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1 November 2018

## DEVON BUILDING CONTROL PARTNERSHIP COMMITTEE

Dear Councillor

You are invited to a meeting of the above Committee which will take place on **Friday, 9th November, 2018** in the Council Chamber - Forde House at **10.30 am**.

Yours sincerely

PHIL SHEARS  
Managing Director

Distribution:

- (1) The Members of the Devon Building Control Partnership Committee (subject to confirmation of Executive Members by the Leader)

Councillor Terry Pearce (Chair)	West Devon Borough Council
Councillor Dennis Smith (Deputy Chair)	Teignbridge District Council
Councillor Hilary Bastone	South Hams District Council
Councillor Rob Steer	South Hams District Council
Councillor Patrick Kimber	West Devon Borough Council
Councillor Humphrey Clemens	Teignbridge District Council

A link to the agenda on the Council's website is emailed FOR INFORMATION (less reports (if any) containing Exempt Information referred to in Part II of the agenda), to:

- (1) All other Members of the Council
- (2) Representatives of the Press
- (3) Requesting Town and Parish Councils

**If Councillors have any questions relating to predetermination or interests in items on this Agenda, please contact the Monitoring Officer in advance of the meeting**

## **Public Access Statement**

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- Reports in Parts I and III of this agenda are for public information. Any reports in Part II are exempt from publication due to the information included, under the provisions of the Local Government Act 1972.

## **A G E N D A**

### **Part I**

#### **Part I (Open to the Public)**

1. Apologies for absence
2. Minutes (Pages 1 - 4)  
To approve the minutes of the meeting held on 27 July 2018.
3. Agreement of the agenda between Parts I and II.
4. Matters of urgency/matters of report especially brought forward with the permission of the Chairman.
5. Declarations of interest
6. Half Year Operational Report (Pages 5 - 8)  
To consider the report of the Head of Partnership.

### **Part II (Private)**

**Items which may be taken in the absence of the Public and Press on grounds that Exempt Information may be disclosed.**

7. Exclusion of the Press and Public

Council is recommended to approve the following resolution:

That under Section 100 (A) (4) of the Local Government Act 1972, the Press and Public be excluded from the meeting for the following items of business on the

grounds that they involve the likely disclosure of except information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act.

8. Half Year Operational Report (Pages 9 - 18)  
To consider the report of the Head of Partnership.
9. Half Year Financial Monitoring Report (Pages 19 - 24)  
To consider the report of the Head of Partnership.

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## **DEVON BUILDING CONTROL PARTNERSHIP COMMITTEE**

**FRIDAY, 27 JULY 2018**

Present:

Councillors Bastone, Steer, Pearce, Kimber, Clemens and Smith

Officers in Attendance:

Andrew Carpenter, Business Manager - Head of Building Control Partnership

David Bealing - Operational Group Leader

Nicola Denton - Business Development and Support Manager

Martin Flitcroft, Chief Finance Officer

Claire Moors - Accountant

Sharon Sissons, Democratic Services Officer (Exeter City Council)

### **1. ELECTION OF CHAIRMAN AND VICE CHAIRMAN**

Nominations were sought for the position of Chairman and Vice Chairman of the Devon Building Control Partnership for the period 2018/19.

Councillor Hilary Bastone proposed Councillor Terry Pearce (West Devon Borough Council) be elected Chairman of the Devon Building Control Partnership for the ensuing Municipal Year. This was seconded by Councillor Dennis Smith.

Councillor Humphrey Clemens proposed that Councillor Dennis Smith (Teignbridge District Council) be elected Vice Chairman of the Devon Building Control Partnership Committee for the ensuing Municipal Year. This was seconded by Councillor Hilary Bastone.

Resolved - Councillor Terry Pearce and Councillor Dennis Smith be elected Chairman and Vice Chairman, respectively, of the Devon Building Control Partnership Committee for the ensuing Municipal Year.

### **2. MINUTES**

The minutes of the meeting held on 27 April 2018 were approved as a correct record and signed by the Chairman.

