%	72%	70%	80%	75%
Market Share - New Housing Completions %	40%	49%	16%	34%	18%
Financial Position	Breakeven	-66,396	-53,520	-91, 927	-52,007
Number of applications received	N/A	253	245	275	262



Key Performance Indicators 2024/2025

KPI	KPI	Q1	Q2	Q3	Q4
Building Regulation Full Plan applications determined in 2 months	95%	94%			
Building Regulation Applications examined within 3 weeks	95%	87%			
Average time to first response (Days)	10	18			
Market Share - Number of applications %	75%	81%			
Market Share - New Housing Completions %	40%	26%			
Financial Position	Breakeven	TBA			
Number of applications received	N/A	368			

The table above shows performance in relation to decisions within two months at 94% (target 95%), plan examination response times with applications being examined within 3 weeks at 87% (target 95%) and average time to first response 18 days (target 10 days).

Set against the backdrop of a spike in the application numbers experienced in the quarter, 368 and increased income of £67K for Q1, the response figures are showing the team are working hard to maintain the level of performance being recorded when compared to the application numbers for Q1 in the previous year measured at 253 applications.

The service is no longer being supported by Mid Devon Planning Technical Team.

The transition of the application processing workload to our Technical Support Team is now complete. This transition has been very smooth and has not adversely impacted the response figures, especially when accounting for the increased activity in the first quarter 2024/25.

Improvement in the three week and time to first response KPIs continues to be our long term aim. The significant additional workload being created, implementing and



undertaking the administration of the Building Safety Regulator regime changes, mean that any improvement in our processing times are unlikely in the near future without additional resource being considered.

Our share of completions in the Housing Market remains low at 26%.

Whilst this is showing a slight improvement on the figure for Q4, 2023/24, which was measured at 18%, it has been evident in the past few months that some developers are choosing the private sector over ourselves for housing developments.

In doing so, developers take advantage of the savings they can make by instructing a Registered Approver, who also has the ability to provide a 10 year warranty for the property. A service LABC Building Control providers cannot provide independently.

Despite this, the Partnership has had some further recent success in winning the Post Hill development in Mid Devon, which is a Housing Development for 70 new residential units and the application has now been received and plan checked.

At the last Joint Committee meeting, general Market Share was reported for Q4 2023/24 at 75%.

For Q1, 2024-25 Market Share has been measured at 81% and slightly above target, compared to the same period in 2023/24 where it was measured at 72%.

While Finance will provide the overall picture of the financial position, it is evident income has improved in the first quarter of 2024/5 but still below forecasted levels and this continues to reflect the position of the economic conditions.

As a result our expectation and forecasted income has to reflect this situation.

As the figures below indicate there is still inconsistency in the market and much uncertainty as to where market confidence sits.

Total Income Figures Q1 2024/5

April 56,878.59

May 38,114.35

June 67,176.29



Resources

The Partnership is continuing with its re-building process.

Attached, in the appendices, is a copy of our current Organisational Chart and also a snap shot of the position in late 2022.

These have been included, firstly, to illustrate the challenges the Partnership has faced and to graphical represent the progress the team has made in its re-building and success in registering competence with the BSR.

Secondly, these charts have been included to remind the Partnership it must be mindful of the competitive nature of the recruitment market for building control and to ensure it protects its resources to enable it to continue to operate under the new BSR Regime.

With our reserve significantly reduced or spent during the recovery period from the last exodus of staff in 2022, the Partnership must be mindful that it may not be able to recover a re-occurrence of a similar scenario and that such a situation is also likely to invite sanctions from the BSR.

The Partnership continues to be at significant risk of losing Registered Inspectors to adjoining Authorities and the Private Sector as it struggles to keep pace with the market rate for its registered staff.

There are reports across the country of Building Control sections being left without staff as a result of Inspectors moving on for improved terms and conditions.

Market Supplements for Mid Devon Building Inspecting staff have come to an end now but continue for North Devon counterparts.

