

Devon Building Control Partnership Updates



The main purpose of the Partnership is to ensure that the Building Control functions for Teignbridge District Council, South Hams District Council and West Devon Borough Council can meet their statutory and regulatory duties in respect of building control matters



The Partnership is a Joint Committee Model, operating under a Partnership Agreement, governed by a board made up of elected members of the constituent councils, whereby both operationally and strategically the Head of Service reports. Teignbridge Council employs the staff and provides support services on its behalf. The service must be self-financed.



The service has two elements which are described as fee earning and non-fee earning work. The building regulation aspect of the service is income generating and operates in accordance with The Building (Local Authority Charges) Regulations 2010 and CIPFA accounting requirements.



The fee-earning part of the service operates by charging for Building Regulation Applications.



The non-fee earning part of the service is funded by the council taxpayer and includes dangerous structures, enforcement, demolitions, safety advisory group and consultancy services to other council services.



It is a statutory service, which administers legislation relating to the built environment and operates in such a manner as to establish and maintain a high reputation for both it and the partner councils.

Strategy Map For Service Delivery





Currently each constituent Council pays for the non-fee earning proportion of the overall costs which amounts to approximately 19%



The Partnership has maintained a market share over the last 3 years of approximately 88% which is higher than the national average.



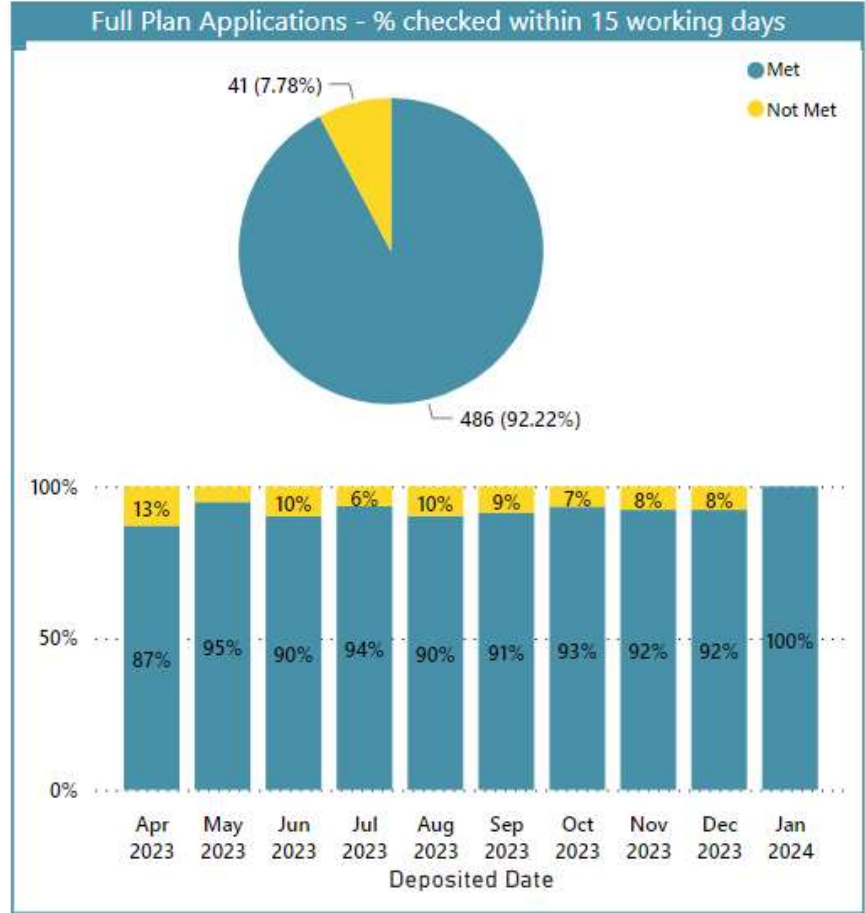
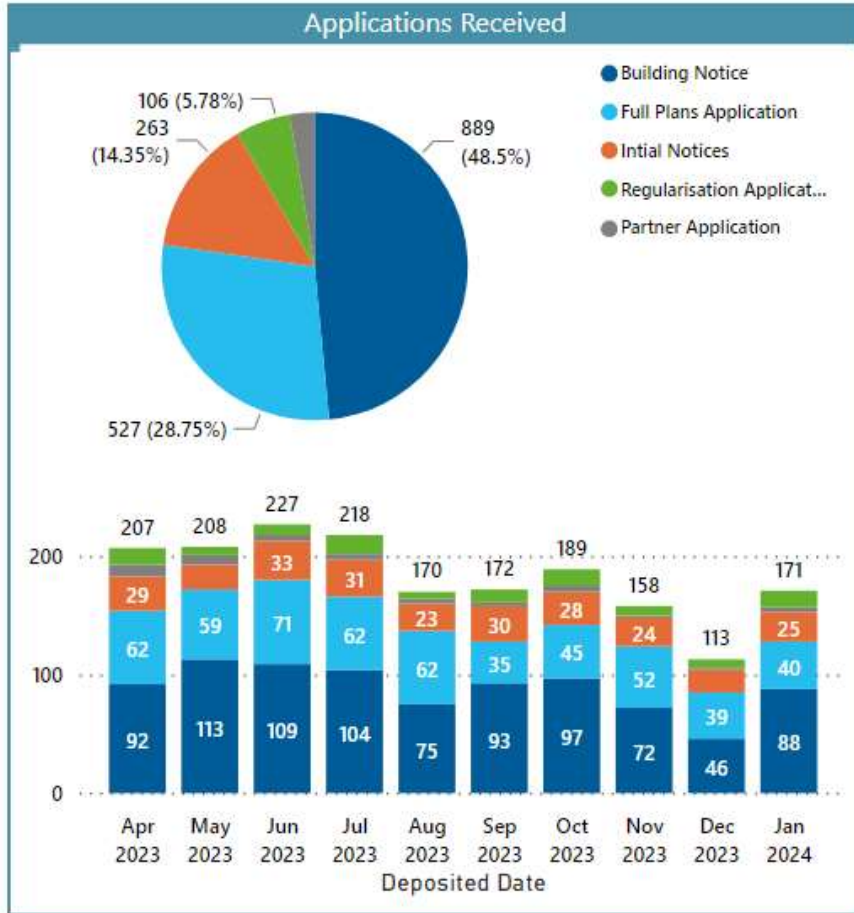
Local authority building control is subject to competition from private sector building control bodies (approved inspectors or AI's) operating both regionally and nationally. This competitive scenario is applicable across all developments including domestic extensions, new housing, and commercial developments. This gives all applicants a clear choice between the Local Authority Building Control Service (LABC) and private sector building control Approved Inspector (AI) services.