### **3. DECLARATIONS OF INTEREST**

Councillor Smith declared a personal interest in respect of Minute 11, as he was known to the member of staff in a personal capacity. He withdrew from the room whilst this matter was discussed.

**4. MATTER OF REPORT ESPECIALLY BROUGHT FORWARD WITH THE PERMISSION OF THE CHAIRMAN**

There were no matters of urgency, but the Chairman welcomed Councillor Rob Steer to his first meeting of the Devon Building Control Partnership Committee.

**5. ANNUAL REPORT**

The Head of Building Control Partnership presented the annual report which detailed and highlighted the financial performance and business activity of the Partnership for the period 1 April 2017 to 31 March 2018. He advised that the Partnership had successfully delivered the building control service across South Hams and Teignbridge District Councils and West Devon Borough Council. The report also incorporated an update on the success of the first year of hosting under the new agreement, with information on the staff and services offered. He also referred to the appointment of an Apprentice Surveyor, and a temporary position offered in the Technical Support team, which had both proved to be very successful appointments with a significant impact on the overall team. In addition, the implementation of the 'One Teignbridge' Project would hopefully reduce an element of the burden on the team, with a review of the partnership, which was due to take place at the start of 2019.

Despite ongoing discussion and after a great deal of negotiation with Torbay Council, it had not been possible to agree a Service Level Agreement to potentially provide a Building Control function due to the financial constraints of each Council involved. The Head of Partnership advised that he would continue to meet with colleagues from Torbay Council to discuss future opportunities to work together for the mutual financial benefit of all parties.

Resolved – The report and circulated appendices be noted.

**6. ANNUAL FINANCIAL MONITORING REPORT**

The Head of Partnership presented the report, which provided an update on the financial performance of the Devon Building Control Partnership for the financial period 1 April 2017 to 31 March 2018. He provided a comparison between the 2016/17 and 2017/18 actual accounts and confirmed that a copy of the accounts was included on the Teignbridge District Council web site, as the host of the DBCP. He outlined the arrangements for each of the budgets and responded to a Member relating to employee costs.

Resolved - The report be noted.

**7. EXCLUSION OF THE PRESS AND PUBLIC**

The Chairman moved the following resolution:

Resolved - That under Section 100(A)(4) of the Local Government Act 1972 the Press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act.

**8. ANNUAL REPORT**

The Head of Partnership presented the Annual Report which detailed and highlighted the business activity of the DBCP.

Resolved – The report and circulated appendices be noted.

**9. FINANCIAL MONITORING REPORT**

The Head of Partnership presented an update on the financial performance of the Partnership.

Members thanked the Accountancy team for their excellent support and the Chairman also wished to thank the dedicated effort of the Building Control team.

Resolved - The report be noted.

**10. QUARTERLY OPERATIONAL REPORT APRIL TO JUNE 2018**

The Head of Partnership presented detail of the operational report which monitored the performance, service delivery, development and action plans of the Partnership for the period from 1 April 2018 to 30 June 2018.

Resolved - The report be noted.

**11. STAFFING MATTER**

Councillor Smith declared a personal interest in this matter as he was known to the member of staff.

The Head of Partnership and colleagues from Building Control withdrew from the meeting whilst this matter was discussed.

Resolved - Members voted unanimously in favour of the recommendations set out in the report.

Chairman  
Councillor Pearce



**Devon Building Control Partnership**

South Hams District Council  
Teignbridge District Council  
West Devon Borough Council

Chairman: Cllr Terry Pearce

**DATE:** November 2018  
**REPORT OF:** Andrew Carpenter – Head of Partnership  
**SUBJECT:** Half year Operational Report

**PART I**

**Recommendation:**

The Devon Building Control Partnership Committee is asked to note the report.

**1. PURPOSE**

To monitor the performance of the partnership.

**2. BACKGROUND**

The Partnership Agreement that came into operation on 1st April 2017 is hosted by Teignbridge District Council.