This has created a significant difference in terms and conditions between employees on each side of the Partnership and also placed Mid Devon in the bottom two in regard to terms and conditions in the South West region.

The Partnership has undertaken a re-evaluation process for the Senior and Building Inspector roles with new BSR regime Job Descriptions and Personal Specification for Mid Devon with a view to closing the 10% gap for the Mid Devon Staff.

This approach has resulted in the gap being closed for the current Mid Devon Building Inspector, but does not address the issue with the vacant senior post or the Building Control Managers position.

Having staff on difference terms and conditions while undertaking the same role remains a significant challenge for the Partnership and a legacy from its formation.



Removing the Market Supplements without alternative financial redress to the remaining impacted positions is real terms a pay cut.

This is at a time when responsibility and demand for Registered Inspectors has increased dramatically and other Local Authority providers are offering improved terms and or maintaining protection schemes to keep registered staff and attract new where they are needed.

The Building Control Recruitment Market is extremely competitive at the moment and all our Registered Inspectors are receiving offers of employment on a daily basis and without suitable protection in place to match the market rate the Partnership is once again vulnerable to departures.

With regard to our rebuild, at the last Joint Committee it was reported we had recruited to our Trainee position.

Our recently recruited Trainee is now supporting our Technical Support Team two days a weeks and shadowing the Inspecting teams three days a week.

Our Trainee is also undertaking project work set by the Principal Inspectors with topics to prepare him for his University Degree in Building Control Surveying which is due to commence in September.

Our Trainee has submitted his application for the Levy funded degree with the assistance of North Devon HR and we are awaiting confirmation of his place.

At the time of the last Joint Committee our vacant North Devon Building Inspector position was under offer.

Our successful candidate accepted our offer and has settled in very well.

He is currently shadowing the North Devon Inspectors with a view to working his own patch under supervision from the 1st August 2024. He has also just secured and started a Level 4 Diploma in Building Control, which is a 9 month course, 1 day a week with continual assessment and exams.

This qualification will provide an excellent platform for our latest recruit to build his knowledge and prove his competence with a view to applying to become a Class 2A Inspector and work without supervision in 12 months' time.

As a result of introducing our latest recruit to his own patch under supervision at the end of July, the Partnership will end its reliance on agency provision, as our sole agency Inspector's contract will not be renewed at the end of the month.



The Mid Devon Principal who had Hip surgery has recovered well and is back to full duties including site inspections, which also provides further comfort to us in deciding not to renew the agency's surveyors contract.

Due to the supervision requirements, increased training and regime changes the Partnership resource levels remain at a critically low level and it will need the vacant senior position to be filled once a decision has been taken how this post is best advertised and where it fits within the structure.

Internal Audit Recommendations

The Audit Team made a number of recommendations, these include; to re-instate the marketing strategy to write to successful planning application applicants to offer advice and a bespoke quotation; to reinstate the Completion Survey via Survey Monkey; to review the Partnership Agreement; reduce reliance on Agency Staff; and increase the resilience of Technical Support Team.

The following recommendations have now been implemented.

- to re-instate the marketing strategy to write to successful planning application applicants to offer advice and a bespoke quotation
- to re-instate the Completion Survey via Survey Monkey
- reduce reliance on Agency Staff
- Increase the resilience of Technical Support Team.

With just the Partnership agreement to be reviewed in the future.

Validation Process & BSR Registration

At the time of the last Joint Committee it was reported the Partnership was waiting on a result for one of the Senior Inspectors for their Class 2B-F status. This result has now been confirmed and we now have all the results and all those who have sat exams have been successful in registration with the Building Safety Regulator.

Our two latest Inspector recruits are also registered now and this will enable them to perform restricted functions under the supervision of an appropriately registered surveyor.

