

**TONBRIDGE & MALLING BOROUGH COUNCIL**  
**PLANNING and TRANSPORTATION ADVISORY BOARD**

**4 June 2014**

**Report of the Director of Planning, Housing and Environmental Health**

**Part 1- Public**

**Matters for Recommendation to Cabinet - Non-Key Decision (Decision may be taken by the Cabinet Member)**

**1 BUILDING CONTROL - PROPOSED SHARED SERVICE ARRANGEMENTS**

**Background**

**This report describes progress towards a proposed shared Building Control function between Sevenoaks District Council and ourselves and recommends that detailed joint working arrangements be developed. The consideration of such a model reflects the Council's transformation agenda and will deliver a number of service and efficiency benefits as outlined below.**

**1.1 Summary of the Building Control Service**

1.1.1 Building Control is a front line activity, providing services to external and internal customers whilst fulfilling several statutory functions as well as providing a number of consultancy services.

1.1.2 A significant proportion of the statutory element of this work is subject to a fee which includes plan checking and site inspections. This is administered through the checking of submitted plans and undertaking site visits to ensure that buildings are constructed in accordance with the requirements of the Building Regulations.

1.1.3 A range of non-chargeable Statutory functions must also be delivered by the Service and these include:

- Control of unauthorised works and enforcement proceedings;
- Disabled adaptation applications;
- Temporary structures and grandstands – requiring representation on Safety Advisory Groups;
- Dangerous Structures;
- Demolition Notice procedures;

- Competent person notifications, for example in respect of electrical installations and other specialist areas; and
- Maintaining the Initial Notice Register in respect of building control functions carried out by Approved Inspectors.

1.1.4 The Service provides technical support to a number of other Council Services such as Development Control, Environmental Health, Private Sector Housing, Licensing and Land Charges.

1.1.5 Consultancy Services are an additional aspect of the Service for which fee income is received and includes work involving the Code for Sustainable Homes, Domestic Energy Assessments and Fire Risk Assessments.

## **1.2 Rationale for considering a shared service**

1.2.1 Unusually, local authority building control is a public service in that is in day to day competition with the private sector. In the past private sector competition has concentrated primarily on servicing volume builders and high value projects. However, it is apparent that competition from Approved Inspectors is now extending to a wider range of the work of local authority building control services. There is a greater need for the service to be agile in responding to changing conditions and to be resilient in the level of service and the range of specialisms it can offer. With that in mind it is my view that the time has come to look afresh at how we can best deliver the range of services described above.

1.2.2 As Members may recall we have benefitted from sharing a Chief Building Control Officer with Sevenoaks District Council (SDC) between September 2011 and September 2013. This arrangement ended when the post holder was promoted to a Head of Service role at Sevenoaks. That period of shared management served us well and has provided a firm platform to consider how we next arrange our Building Control service. In the meantime the Chief Environmental Health Officer is providing the strategic management of the Service supported by the Principal Building Control Surveyor on day to day operational matters.

1.2.3 We have explored various options for the future arrangement of our Building Control Service and have concluded that a full joint working arrangement with SDC would deliver a number of desirable outcomes, including:

- increasing the capacity and resilience for both Authorities;
- broadening the range of expertise available to both authorities;
- the ability to enhance service standards;
- the ability for customers to access services at the same standard or better, than arrangements in the two areas currently provide;

- the ability to strengthen market position against competitors;
- efficiency savings delivered for both Authorities;
- a single professional Building Control Manager reporting to Head of Service for each Authority;
- the ability to expand Consultancy Services across both Authorities and increase potential for income generation;
- the ability to attract appropriate professionally qualified staff; and
- A new staff structure to provide career opportunities and succession planning.

### **1.3 Progress to date**

- 1.3.1 A steering group has been established to consider the wider strategic and operational implications of this proposal. Through this group fundamental issues such as staffing and resource management, financial arrangements and IT and telephony are being explored in detail, with support from specialist colleagues in the relevant services of both authorities.
- 1.3.2 A formal consultation process has commenced with staff with the involvement of Unison. Importantly, surveyors from both authorities are being involved in a number of engagement workshops to develop detailed proposals for a shared service, which are proving to be positively received. This is vital because the 'design' of the new service arrangements must be entirely based on very practical considerations about how it will work on the ground. I am very pleased to say that the contribution from the teams is proving positive in this respect.

### **1.4 Legal Implications**

- 1.4.1 A legal agreement between the two Council's will be drawn up and will include all financial and governance arrangements for the proposed partnership. There will also need to be some revision to other practical matters such as delegated authority to officers to put measures in place to ensure the service is able to continue to be responsive.

### **1.5 Financial and Value for Money Considerations**

- 1.5.1 Work is currently being undertaken to agree the financial model for the proposed new service and precise details will be provided to the Finance, Property and Innovation Advisory Board on 23 July. That will also include details of expected savings from to be generated from the proposed new arrangements. It is likely that the accounting arrangements will be set up as a Building Control hub with the contribution to the hub taking into account income from Building Control Services and expenditure e.g. staffing costs, accommodation etc. within each authority's

area. Similar models have been used successfully with existing District Council partnerships.

## 1.6 Risk Assessment

- 1.6.1 The risks associated with our current arrangements include lack of service resilience and the threat of losing market share and income. Implementing a shared service will minimise these risks, and provide a secure shared service environment controlled through the governance arrangements and agreements between the two authorities.

## 1.7 Equality Impact Assessment

- 1.7.1 See 'Screening for equality impacts' table at end of report

## 1.8 Recommendations

- 1.8.1 It is **RECOMMENDED** that Cabinet **APPROVE** in principle the establishment of a Shared Building Control Service between Tonbridge and Malling Borough Council and Sevenoaks District Council subject to a further report on costs being considered by the Finance, Innovation and Property Advisory Board.

The Director of Planning, Housing and Environmental Health confirms that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and Policy Framework.

Background papers:

Nil

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Steve Humphrey  
Director of Planning, Housing and Environmental Health

Screening for equality impacts:		
Question	Answer	Explanation of impacts
a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community?	No	The report relates to internal service arrangements rather than delivery.

<b>Screening for equality impacts:</b>		
<b>Question</b>	<b>Answer</b>	<b>Explanation of impacts</b>
b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?	No	As above
c. What steps are you taking to mitigate, reduce, avoid or minimise the impacts identified above?		

*In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above.*