



## **NORTH YORKSHIRE BUILDING CONTROL PARTNERSHIP**

Wednesday 25 April 2012 at 1.30 pm

Offices of the North Yorkshire Building Control - Easingwold

### **Agenda**

**1 Apologies for absence**

**2 Minutes of the meeting held on the meeting held on the 25 January 2012**  
(Pages 1 - 6)

**3 Urgent Business**

To receive notice of any urgent business which the Chairman considers should be dealt with at the meeting as a matter of urgency by virtue of Section 100B(4)(b) of the Local Government Act 1972.

**4 Declarations of Interest**

Members to indicate whether they will be declaring any interests under the Code of Conduct.

Members making a declaration of interest at a meeting of a Committee or Council are required to disclose the existence and nature of that interest. This requirement is not discharged by merely declaring a personal interest without further explanation.

**5 Performance** (Pages 7 - 12)

**6 Building Regulations Consultation** (Pages 13 - 18)

**7 Any other business that the Chairman decides is urgent.**

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# Public Document Pack Agenda Item 2

## North Yorkshire Building Control Partnership

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Held at Offices of the North Yorkshire Building Control - Easingwold  
on Wednesday 25 January 2012

### Present

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Councillors Bastiman (in the Chair) Parlour,, Mackman, Swales and Raper

### In Attendance

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Mandy Burchell, Les Chapman, Paul Cresswell, Rob Harper Karen Iveson, David Simpson, Maurice Cann and Sue Shuttleworth

### Minutes

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27 **Apologies for absence**

An apology for absence was received from D Archer (Scarborough).

28 **Minutes of the meeting held on the 12 October 2011**

The minutes of the meeting of the North Yorkshire Building Control Partnership held on 12 October 2011 (previously circulated) were presented.

**Resolved**

That the minutes of the meeting of the North Yorkshire Building Control Partnership held on 12 October 2011 be approved.

29 **Welcome**

The Chairman welcomed all those present to the meeting and appropriate introductions were made.

30 **Urgent Business**

There were no items of urgent business.

31 **Declarations of Interest**

There were no declarations of interest.

32 **Monitoring Report**

The Head of Building Control submitted a report (previously circulated) in which Members were presented with details of the financial performance of the North Yorkshire Building Control Partnership for the months of April 2011 to December 2011 inclusive.

The report had been produced using actual income and expenditure figures, taking into account known commitments to 31 December 2011, and summarised the income and expenditure for the chargeable and non-chargeable accounts for that period, together with the deficit as at that date.

Reference was made to flood defence work that had been undertaken and to other projects for the Environment Agency. The number of redundancies and the overall reduction in salary costs over the five Council areas was also noted.

### **Resolved**

That the report be received and that the financial performance of the North Yorkshire Building Control Partnership for the period 1 April 2011 to 31 December 2011 be noted.

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### **Revised Budget 2011/12 & Proposed Budget 2012/13**

The Head of Building Control submitted a report (previously circulated) in which Members were presented with details and options for a revised budget for 2011/12 and a proposed budget for 2012/13, including a further two year financial recovery plan.

An additional paper giving further details relating to staffing was circulated at the meeting.

Annex A to the report outlined the Partnership's expected financial performance in the current year together with proposed budgets for the next three years, based on the current staffing structure, whilst Annex B set out a revised budget for 2011/12 showing the expected income level for the Partnership and proposed budgets based on a revised staffing structure.

Annexes C and D set out the current structure and the proposed structure at 1 July 2012 respectively.

The report was discussed in detail, with particular reference being made to issues relating to redundancies and the need for succession planning.

### **Resolved**

That the report be received and that

- (a) The revised 2011/12 budget as detailed at Annex B be approved
- (b) The expected out-turn be noted and that partner authorities advise their appropriate committees

(c) The redundancies as outlined in Annex B be approved and the revised structure shown at Annex D be implemented from 1 July 2012

(d) An increase of 4% be applied to Building Regulations Charges for the next financial year.

#### 34 **Increased Recharge**

The Head of Building Control submitted a report (previously circulated) giving details of a review that had been carried out into the true costs to the Partnership of undertaking non-chargeable work.

The Partnership had, over various periods of time, undertaken an exercise via timesheets to establish the split between the chargeable and non-chargeable accounts. For this particular exercise the month of November had been used and time allocations in the various categories of work had been checked and verified by internal audit.

A statement, in the form of an email, from Internal Audit was circulated at the meeting.

#### **Resolved**

That the report be received and that

(a) The revised charge £55,006 for undertaking non-chargeable work be adopted from 2012/13 and increased in line with the criteria set out in the Legal Agreement and revised annually

(b) Each partner authority be advised of the new charging arrangement and that approval be sought from their Cabinet/Committee.

