

Committee: Planning Regulatory & General Licensing Committee

Date of meeting: 13th December 2019

Report Subject: Building Control Activity Report for January 2019 – October 2019

Portfolio Holder: Planning Regulatory & General Licensing Committee

Report Submitted by: Lynda Healy – Team Manager Building Control & Development Plans

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Reporting Pathway								
Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair	Audit Committee	Democratic Services Committee	Scrutiny Committee	Executive Committee	Council	Other (please state)
10/12/19								Planning Committee

1.0 **Purpose of the Report**

1.1 To update Planning Committee on the work of the Building Control Team during 2019.

2.0 **Scope and Background**

2.1 The Building Control service is a statutory function that operates outside the political arena. It also operates in a commercial environment and competes for work with Approved Inspectors in the private sector.

2.2 All decisions are by necessity taken by professional and qualified Building Control Officers. Their work is critical to the well-being of users of private and public buildings in the County Borough and contributes to the Council's corporate objectives.

2.3 It is important that Members are aware of the scope and volume of work undertaken. I therefore present this "activity report". It is for information purposes.

2.4 This report outlines the work of the Building Control team for 2019, covering work such as building regulation applications (full plans and notices), enforcement / unauthorised development and dangerous structures. It identifies the extent of the work up to the end of October and compares it with the previous year (2018) for the same timeframe. The report also sets out general management changes, changes to regulations and performance information.

3.0 Operational Report

Title	2018	2019	Percentage Change
Building Regulation Applications			
Building Notices Received	144	142	-1%
Building Notices Accepted	150	149	-1%
Full Plans Applications Received	78	89	+14%
Full Plans Applications Determined	96	97	+1%
Applications Commenced	232	316	+36%
Completion Certificates Issued	210	204	-3%
Initial Notices Received	33	33	No change
Enforcement			
Cases Opened	101	77	-24%
Cases Resolved	66	60	-9%
Dangerous Structures			
Reported	96	108	+13%

3.1 **Building Regulation Applications**

The number of building notices received so far in 2019 is 142 (down 1% from last year). The number of building notices being accepted is also down 1% compared to last year. On the other hand the number of full plans applications received is up by 14%. These applications require more officer involvement and are usually associated with works of a more complex nature.

3.2 In terms of the commencement of work, figures are over a third up from this time last year (316 compared to 232 in 2018). This is good news and reflects an uplift of development in the area and hopefully the economy. The number of completions certificates issued is down slightly from 210 to 204 but this is likely to increase moving forward.

3.3 Though the number of initial notices being received from Approved Inspectors stayed the same, it is now 14% of the total number of applications received and down 1% compared to last year (15%). I would like to see this decrease further.

3.4 **Enforcement / Unauthorised Developments**

The number of Enforcement cases dealt with so far this year is 77 - 24% lower than at this time last year. In terms of the number resolved, though the number is down -9% from last year, as a percentage of the number received it is 78% which is higher than what was achieved last year (65%).

3.5 **Dangerous Structures**

The number of dangerous structures reported at 108 is 13% up on this time last year. The number of dangerous structures can be influenced by a number of factors including RTA's, weather conditions (particularly high winds, rain and frost) age of buildings and vandalism.

3.6 Construction works at the longstanding Dangerous Structures case at Sunnybank, Brynmawr, where a retaining wall in the rear garden of a private house was considered to be in danger of collapse, has now been completed. We are now working in close consultation with Resources and Legal to recover the significant debt.

4.0 Management Report

4.1 Regulations

The repercussions of the Grenfell disaster continue with the next phase of the Public Inquiry to look at the building and its construction. This could be quite damning of Building Control in terms of the regulations in place, implementation by Local Authority Building Control Inspectors and perceived conflicts of interest with regard to the Council's ownership of the building. However, we have no high rise buildings

4.2 In the meantime the Hackitt review (Independent review of building regulations and fire safety) recommendations have been considered by Government in England and they have confirmed that Dame Judith's report and recommendations would be implemented in full. This will amount to a far-reaching overhaul of the system over the coming years in the following key areas:

- Stronger, more effective regulatory and accountability framework – trialling elements through a Joint Regulators Group (transition to a new framework).
- Clearer standards and guidance
- Stronger residents voice
- Working with industry to lead and implement cultural change.

4.3 A major change will be the creation of a National Building Safety Regulator providing strong oversight of the safety performance of all buildings, not just those in scope (high rise residential over 18m (6 storeys)). The Building Safety Regulator could be responsible for setting standards, oversight of enforcement and oversight of competency. The plan is for a National Regulator with local delivery.

4.4 However, building regulations in Wales is devolved and Wales has only recently responded to the Hackitt Review. The work was split into two groups, design and construction phase and occupation. The first meeting of the design and construction group looked at changes to the Building Control system that could be made within the powers of the existing legislative framework of the Building Act 1984. A second phase of work is intended to inform more fundamental proposals for change to be subject of a government white paper.

4.5 At this stage it is not clear if Wales will follow England or take a different approach. Whilst Blaenau Gwent is not affected currently, we may be affected when the focus is broadened or if Wales decides to introduce a different (Scottish) model of Building Control.