As a result the Partnership currently has the following Registered Inspectors:

One Class 3 A-H (Specialist) and Class 4 (Technical Manager)
Two Class 2B-F (General)
Three Class 2A (Domestic)
Two Class 1 (Trainee)



With the departure of the Agency Surveyor the Partnership will be losing the benefit of having a further Class 2B-F Inspector.

As confirmed at the last Committee meeting the Partnership may remain vulnerable at audit, due to the loss of significant numbers two years ago, as we have not yet fully recovered from that situation and are still not fully staffed.

Training Logs and Plans

As reported previously the BSR will require individuals to have training plans and CPD logs.

Since the last meeting the following training has either been completed or put in place.

The Uniform Systems Administrator course for the Technical Support Team Leader have now been completed.

The Mid Devon Building Inspector has now completed his Level 6 Legislative Compliance Course and obtained a Distinction.

The same Inspector is awaiting confirmation from the BSR on his upgraded class as he has achieved Level 2B Inspecting status with Total Training, which is an alternative validation process to the one provided by the LABC through the BSCF.

The Technical Support Team Leader is about to commence the LABC, Level 3 Technical Support Officer qualification.

The recently recruited North Devon Inspector has just started his Level 4 Diploma in Building Control.

The Mid Devon Principal Inspector will commence the Level 5 Diploma in Building Control in September 2024.

The Trainee Building Control Inspector will commence his Levy funded Building Control Surveying Degree in September 2024, assuming his application is accepted.

As reported previously, individuals will need to maintain CPD logs, recording topics that are relevant to their Registered Class for annual scrutiny by the BSR.

The LABC have recently advised they will be providing a programme to assist and manage this requirement for a charge of £135 an Inspector.

Once the details of this scheme are released the Partnership will review them with the intension of signing up to this recognised route to ensuring CPD is appropriate.



Building Safety Regulator Registration Deadline Further Extended

At the last Committee meeting it was reported that the Deadline for Registering with the Regulator had been extended from 6th April to the 6th July 2024.

The Partnership has been successful in being able to validate all six of its Class 2 or better employees before the deadline, so this will not have an impact on those that have already sat the exams.

This week the regulator has announced a further extension of time for Class 1 Inspectors, who have not yet received the results from the validation process, to allow them to continue to work at the level they have sat exams for until they receive their results.

This extension of time will not impact the Partnership, as our two newest recruits are at the beginning of their journey to validation and are some way from being in a position to sit the validation exams.

Building Safety Levy

The Building Safety Levy is being introduced to raise funds to pay for unsafe buildings.

Developers will be expected to pay a levy on new residential buildings meaning they, rather than leaseholders will pay to fix unsafe buildings.

Work to implement the Building Safety Levy has been halted due to the General Election.

It is anticipated this work will begin again shortly, with further consultation and engagement with Building Control Bodies recommencing soon with collection starting in 2025.

It is the intention that LABC Building Control bodies will be responsible for collecting and recording data in relation to the Levy on receipt of Building Regulation application or Initial Notice submission. With returns being submitted to a central fund on a quarterly basis.

Performance Standard Reporting

The BSR Operational Standards require Building Control Bodies to capture and report data on a range of activities on a quarterly and annual basis from April 2024.

As reported at the last Committee meeting the Partnership does not have in-house capability to produce the required Access and IDOX uniform reports to extract the data from the uniform system.



IDOX have yet to produce a suite of reports to make available to Uniform users as they are waiting on the BSR to confirm the current reports are the finalised set required.

Since the 6th April the Partnership has been capturing this data manually using spreadsheets as we process, plan check, inspect and complete work.

This process is labour intensive and resource heavy and requires every team member to record actions as they occur.

Since the last Committee meeting the Partnership has sort a quotation from IDOX to write a set of reports to cover the current BSR reporting requirement.

The quotation returned was £19K and did not include any on-going support. At the time of writing the Partnership does not intend to action this instruction for IDOX to write the reports.

With the 1st Quarter now completed, industry has been expecting the BSR to introduce a reporting system so that Building Control Bodies can submit data.