#### 35 **Office Accommodation**

As requested at the last meeting of the Partnership Board, Ryedale's Corporate Director (s151) submitted a report (previously circulated) outlining the costs of maintaining the Partnership office at Easingwold or transferring back into accommodation at one of the partner Authority's offices.

It was concluded that, although there could be some benefit in establishing the Partnership's office within a local authority for the simplification of IT systems, etc, the overall disruption to staff and the cost of financing any relocation did not generate a business case for moving.

It was considered that further consideration of alternative accommodation options be considered and brought back to a future meeting of the Board noting that a decision to vacate the existing premises would need to be made by April 2013.

## **Resolved**

That the report be noted and that a further report be presented to a future meeting following consideration of alternative options.

### **36 Performance Report**

The Head of Building Control submitted a report (previously circulated) giving details of the Partnership's operational performance from 1 April 2011 to 31 December 2011.

During that period the Partnership had achieved most of its targets with the exception of those relating to market share and training, details of which were set out in the report.

It was reported that Michelle Lanaghan and Helen Winfield had undertaken a one day course on Energy Performance and Sustainability in Buildings and that Julie Etherington had received an award from the Federation of Master Builders for attendance, dedication and commitment.

## **Resolved**

That the report be noted and that a letter be sent to Julie Etherington congratulating her on her achievement.

### **37 Exempt Information**

## **Resolved**

That, under Section 100(A)(4) of the Local Government Act 1972 the public be excluded from the following items as there will be a likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Act as the information relates to the financial or business affairs of any particular person (including the authority holding that information).

### **38 Computer Renewal/Upgrade**

The Head of Building Control submitted a report (previously circulated) seeking Member approval to upgrade the Partnership's current information technology to facilitate on-line submission of applications together with payments, back office integration, public and consultee access and document management.

Annex A to the report set out details of the benefits in implementing improvements to the current computer system which would enable the Partnership to move forward with on-line submissions and plan checking which would increase efficiency and reduce the amount of handling.

It was considered that it was essential that the Partnership maintain its databases to the highest level to ensure maximum efficiency and simplicity for applicants and agents in an increasingly competitive market as well as meeting with the Government's Parsol requirements for access to services.

The report was discussed in detail and it was considered that further negotiations should take place and a project evaluation be undertaken with a report being submitted to a future meeting of the Partnership.

### **Resolved**

That the report be received and that

- (a) the proposal as outlined by IDOX in Annex B for the upgrading of the Partnership's software be approved in principle subject to further report with more detail on the revenue self financing proposals, ongoing maintenance and revenue costs, and negotiations on the capital costs;
- (b) that financial support for the implementation be sought from Ryedale District Council; and
- (c) the Partnership investigates alternative suppliers to host and maintain the computer systems on behalf of the Partnership.

### 39 **Marketing Report**

As requested at the last meeting of the Partnership, the Head of Building Control submitted a report (previously circulated) giving details of the current market position across the housing, domestic and commercial sectors.

### **Resolved**

That the report be received.

### 40 **Any other business that the Chairman decides is urgent.**

It was reported that this was the last meeting to be attended by David Simpson and the Chairman, on behalf of the Board, thanked him for his valuable contribution to the work of the Partnership.

### 41 **Date of Next Meeting**

It was agreed that the next meeting of the Partnership would be held at 1.30pm on 20 April 2012.

There being no further business, the Chairman declared the meeting closed at 3.30pm.



## Ryedale District Council

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**REPORT TO:** North Yorkshire Building Control Partnership Board

**DATE:** 25 April 2012

**REPORTING OFFICER:** Les Chapman  
Head of Building Control

**SUBJECT:** Performance 1 April 2011 – 31 March 2012

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### **1.0 PURPOSE OF REPORT**

- 1.1** To receive a report on the Building Control Partnership's operational performance from 1 April 2011 to 31 March 2012.

### **2.0 RECOMMENDATIONS**

- 2.1** That the Report be noted.

### **3.0 BACKGROUND**

- 3.1** To provide Members with information on the current position within the Partnership on performance management issues.

### **4.0 POLICY CONTEXT**

- 4.1** This policy falls within the Partnership's objectives and values in providing excellence in customer services, delivery of a high quality service and respecting our employees and responding to their needs.

