

NORTH DEVON COUNCIL

Minutes of a meeting of Building Control Joint Committee held at Barum Room, Brynsworthy Environment Centre, Barnstaple on Thursday, 23rd January, 2025 at 10.00 am

PRESENT: Members:

Councillor

Councillors Keable, Clist and P Leaver

Officers:

Director of Resources and Deputy Chief Executive (NDC) and Finance Manager (NDC).

Also Present:

Councillor Clayton – Leader of North Devon Council.

Representing Mid Devon District Council: Director of Place.

Head of Finance (MDDC) (virtually).

20. APPOINTMENT OF CHAIR FOR THE MEETING

Councillor Keable advised that the Chair of the Joint Committee Councillor Denton was unable to attend the meeting due to ill health and requested agreement from the Committee that they were happy to proceed with the meeting with him as the Chair.

RESOLVED, that Councillor Keable be appointed as the Chair in the absence of Councillor Denton.

21. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Denton, North Devon Council.

22. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 24TH OCTOBER 2024 (ATTACHED)

RESOLVED, that the minutes of the meeting held on 24th October 2024 be approved as a correct record and signed by the Chair.

23. DECLARATIONS OF INTEREST

There were no declarations of interest announced.

24. 2024/25 BUILDING CONTROL PARTNERSHIP TRADING ACCOUNT QUARTER 3 (ATTACHED). REPORT BY NORTH DEVON FINANCE MANAGER.

The Joint Committee considered a report by the Finance Manager (NDC) (circulated previously) regarding the 2024/25 Building Control Partnership Trading Account for Quarter 3.

The Finance Manager gave the Committee the following summary:

- **Column one** of the trading account table, showed the annual budget for each Authority.
- **Column two** of the table showed the forecasted outturn for the year 2024/25 based on the quarter three information.
- Overall, the figures were showing an adverse variance of £116,000, which was predominantly due to income, the majority of which related to North Devon Council and was an improvement of £14,000 across both authorities from quarter two and the volume changes had been reflected in the 2025/26 budget.
- **Column three** of the table set out the percentage split of expenditure and income between the two authorities in greater detail and showed a split projected income of 63.06% for North Devon Council and 36.94% for Mid Devon District Council. The net effect on each authorities budget was shown at the bottom left of the table, which projected North Devon Council being £69,000 down and Mid Devon District Council being £47,000 down for the year. This was against the original split of 60:40.
- **Column four** referred to the 75% chargeable element, with both authorities making a slight loss on the 75% chargeable element.

RESOLVED, that the 2024/25 Building Control Partnership trading account Quarter three report be noted.

25. 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.

The Building Control Manager drew the Committee's attention to the following key points within the report:

- The table on page 14 of the agenda detailed performance in relation to decisions taken within two months at 100%, which was against a target of

95%, plan examination response times with applications being examined within 3 weeks at 88%, which was against a target of 95% together with the average time to first response 24 days, which was against a target of 10 days.

- The market share percentage for new housing completions had recovered since the last quarter but remained lower than anticipated at 29%, against a target of 40%.
- The drop to 24 days to first response in quarter three was a direct result of the departure of the two Mid Devon permanent Inspectors, who left at the end of September and beginning of December 2024 respectively.
- The long term aim for the service was to improvement in the three week and time to first response KPIs to help maintain its current market share.
- The additional workload being created, implementing and undertaking the administration of the Building Safety Regulator regime changes and the Partnership's continued resourcing issues, meant that any improvement in processing times remained unlikely.
- The Partnership's current performance levels meant it continued to meet its statutory obligations.
- The Partnership continued with its re-building process but had received a further set back since the last committee meeting.
- Appendix 1 - Copy of current organisational chart, December 2024.
- Appendix 2 - Copy of the Organisational Chart, August 2024.
- Appendix 3 - Copy of the Organisational Chart, winter 2022.
- Since the last Committee, the service had seen the departure of the Mid Devon Inspector to the Private Sector together with the resignation of the Mid Devon Principal Inspector who had moved to employment with a Registered Approver.
- As detailed in appendix 1 of the report, this left the Partnership with three vacant posts all within the Mid Devon District Council team.
- The vacant positions were all advertised week commencing 16th December 2024 and were about to close. To provide support to the service in the interim, Senior Management had therefore authorised a request to employ two temporary agency Inspectors.
- Due to the national shortage of Inspectors the Partnership had only been successful in securing one agency Inspector.
- Therefore, in the short term, the North Devon Council Inspectors would provide cover for Mid Devon District Council plan checking using overtime, while the remaining permanent Mid Devon District Council Class One Inspector and the agency Class Two Inspector would provide cover for the Mid Devon Inspections under Supervision of the Building Control Manager.
- Before the festive break the Partnership reviewed its current retention strategy and the Market Supplements in place for the North Devon Council Inspector team.
- The review established the current protection in place was the maximum permitted under current North Devon Council retention Policy.
- With the agreement of Senior Management team other retention strategies had been considered and implemented to the appropriate Inspectors with a view to minimising the risk of further departures.
- The South West Group were all reporting challenges around recruitment and retention and most were trading with two or more vacant positions or were

anticipating future departures to the Private Sector or contracting opportunities.