Despite this choice, the Local Authority retains a statutory duty to enforce the building regulations in its geographical area and is considered as a service of 'last resource'. Approved Inspectors are not able to perform this function and sites which cannot be signed off by AI's revert to Local authorities for enforcement. Thus, irrespective of workload and income, all councils must retain a Building Control Service at some cost to the Authority.

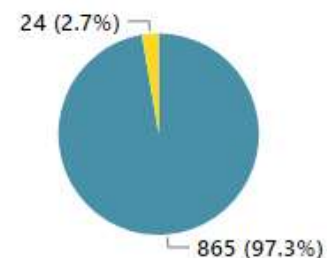
Total Applications	Firmstep	Emailed application	Telephone	Planning Portal	Not Stated	Paper Forms
1833	41%	32%	19%	4%	3%	0%

Year Quarter Month



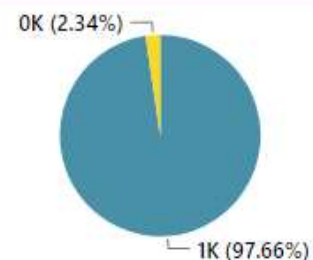
Building Notices in 2 Days

● No ● Yes ● Target - 99%



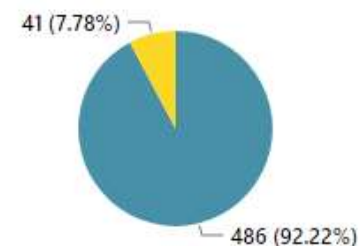
Completions in 7 Days

● No ● Yes ● Target - 85%



Actioned or Determined in 15 Days

● No ● Yes ● Target - 85%





2023 has been a challenging year for the Partnership. Following on from Royal Assent being granted The Building Safety Bill became legislation known as the [Building Safety Act 2022](#). It received Royal Assent on the 28th of April 2022. It also led to the establishment of the Building Safety Regulator (BSR) in England which is part of Health & Safety Executive and has the responsibility for

- ❖ regulating higher risk buildings
- ❖ raising safety standards of all buildings.
- ❖ help professionals in design, construction, and building control, to improve their competence.

There has been a raft of new secondary legislation which has changed the roles and responsibilities of Building Control and its customers. The major changes are.

- All building control bodies, both public and private sector will be overseen by the Building Safety Regulator (BSR), which will audit building control teams and their managers.
- The BSR will have the power to investigate and sanction building control teams, including financial penalties, suspensions, and special measures for teams and individuals. In certain circumstances this could lead to criminal charges and possible imprisonment.



- Extensive new powers relating to enforcement, including stop notices and substantial fines. Increasing the timescales for enforcement action either by or on Building Control from 12 months to 15 years.

Part 3 of The Building Safety Act 2022 (“BSA”) which came into force on 28 October 2023 applies to **all buildings**.

Two sections within Part 3 aim to increase and improve building safety.

- The first introduces accountability for ensuring that Building Regulations are adhered to so that buildings will be safe (by introducing a duty-holder regime not unlike that which applies in respect of health and safety *during* construction).
- The second aims for increased industry competence on the part of those duty-holders and reflects Parliament’s desire for a change in attitudes to responsibility for delivering buildings that will meet new regulatory requirements post-Grenfell.

In addition, all building control professionals will have to register with the BSR, not just those working on high-rise or high-risk buildings.

Any restricted activity, from inspecting plans to site inspections, will have to be conducted by a registered professional who will be known as Registered Building Inspectors.

To achieve registration and validation and then be licensed, surveyors need to submit evidence of their experience which if accepted permits them to take the relevant competency exams.

Any existing surveyors who don't gain such a validation and who are not licensed/registered at the appropriate level by April 1st, 2024, will, in effect, be terminating their contract and will not be able to practice.

The Partnership's surveyors have all submitted their evidence and the majority have sat the examinations for which they are awaiting results.

Unfortunately, 2023 has seen a downturn in application numbers and therefore income. This is due to financial uncertainty generally and rising costs within the construction industry.

Currently we are approximately 19% below the previous 4 years average which means it is likely that we may need to utilise 'earmarked reserves'

Market share remains higher than the national average at 83%, with all Key Performance Indicators being achieved.

Staff retention and recruitment remains an issue in gaining experienced and qualified staff both regionally and nationally. This will increase with a considerable number of staff within the profession, who are 55 or over, retiring as they do not want to go through the process of proving competency as mentioned previously.

We also had the sad passing of Mike Evans who had been a very popular surveyor for over 20 years within the Partnership and Teignbridge District Council previously.