## **5.0 REPORT**

### **5.1 Performance**

**5.2** Set out in Appendix 1 is the covalent performance report from 1 April 2011 to 31 March 2012.

**5.3** Over the past year the Partnership has achieved most of its targets with the exception of those relating to market share and training. The exceptions are:

- BC4 Full Plans Applications approved first time. The percentage of full plans applications rejected continues to remain high. This follows increased numbers of reminders to agents to submit revised applications before target dates.
- BC11 Percentage of market share within Schedule 1 (Housing). This indicator has improved in the last quarter and for the year. This is partly due to LABC securing Persimmon Homes sites in conjunction with LABC home warranties.
- BC12 Percentage of market share within Schedule 2/3 in the domestic and commercial sectors. The year value of 76% is down 5% on last year. Additional promotional activity and personal visits have been initiated to attempt to increase market share.
- BC13 CPD Training. The Partnership has not been able to support the level of CPD training due to operational demands.

## **6.0 TRAINING**

**6.1** The Partnership continues to hold bi-monthly CPD events for Officers.

## **7.0 CUSTOMER AND AGENT SURVEYS**

**7.1** A copy of the results for the last year of customer surveys will be emailed to Members prior to the meeting and a hard copy will be available at the meeting.

## **8.0 LEGAL IMPLICATIONS**

**8.1** There are no legal implications.

## **9.0 RISK ASSESSMENT**

- 9.1** By not monitoring its performance against the Business Plan and corporate objectives the Partnership risks service failure and not meeting the expectations of customers and partner Authorities.

## **10.0 CONCLUSION**

- 10.1** It is essential that the Board continue to monitor the Partnership's performance against the Business Plan to ensure each partner Authority receives an efficient and effective building control service.

**Background Papers:** Previous Board Minutes

### **OFFICER CONTACT:**

Please contact Les Chapman, Head of Building Control if you require any further information on the contents of this report. The officer can be contacted on 01347 825760 or at [les.chapman@nybcp.org](mailto:les.chapman@nybcp.org)

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# Building Control Year End Figures

**Report Type:** PIs Report  
**Generated on:** 19 April 2012

PI Status		Long Term Trends		Short Term Trends	
	Alert		Improving		Improving
	Warning		No Change		No Change
	OK		Getting Worse		Getting Worse
	Unknown				
	Data Only				

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Code	Short Name	2008/09	2009/10	2010/11	2011/12		Current Target	Long Term Trend Arrow	Short Term Trend Arrow	Traffic Light Icon	Note
		Value	Value	Value	Value	Target					
BC 1	Check full plan applications within 14 days (Bldg Control)	82%	97%	86%	95%	90%	90%				
BC 2	% of Building Notices accepted in 2 working days (was LPI 47)	90%	97%	97%	95%	93%	93%				
BC 3	% Full Plans approved within statutory time period 2 months - Building Control (was LPI 46)	99.3%	99.2%	97.2%	99.5%	100.0%	100.0%				
BC 4	Full Plans applications approved first time.	96%	93%	87%	83%	90%	90%				
BC 5	Site Inspections undertaken on day of notification	99.7%	99.7%	99.3%	98.9%	93.0%	93.0%				
BC 6	Completion Certifications issued within 5 days of notified satisfactory inspection	75%	86%	84%	88%	80%	80%				
BC 7	An average of 7 inspections undertaken per development.	8.4	8.4	7.8	8.9	7.0	7.0				

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PI Code	Short Name	2008/09	2009/10	2010/11	2011/12		Current Target	Long Term Trend Arrow	Short Term Trend Arrow	Traffic Light Icon	Note
		Value	Value	Value	Value	Target					
BC 8	Dangerous structures inspected within 2 hours.	100%	85%	87%	85%	82%	82%				
BC 9	Response Rate to complaints in accordance with the Partnership's Complaints Procedure	70%	100%	100%	97%	95%	95%				
BC 10	Fire Authority Satisfaction	96%	100%	100%	100%	80%	80%				
BC 11	% of Market Share within Schedule 1 (figures are for each qtr)	57%	81%	11%	67%	60%	60%				
BC 12	% of Market Share within Schedule 2 & 3 Domestic and Commercial Developments	93%	84%	81%	76%	90%	90%				
BC 13	No. of hours CPD Training by professional staff every year (Annual Target 35hrs)	38.50hrs	36.50hrs	24.50hrs	19.00hrs	35.00hrs	35.00hrs				
BC 14	Customers consider the service to be Good/Excellent	85%	91%	86%	88%	80%	80%				
BC 15	Income gained through LABC partnership applications to equal income lost to competition in Schedule 2 & 3	39%	5%	4%	1%	100%	100%				



## Ryedale District Council

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**REPORT TO:** North Yorkshire Building Control Partnership Board

**DATE:** 25 April 2012

**REPORTING OFFICER:** Robert Harper, Development Manager

**SUBJECT:** 2012 consultation on changes to the Building Regulations in England

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### **1.0 PURPOSE OF REPORT**

**1.1** To present to Members, for their information, the proposed changes to the building regulations as outlined in the recent consultation documents released by The Department for Communities and Local Government in January 2012.