**3. MAIN IMPLICATIONS**

**Performance:**

Detailed performance information is provided in a separate Part 2 report.

The Partnership continues to maintain all levels of service relating to PIs and receives positive comments from customers.

**Mobile working and ICT:**

The BC Mobile software has been installed. Two surveyors are currently using the software, accessing it using i-pads. They have been trialling the software since September and working closely with the Technical Support Managers to develop the best and most efficient ways of using it. So far it is looking positive with particular benefits in working offline and uploading photographs. It is planned to purchase more i-pads and roll out their use with remaining surveyors over the coming months.

**Review of Building Regulations:**

The final Report of the Independent Review of Building Regulations and Fire Safety was published in May. The report recommended the following:

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- A new regulatory framework
- Improve the focus on building safety during design, construction and refurbishment
- Improve the focus on building safety during occupation
- Give residents a voice
- Demanding expectations around improved levels of confidence
- More effective balance between Government ownership of building standards and industry ownership of technical guidance
- Creating a more robust and transparent construction products regime
- Creating a golden thread of information about each higher risk residential building
- Tackling poor procurement practices
- Ensuring continuous improvement and best practice throughout

A new regulatory framework is recommended. Initially for Higher Risk Residential Buildings (over 10 storeys) but likely for all Higher risk Buildings. There will be a Joint Competent Authority (JCA), consisting of

- Local Authority Building Standards (note that building control to be renamed Building Standards)
- Fire & Rescue Authorities
- Health & Safety Executive

Mandatory incident reporting for duty holders with safety concerns.

Each recommendation is crucial, in isolation they will fail to achieve systemic change. Implementation will take time/primary legislation. The industry is acting to start the cultural shift now. It is generally believed that Government needs a joined-up implementation plan to provide a coherent approach to delivering the recommendations.

The implications for the Partnership, as for any local authority, will be to ensure it has staff who are formally qualified and with proven competencies to enable it to deliver in accordance with the new framework.

LABC has already set up an independently audited Quality Management System, to which the Partnership has signed up, with formal registration likely to be confirmed by 2019. It has also set up a competency matrix to record the different levels of competencies by surveyors. An assessment process has been set up for surveyors to be registered as those who can deal with High Risk Buildings and for those with Specialised skills and qualifications, such as Fire Engineering.

The Partnership is unlikely to have new buildings of 10 storeys or more in its area (there is just one existing one), but High Risk Buildings are likely from time to time. Definition of exactly what buildings will fall into this category is still to be determined, but likely to include large Schools, shopping centres, hospitals and large commercial developments.

### **Brexit**

LABC advise the following in relation to how Brexit will affect the building control system in terms of regulations detailing our built environment standards.

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- European regulations that currently affect the UK will still be in force immediately after Britain leaves the EU
- Brexit White Paper clearly states that UK law on the day we leave the EU ‘would still be UK law the day after’.
- Leaving the EU will change nothing immediately in terms of legislation e.g. Energy Performance Certificates (EPCs) and Display Energy Certificates (DECs); minimum energy efficiency standards; the F-Gas Regulation; the Energy-related Products (ErP); Building Regulations; and the Climate Change Act.
- EU nationals represent about 5% of the UK population, but make up about 20-30% of the workforce in construction and design firms. We need to attract students to engineering degrees and develop apprenticeships if a future supply of EU workers cannot be relied upon.
- UK Government has also committed to carbon-reduction targets beyond 2032 and that the UK Climate Change Act remains in force, with the aim of a 57% reduction in emissions by 2030.

**Andrew Carpenter**  
**Devon Building Control Partnership**

#### 4. GROUPS CONSULTED

Teignbridge District Council, South Hams District Council and West Devon Borough Council.

<b>Wards affected</b>	All
<b>Contact for any more information</b>	
<b>Background Papers (For Part I reports only)</b>	
<b>Key Decision</b>	
<b>In Forward Plan</b>	
<b>In O&amp;S Work Programme</b>	
<b>Community Impact Assessment attached:</b>	
<b>Appendices attached:</b>	

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