4.6 **Local Authority Building Control (LABC)**

LABC is an umbrella organisation that represents all local authority building control teams. To date as part of the Hackitt Review, issues around training and competency of Local Authority staff have been raised and the lack of quality control when compared to Authorised Inspectors (AI's). In order to address these wider issues LABC rolled out a new quality standard (ISO 9001:2015).

4.7 ISO9001:2015 is an international standard that is about achieving consistent provision of services that meet customer and statutory and regulatory requirements. The aim is to continually improve through using a Plan-Do-Check-Act cycle of risk based thinking system. It will help us: improve our processes; reduce waste; lower costs; facilitate and identify training opportunities; engage staff; set a clear direction for the team; meet our customer requirements; and ensure compliance with regulations. It will also enable us to demonstrate competency.

4.8 Blaenau Gwent has been accredited with this new standard. We have reviewed our processes and identified a number of non-conformances which are being addressed.

4.9 To address any competency issues LABC have aligned their training to support a new competency framework. All members of the team have been assessed against the competency framework to judge their level of competency to undertake work. In addition Craig Smith Building Control Officer has completed his level 4 LABC qualification and Colin Jones - Team Leader his level 6 LABC qualification.

4.10 In terms of other major regulation changes, Part L Energy and Part F ventilation are being reviewed and expected to be published for consultation later this year. This will include a significant improvement to new housing requirements in terms of carbon reduction and use of renewable energy sources. A second consultation covering new non domestic buildings, existing buildings and reducing overheating risk will follow in the new year.

4.11 **Internal Audit**

At the end of 2018 an internal audit was undertaken of the Building Control and Dangerous Structures service with the final report being received in March of this year. The scope of the audit was to determine the effectiveness of the internal control procedures operated by the Building Control section in respect of applications (Building Notices, Full Plans and Regularisations), Dangerous Structure notifications and interactions with other departments in the process of applications and dealing with dangerous structures.

4.12 The audit found that there were a number of minor control weaknesses and therefore the overall grading was assessed as '**Reasonable Assurance**'. This means that controls appear to be operating effectively; however a few weaknesses have been identified that require systems to be strengthened. There were two high risk issues, three medium risk and two low risk issues identified as follows:

Summary	Risk	Action
Lack of distinct process for investigating and recording Dangerous Structures received out of hours	High	Reported to RCSLT
Statement of chargeable costs, chargeable income and surplus or deficit for the financial year not been prepared.	High	Completed for this year
No written confirmation of the commencement of works on files	Medium	Now required
Northgate system not fully updated in respect of fees due, received or funded	Medium	Systems amended to address this.
VAT codes inaccurately recorded	Medium	Issue on coding side resolved (not within the Building Control team)
Validation of one Full Plans application countersigned by the same officer	Low	One off error - the system in place of checking is worth keeping
Lack of date stamp upon receipt of applications	Low	As most plans are received electronically, no date stamp is now required.

4.13 Audit have recently followed up on the findings to check that changes have been made. With the exception of Dangerous Structures, all issues have been addressed. We are still investigating what happens to Dangerous Structures that are dealt with out of hours as the process remains a little unclear.

4.14 **Staffing**

Following Kelvin Assender's retirement in March this year, Craig Smith was promoted from a Building Control Assistant to a Building Control Officer. Craig took over Kelvin's area of Tredegar. The areas have since been revised to address workload issues.

Colin Jones – Team Leader is responsible for Ebbw Vale (inc parts of Rassau) and major applications

Craig Smith is responsible for the Sirhowy Valley and parts of Rassau

Sean Pagett is responsible for Upper Ebbw Fach and Garnlyddan

Dean Shepherd is responsible for Lower Ebbw Fach, Cwm and the Garden Festival site.

4.15 **Income and Fees**

We expect to meet our income target of £97,000 for 2019/20.

4.16 In terms of fees these are re-assessed annually and this year we were able to leave these unchanged. There is a set methodology for identifying the hourly rate that can be charged and another methodology for identifying the hours involved for different types of projects.

5.0 **Options for Recommendation**

That Planning Committee note and comment on the contents of this report.

6.0 **Monitoring Arrangements**

6.1 We use the Development Services Business Plan to monitor our performance to ensure that we are providing a good service to our customers.

6.2 The following information is reported on a quarterly basis and is based on quarter 2 (July-Aug 2019):

Indicator	Target	Actual	RAG
The percentage of building control full plan applications checked within 15 working days.	80%	100% 32 out of 32	G
The percentage of full plan applications approved first time	70%	64% 16 out of 25	A
Progress in meeting our income target of £96,000.	100%	£34K (£24k)	G
Registration and validation of building notices within 48 hours	80%	100% 57 out of 57	G
Percentage of full plans determined within 5 weeks	80%	100% 3 out of 3	G
Respond to Dangerous Structures within 1 hour of being reported	80%	96% 84 out of 85	G
Share of applications compared to Approved Inspectors	90%	99% 84 out of 85	G

6.3 At the end of the 2nd quarter of the current Business Plan (end of October 2019) we were ahead of target in all areas except one that is the percentage of full applications approved first time. With respect to the registration and validation of full plans applications received 64% were approved first time rather than 70%. This is a matter that we have little control over as it depends on the quality of the application received.

7.0 **Background Documents /Electronic Links**

7.1 None