

NORTH DEVON COUNCIL

Minutes of a meeting of Building Control Joint Committee held at Woodlands Enterprise Centre, Pathfields Business Park, South Molton on Thursday, 23rd January, 2020 at 9.00 am

PRESENT: Members:

Councillor

Councillors Barnell, Topham and Yabsley

Officers:

Building Control Manager, North Devon Council and the Head of Planning, Economy, Regeneration, Mid Devon District Council and Accountancy Services Manager, North Devon Council.

23. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Deed, Solicitor and Data Protection Officer, North Devon Council, Group Manager for Financial Services, Mid Devon District Council and the Accountant, Mid Devon District Council.

24. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 31ST OCTOBER 2019 (ATTACHED)

RESOLVED, that the minutes of the meeting held on 31st October 2019 (circulated previously) be approved as a correct record and signed by the Chairman.

25. DECLARATIONS OF INTEREST

There were no declarations of interest announced.

26. POOLED BUDGET AND TRADING ACCOUNT FOR QUARTER 3 AS AT 31ST DECEMBER 2019. REPORT BY NORTH DEVON COUNCIL ACCOUNTANCY SERVICES MANAGER (ATTACHED).

The Joint Committee received an update by the Accountancy Services Manager in relation to the Pooled Budget and Building Control Trading Account for quarter three as at 31st December 2019 (circulated previously).

The Accountancy Services Manager highlighted the following:

- Column one detailed the nine month expenditure for both Councils.
- Column two detailed the nine month actuals for both Councils.

- Column three detailed the income split for quarter three for both Councils with a £47k contribution to North Devon Council.
- Column four detailed the outturn for the year, which reported a surplus of £63k for North Devon Council at year end.

He added that at the end of quarter two the Mid Devon District Council figures were down between September and October 2019. However, the revised figures for quarter three indicated an upturn to the previous level.

The Building Control Manager advised that there had been a trading loss of £14K in September 2019 and whilst at the time it appeared to indicate a potentially problematic winter. The figures had since improved and the service was now in a better position than it was at quarter two.

27. POOLED BUDGET AND TRADING ACCOUNT ESTIMATED FULL YEAR EFFECT. REPORT BY THE ACCOUNTANCY SERVICES MANAGER (ATTACHED).

The Joint Committee received an update by the Accountancy Services Manager in relation to the Pooled Budget and Building Control Trading Account estimated full year effect (circulated previously).

The Chairman questioned whether there were any risks associated with the forecast of £63k profit for the partnership.

The Accountancy Services Manager, North Devon Council explained that if income was to drop off again this would adversely affect the estimated outturn position. He added that the Head of Resources from North Devon Council had met with the Group Manager for Financial Services from Mid Devon District Council and it was agreed that it might be prudent to put the surplus into the reserves at year end, and didn't plan to include any accruals at the current time. He further added that if the service took the accrual at year end it could set a precedent and the same would then need to be applied for subsequent years, which would significantly impact upon the workload of the Building Control Team and a small one off windfall would be a better option.

In response to a question regarding what could be done with the surplus, he explained that it could be placed into the reserves if required. This could be addressed as part of the Council's outturn report and be placed into an earmarked reserve for Building Control.

In response to a further question regarding whether the joint Committee would need to jointly agree a figure to be placed into the earmarked reserves. The Accountancy Services Manager, North Devon Council confirmed that would be the appropriate course of action, subject to the outturn position and any other pressures that were present at the time.

The Building Control Manager advised that the trading partnership was in credit as indicated by the financial report.

RESOLVED, that if the financial projections for the Building Control Partnership continued, 50% of the surplus for the Partnership be placed into an earmarked reserve for the following year, subject to the outturn position.

28. BUILDING CONTROL BUSINESS UPDATE. REPORT BY BUILDING CONTROL MANAGER (ATTACHED).

The Joint Committee received an update by the Building Control Manager (circulated previously) regarding the Building Control Business Update.