- A number of the South West Group were reporting a significant drop off in activity and income and were forecasting significant shortfalls in their 2024/25 outturns. Three of the South West Group had been contacted by the Building Safety Regulator BSR and were going through an audit process.
- The South West Group were all considering their retention and recruitment strategies and in turn their charging structure to reflect the additional costs being incurred by resourcing and the BSR challenges.
- Prior to the Festive break, and in conjunction with the Accountants, a Charges Review was undertaken.
- Taking into account the Partnership's increased resourcing costs it was proposed the Building Control Charges would be increased across the board by 13.42 percent.
- The Partnership had submitted its Internal 9001 Internal Audit Submission to the LABC Standards Team on 11th November 2024.
- The Partnership had not yet received a response from the LABC Standards Team.
- In August, the Partnership were notified by the LABC Standards Team that the BSI were due to undertake an External Audit of its ISO 9001 accreditation on 13th December 2024, but this did not take place.
- This had been reported to the LABC Standards Team and the Partnership was yet to receive a response.
- The Partnership received a DAP Internal Audit this time last year and had met up this week with the Audit Team to discuss progress on the recommendations.
- An updated report was due in the coming weeks and its findings would be shared with Senior Management team and the Joint Committee once it was available.
- The Director of Place (MDDC), Director of Resources and Deputy Chief Executive (NDC) and Building Control Manager had a meeting scheduled with both Human Resources teams after the meeting of the Joint Committee to explore the options with regard to harmonisation of terms and conditions, together with the legacy issues that had been in place since the Partnership's formation and explore opportunities to make the Partnership's terms more competitive.
- As part of this process the North Devon Council positions would undergo a Job Evaluation review.
- The first formal BSR KPI Reporting period was now live and the Partnership spreadsheets had been updated to ensure the correct and complete data was captured to reflect the changes announced in September 2024.
- Automated capture remained the target of the Partnership but as IDOX had not yet written the reports to capture the KPI information.
- The Partnership would continue to capture the information as it was processed on spreadsheets manually. The Partnership Authorities would be required to submit data individually, at the end of the Q4 2024/5 for Q4, with the first annual submission being required April 2026 for the 2025/2026 financial year.

- The Partnership needed 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 had 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.
 - Maintain, monitor and audit its Quality Management System.
 - Consider a review of the facilities at Woodlands, given the increased agile working since the pandemic, and the potential to provide a £10,000 annual saving if the service were to 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 enabled the Partnership to respond to change.

In response to questions the Committee received the following responses:

- The partnership aimed to build costs into its charges to cover its agency costs.
- New burdens one off funding in relation to the building safety levy, which amounted to just under £250,000 across both authorities to resource and implement software change and other associated costs with bringing the partnership in line with the BSR requirements.
- The new burdens funding would be received in the next financial year and if it was not all spent in the first financial year it would be put into the reserves to cover ongoing costs associated with the BRS implementation.
- The partnership had historically used the Planning Portal. However, this stopped in April 2024 because the portal wanted to charge clients £80.00 to obtain the fee. However, much of the work undertaken as part of the building control process was bespoke and therefore required a quote, which could differ in cost from the upfront charge and cause issues and more work for officers further down the line. He added that he had received positive feedback from local architects.
- The BSR audit process took place for each authority over a four year cycle.
- The increase in building control charges by 13.42% allowed the partnership to remain competitive with other businesses.
- Agency costs were built into the budget.

In response to a question regarding the distribution of workload to cover the two vacant positions currently sat within the partnership, the Building Control Manager advised the North Devon Council team were currently managing the workload supported by agency staff and trainees under the direct supervision of the Building Control Manager.

He added that it was going to be an ongoing issue to fill the two vacant senior posts within the partnership and that senior officers from both authorities together with their respective Human Resources teams would be meeting following the Committee to discuss ideas for recruitment and retention of staff going forward.

The Committee acknowledged that there were issues with recruitment across the whole country due to a national shortage and raised concerns as to how the problem could be addressed.

The Director of Resources and Deputy Chief Executive explained that North Devon Council was exploring options to train and retain home grown talent through graduate and apprenticeship schemes similar to those already in delivery within the Environmental Health team.

Councillor Clayton introduced himself as the Leader of North Devon Council to the Committee and advised that he was attending Committees that he was unfamiliar with to gain a knowledge and understanding of the work that they do.

In response to a question regarding the size of the organisation, its difficulty in recruiting staff and the potential for joining up with other local authorities, the Building Control Manager advised that there was scope to approach other Councils discuss joining up with their building control teams and creating a larger organisation. However, he acknowledged that there was also a risk that the problem could become bigger if the partnership were to go down that route.

The Chair thanked Members for their questions and the officers for their responses.

Chair

The meeting ended at 10.37 am