LABC have also advised they anticipate the BSR KPIs being revised before being released as the current published KPI's are open to interpretation and may lead to a wide variety of meaningless data being submitted.

At the time of writing, there has been no official information released by the BSR in relation to the required KPI data submission requirements.

The LABC have also reported this week that they do not anticipate the BSR KPI reporting system to be formally in place until early 2025 with Building Control Bodies being expected to submit data at the end of Q4 2024/25.

LABC also indicated this week that they had failed in their efforts to persuade the BSR to permit Shared Services to submit data jointly and that the Partnership will be expected to submit data individually for North and Mid Devon.

While the automated system is not ready and the KPI's do not appear to be finalised, it is anticipated the BSR will be writing to Building Control Bodies in the coming weeks, with a blank spreadsheet attached for the Partnership to return data to them on a quarterly basis for each authority individually.

It is anticipated these manual captures will require the Partnership to submit data for each authority under the following headings;

- Are you a Shared Service, if so who with
- Number of Registered Inspectors employed and their registration number and Class
- Supervision Policy



- Inspection Report Policy
- Number of Agency Staff
- Number of Unregistered Inspectors
- Vacant positions
- Number of Tech Support
- The KPI information from the current draft KPIS - number of applications etc.
- ISO Status

The Team have made the published changes to working practices within the constraints of the IDOX platform and have been manually recording data to submit to the BSR on performance.

There remains question marks with regard to the intent of the BSR in relation to some the changes and there are conflicts between the Operational Standards and the current published Performance Standards.

In this regard, the three main areas of concern relate to Supervision; Inspection Reports for clients and Enforcement

The Partnership has produced a policy for Supervision and Inspection Reports, which we will be able to provide to the BSR if requested, but it remains to be seen if this is sufficient and in line with their expectations.

With regard to the new Enforcement Powers, the Partnerships has yet to test these.

While we do have a number of cases with legal, awaiting their input, until further training is released by the providers in this regard, it will be sometime before staff have the confidence to engage the new enforcement processes with any confidence.

Given the lack of communication being published by the BSR it is unlikely the Partnership will know if have complied with the required standards until we have been audited or received feedback from other audits in the future.

With a view to protecting itself the Partnership has kept in touch with the South West LABC group and discussed main of these issues with a view to seeking a harmonised view where it's possible but as different team operate different software systems it is not always possible to work in the same way as our South West colleagues.

LABC ISO Framework

As reported previously the LABC released the changes to the ISO Quality Framework System on the 5th April to bring this accreditation in line with the BSR regime.

The Partnership is currently reviewing the significant layers of documentation released on and since the 5th April and reviewing current procedures and policies to match the new ISO process maps.



It is anticipated the BSR will seek information in relation to our ISO Accreditation. So to ensure the Partnership makes the correct declaration to the BSR, we have written to the LABC seeking clarification with regard to our status, given our inability to internally audit our ISO prior to the changes since 2022.

Whilst we have been working within the framework in this period we have been unable to internally audit due to our resourcing frailties.

Once we have reviewed the processes and re-written policy and guidance we will appoint an Internal Audit Team to recommence the audit process.

Partnership Priorities

The Partnership needs to remain competitive in the employment market to ensure recruitment and retention and have sufficient staff to be ready for the market upturn.

Support Inspectors in continuing to train and maintain Registered Class. Ensure employees have sufficient time for training, CPD and staff development

Implement an automated KPI reporting system.

Continue to adapt the office procedures for the changes the New Operational Standards bring.

To maintain, monitor and audit our Quality Management System.

Review of the facilities at Woodlands is to be considered, given our increased agile working since the pandemic, and may provide a 10K annual saving if we no longer operate from this base.

