

**NORTH DEVON COUNCIL**

Minutes of a meeting of Building Control Joint Committee held at Virtual - Online meeting on Thursday, 11th February, 2021 at 9.30 am

PRESENT: Representing North Devon Council:

Councillors Tucker and Yabsley

Representing Mid Devon District Council:

Councillors Chesterton (Chair) and Evans (substitute for Deed),

Officers:

Building Control Manager, Head of Planning, Economy and Regeneration (MDDC), Accountancy Services Manager (NDC), Accountancy Officer (MDDC) and Solicitor and Data Protection Officer (NDC)

**52. VIRTUAL MEETINGS PROCEDURE - BRIEFING AND ETIQUETTE**

The Corporate and Community Services Officer outlined the virtual meetings etiquette and procedure and confirmed those Members and Officers present.

**53. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Deed.

**54. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 12TH NOVEMBER 2020**

RESOLVED that the minutes of the meeting held on 12<sup>th</sup> November 2020 (circulated previously) be approved as a correct record and signed by the Chair.

**55. DECLARATIONS OF INTEREST**

No declarations of interest were made.

**56. BUILDING CONTROL PARTNERSHIP TRADING ACCOUNT 2020-21 3RD QUARTER**

The Committee considered the Building Control Partnership Trading Account 2020-21 3<sup>rd</sup> Quarter (circulated previously), by the Head of Resources.

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

- Section one of the trading account showed the budget

- Section two showed income and recorded here was the Government compensation payment for loss of income due to Covid-19 restrictions/lockdown
- The percentage split between the two authorities was 61/39 for North Devon Council and Mid Devon District Council respectively

The Committee noted the Building Control Partnership Trading Account 2020-21 3<sup>rd</sup> Quarter.

**57. BUILDING CONTROL PARTNERSHIP FORECAST TRADING ACCOUNT 2020-21 AS AT 3RD FEBRUARY 2021**

The Committee considered the Building Control Partnership Forecast Trading Account 2020-21 as at 3<sup>rd</sup> February 2021 report, (circulated previously), by the Head of Resources.

The Accountancy Services Manager advised the Committee that both authorities would stand at around £1,000 deficit based on the 12 month forecast.

The Committee noted the Building Control Partnership Forecast Trading account 2020-21 as at 3<sup>rd</sup> February 2021 report.

**58. KEY PERFORMANCE INDICATORS**

The Committee considered the Key Performance Indicators (KPI's) report, (circulated previously), by the Building Control Manager.

The Building Control Manager gave the Committee the following updates:

- December 2020 and January 2021 had been remarkably good months for the Partnership, the number of applications received were higher than had been predicted at the last meeting, held in November, despite there being a national lockdown
- The Partnership were hitting performance requirements in terms of determining applications within a two month time period, and examination of applications within three weeks, both reported at 99%
- The market share had dropped slightly to 77%
- All areas were on target with some areas slightly higher

In response to a question from the Chair about how other Local Authority Building Control teams were performing. The Building Control Manager explained it was a very mixed situation, East Devon for example had possibly fared worse than most, whereas, Plymouth were doing really well having secured £140 million in construction applications.

The Committee noted the report and contents.

**59. BUILDING CONTROL BUSINESS UPDATE**

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

The Building Control Manager advised the Committee of the following updates:

- The main impact on the service was staffing issues, there was a shortage of staff due to various reasons along with the Head of Place having left North Devon Council
- The apprentice was progressing well through their degree gaining good marks
- Document B Fire Safety was under review as a result of the Grenfell review and the new document was expected in 2024
- To curb bad practices of cross border working the LABC were carrying out a review of the partnership scheme. The review might restrict the scope for cross border working, but the North and Mid Devon partnership had a good working relationship with Devonshire homes and had even won awards for their good partnership
- The Partnership had prepared to carry out enforcement proceedings against a lift company refusing to provide their full fire safety certification report. The company eventually provided the requested report which resulted in the discovery that they had wrongly sold their product as being fire safety compliant. The issue was resolved and the company reported to the LABC in an effort to ensure they did not proceed elsewhere in the country

In response to a question about how he saw things going forwards. The Building Control manager said he would struggle to make a prediction, however, currently the situation was very buoyant and there were no signs of this slowing down.

In response to a question about an influx of possible enforcement cases as a result of lockdown. The Building Control Manager advised that enforcement was a big issue. Change was coming as a result of the Grenfell enquiry. Having a Lead Enforcement Officer dedicated to preparing cases and taking them through to court would be a big culture change. The appointment of a New Homes Ombudsman would mean new home owners had a point of contact to raise issues and concerns with and this in turn would be fed-back into the Building Control process.

The Committee noted the Building Control Business update report.

## **60. BUILDING SAFETY BILL UPDATE**

The Committee considered the Building Safety Bill update report, (circulated previously), by the Building Control Manager.

The Building Control Manager gave the following updates:

- The timetable for transition of powers to the Building Safety Regulator had now been published. This had been due to be published in October 2020

- The Local Government Association (LGA) had held a briefing on the changes due to come in
- An interim residents panel was due to be set up in March 2021
- Gateway 1 (planning) there would have to be a consultation with planning departments and building control to ensure a contractor was in place going forwards with a project
- By October 2022 a full competence committee was due to be in place. This would mean all building control staff had to be fully validated. Currently five staff were fully validated to the highest level. The level six validation was for high rise and complex buildings of which North Devon had very few

In response to a question about whether planning departments would be kept up to date with the changes. The Head of Planning, Economy and Regeneration (MDDC) advised the Committee that from April 2021 there would be a requirement for the Planning department to consult with the Building Control department. It was expected that the in scope definitions of buildings would expand to allow for a greater building safety control. The validation of competency would be focussed on the individual rather than the Team.

In response to the question of how the impact of individual competency validation might affect future recruitment of staff. The Building Control Manager responded that this could have an impact on future recruitment. He could think of no other discipline where staff were required to re-validate their ability to carry out their duties every four years. It would be tempting for an Officer validated at level six to find work elsewhere at a higher salary. It was very likely there would be shortages of staff in the future. Currently there was only one approved scheme for validation of Officers and that was through the LABC. It was not a simple process to set up a scheme and it was doubtful whether a new scheme could be set up by 2022.

## **61. AGENDA ITEMS FOR FUTURE MEETINGS**

The Head of Planning, Economy and Regeneration advised the Committee on an area of interest that she thought members of the Committee might like to learn more about as being the need for Carbon neutral new homes. Due to the sound quality of the call causing interference with the presentation the Chair requested that the Head of Planning, Economy and Regeneration forward an email outlining her intention of a new standing item to be placed on the agenda.

Chair

The meeting ended at 10.29 am