The Building Control Manager highlighted the following:

- Seven Surveyors sat the Local Authority Building Control (LABC) validation of fire safety expertise examination on 19th November 2019 and of those seven surveyors five passed. The successful candidates would now be issued with an individual licence by the LABC, which would enable compliance with the Council's quality assurance system and proposed legislation regardless of the height or complexity of developments.
- The parish allocation to Surveyors had been revised, which introduced an area of responsibility for the graduate trainee and balanced the workload between the surveyors.
- To date there was still only four Approved Inspectors that had failed to gain reinsurance and it appeared unlikely that there would be any further casualties at the current time.
- There were 15 reversion applications for projects left without Building Control as a result of the collapse of AEDIS. The remainder of the projects either had not started or were found to be exempt works and as a result the Initial Notices had been withdrawn.
- A number of the projects had now been successfully completed but there were also a number with significant contraventions including the conversion of a listed hotel into 12 flats in Ilfracombe.
- The recent regulation changes resulting from the Grenfell Tower fire included a restriction on the combustibility of items attached to façade of a building including products intended to reduce heat gain. A High Court Ruling found that the regulation was not valid due to a failure to consult adequately prior to implementation and as a result the regulation had been withdrawn.
- With regards to the Future Homes Standard consultation and changes to Requirement L – Conservation of fuel and power and Requirement F - Ventilation. The Building Control Manager advised that he had liaised with both North and Mid Devon Planners and was currently co-ordinating responses to that. He added that Planners believe 100% carbon emissions in production. However, Building Control were of the opinion that 100% carbon emissions should be applied at a national level, which would ensure that a type could be accepted everywhere.
- The Council had a display stand at the Direct Contact Exhibitions Continued Professional Development (CPD) event at the Barnstaple Hotel on Wednesday 5th February 2020. The Council was organising a further CPD event in partnership with ARC Building Solutions for their clients and the

provisional date for this event was Thursday 20th February 2020 and was due to be held at the Barnstaple Museum.

The Head of Planning, Economy and Regeneration, Mid Devon District Council advised that each Council would have different climate emergency response plans and their views on carbon emissions would form part of those plans. She added that planning authorities felt that it was a valuable addition to the toolkit to assist Councils in their efforts to address the climate emergency.

In response to a question regarding whether the requirement to pass the Local Authority Building Control (LABC) validation of fire safety expertise examination would be mandatory, the Building Control Manager advised that it was likely that the qualification would become a mandatory requirement in terms of the low level of licences to practice on high rise buildings.

He added that the government were looking to reduce the height of high rise buildings from 18 metres down to 15 metres. However, this would not be applied retrospectively and only applicable to new buildings.

The Head of Planning, Economy and Regeneration, Mid Devon District Council advised that the government had requested the statistics for the number of buildings that currently stood over 18 metres.

The Joint Committee wished to pass on their congratulations to the five surveyors that had passed the LABC validation of fire safety expertise examination.

29. KEY PERFORMANCE INDICATORS. REPORT BY THE BUILDING CONTROL MANAGER (ATTACHED).

The Joint Committee received an update by the Building Control Manager (circulated previously) regarding the Key Performance Indicators (KPIs).

The Building Control Manager highlighted the following:

- The service had met the targets for two major KPIs:
 - Building Regulation Full Plan applications determined in two months – 100%.
 - Building Regulation Applications examined within three weeks – 98%.
- All measures for plan check response times were met this quarter with an average first response time of eight days.
- The market share for the number of applications was 72%, which was down on the target of 75%. He added that he had looked into the figures and it would appear that the service had lost out to JHAI on some of the smaller jobs within the local area. In terms of the medium market, the Council was still very strong with the market share quite evenly spread and a significant share of the larger regional developments. He added that having looked into the figures he wasn't alarmed by the figure and advised that it were to become a long term trend the service could look to review the target figure.

- The market share for new housing completions was 33% against a target of 40%. He explained that the figure was slightly below target due to the number of large sites under development within the Barnstaple area.

30. GOVERNMENT PROPOSALS RESULTING FROM THE HACKITT ENQUIRY - BUILDING CONTROL MANAGER TO REPORT.

The Building Control Manager advised that this item had already been covered as part of the update report in relation to the discussions surrounding the government proposal to reduce the height of high rise buildings from 18 metres down to 15 metres.

He added that there would be various briefings in July or August of 2020 as soon as any changes were announced.

31. DATES AND LOCATIONS OF FUTURE MEETINGS. TO AGREE DATES AND LOCATIONS OF FUTURE MEETINGS OF THE COMMITTEE FOR 2020/21.

The Joint Committee discussed the dates and locations of future meetings for 2019/20.

RESOLVED, that the Clerk to the Committee circulate an email with potential dates for the forthcoming year 2020/21.

Chairman

The meeting ended at 10.02 am