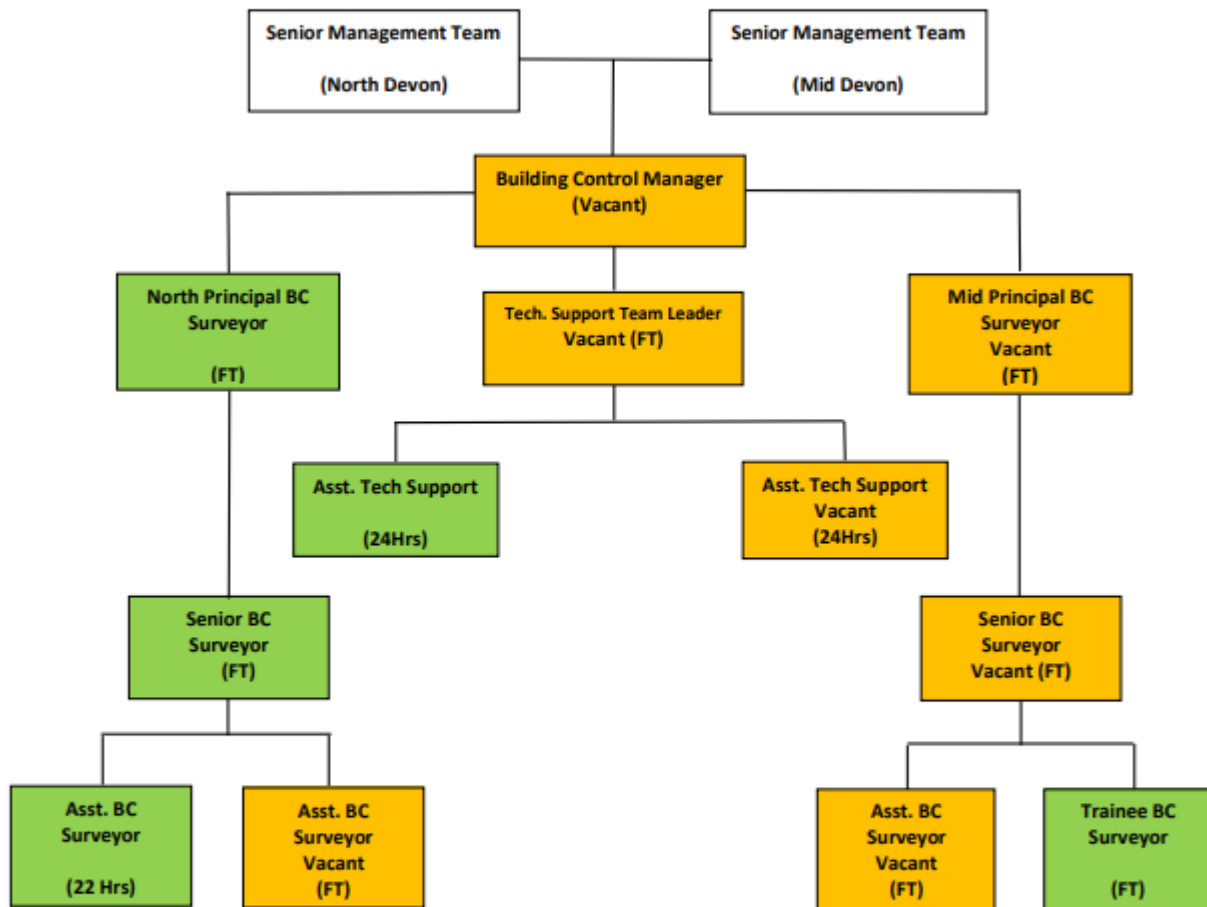
Consider a more permanent hybrid working system and hot desk arrangements for both the Surveying and Technical Support Team.

Develop a more agile and pro-active relationship that enables the Partnership to respond to change.



Appendix 1 Organisational Chart – Winter 2022

NMD Building Control Organisational Chart Winter 2022



Key:

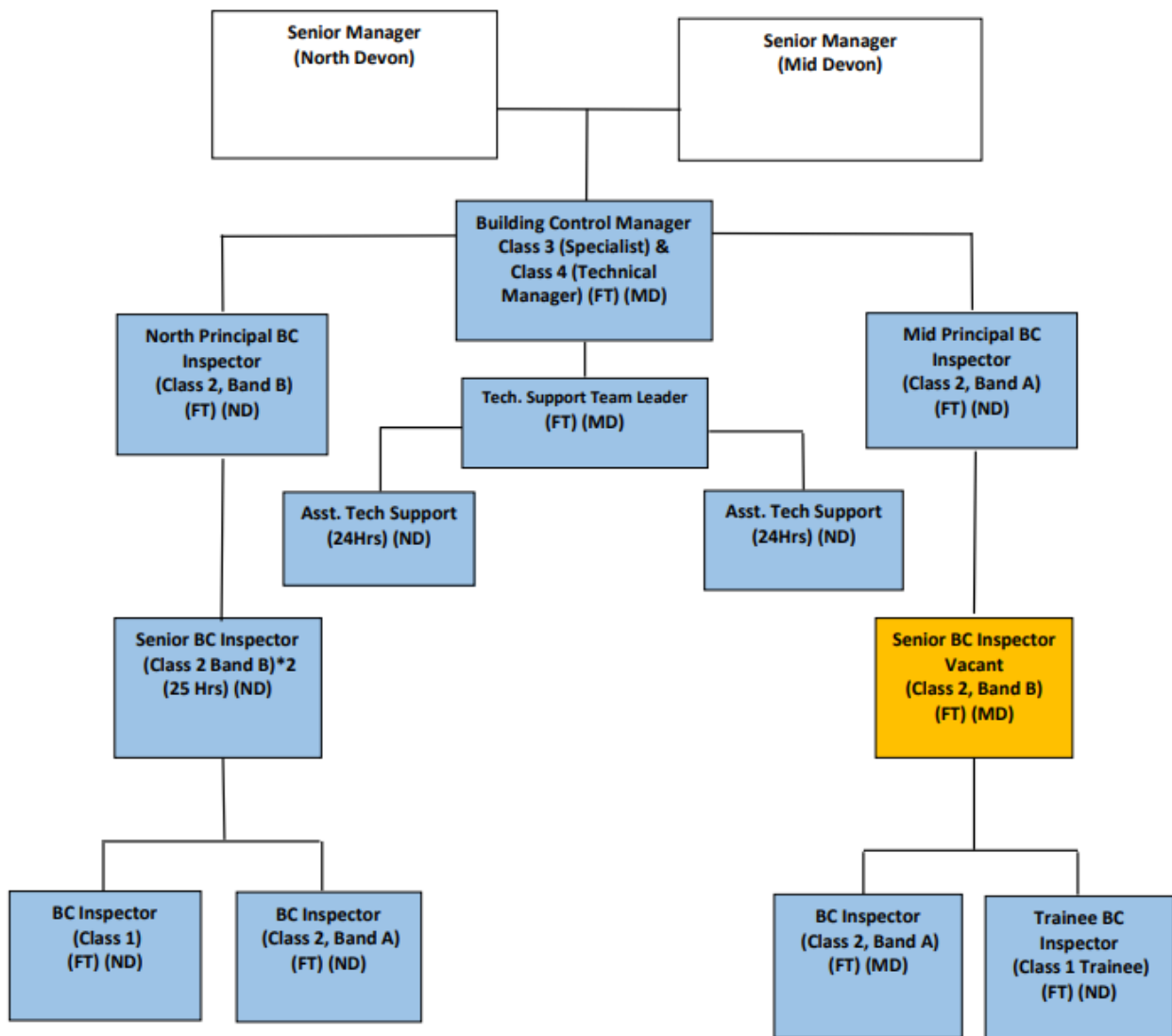




APPENDIX 2

Organisational Chart – Current

**NMD Building Control Organisational Chart
From Monday 15th May 2024**



Key:



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