### **2.0 RECOMMENDATIONS**

**2.1** Note the contents of the report.

### **3.0 BACKGROUND**

**3.1** In July 2010 the Building Regulations Minister Andrew Stunell invited external partners to submit ideas and evidence on ways to improve the Building Regulations, with a particular focus to reduce the regulatory burden and to deliver even better levels of compliance. CLG received several hundred responses which were used, along with contributions gathered from other sources such as the Government's "Your Freedoms" web site, the CLG's "Cut Red Tape" website, and a number of seminars and workshops. CLG used all these when developing the program of work to examine a number of areas of the Regulations.

**3.2** In December 2010 the Minister announced this program which CLG have worked on through 2011 with a variety of external partners to develop detailed proposals for consultation. This work has now produced the 2012 consultation proposals on changes to the Building Regulations in England.

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**NORTH YORKSHIRE BUILDING CONTROL PARTNERSHIP**

25 April 2012

## **4.0 POLICY CONTEXT**

**4.1** Delivering a competitive high quality, dynamic, professional service.

## **5.0 REPORT**

**5.1** The consultation is presented as four sections. Section one outlines the consultation approach and then presents proposals to change various technical aspects of the regulations. Section two outlines proposals to increase the energy efficiency of buildings. Section three contains proposals in relation to electrical safety in homes. Section four outlines changes to the building control system.

### Section one.

**5.2** This section introduces the consultation package and provides proposal on Parts A, B, C, K, M and N, Access Statements, Security, Changing Places Toilets and Regulation 7.

**5.3** Part A – To be updated to reflect the changes set out in British Standards for structural design based on a Europe-wide approach, the Eurocodes.

**5.4** Part B – To be revised regarding the fire performance of walls and ceilings.

**5.5** Radon protection – update the guidance contained within approved document C to reflect the revised Radon Maps.

**5.6** Parts K, M & N – Amalgamate guidance into a new Approved Document K.

**5.7** Access statements - The proposals seek to promote a more risk-based approach to communicating compliance which is proportionate to the nature and complexity of the building work.

**5.8** Domestic Security – This is being looked at with a view to increase consumer's information about security measures at the point of sale without introducing regulation.

**5.9** Changing places toilets – Proposal to include information regarding changing places in approved document M, however it is the intention to introduce this as a voluntary approach which will be monitored.

**5.10** Regulation 7 (Materials and workmanship) – Revise approved document to clarify that Declarations of Performance and CE marking will become main source of information on the performance of products.

## Section two. Part L (Conservation of Fuel and Power)

- 5.11** The government has committed to introduce zero carbon standards from 2016 (homes) and 2019 (non-domestic) and the proposed changes to Part L of the building regulations is the next step in achieving these targets.
- 5.12** Consequential Improvements – The proposal is for building owners to upgrade properties when other alterations are being carried out, such as loft conversions, extensions and window replacements. The plan is to phase this in from October 2012 to align with the ‘Green Deal’ framework and therefore owners will be able to meet the requirements with no upfront costs if they chose to take up a Green Deal offer. The Green Deal is a new scheme which will enable householders to invest in energy efficiency measures which are then repaid from the resulting savings as a charge on the energy bill.
- 5.13** Window replacements – A proposal to raise the minimum performance standards of replacement windows from an energy rating of ‘C’ to ‘B’.

## Section Three. Electrical Safety

- 5.14** The proposal is to allow a greater range of work which will be classed as not notifiable and therefore not requiring certification and also to allow unregistered electricians and DIY-ers to utilise competent electricians to certify their work.

## Section Four. The Building Control System

- 5.15** The aim is to improve the efficiency of the building control system by reducing burdens, improving compliance with Building Regulations and encouraging industry to take greater responsibility for their actions.
- 5.16** The proposals are grouped under five main areas:-
- 5.17** **Improving local authority building control process.**
- 5.18** Issue of completion certificate to be mandatory by LA.
- 5.19** Amendments to the wording of completion certificates to reflect that completion certificates are not conclusive proof that the work complies with the building regulations.

- 5.20** It is proposed to amend the current statutory notices to Commencement and Completion stage only and allow the LA to draw up a service plan on a risk-assessed basis for each project they are involved with.
- 5.21 Improving private sector Approved Inspector arrangements.**
- 5.22** Removal of Warranty Link Rule
- 5.23 Strengthened enforcement.**
- 5.24** Looking into increasing the maximum fines and introducing compliance notices.
- 5.25 Extending competent persons self certification scheme**
- 5.26** Looking into extending the type of work that can be covered under CPS's where the risk of non-compliance is low.
- 5.27** Introduction of an 'Appointed Person' to act as compliance co-ordinators on construction sites.
- 5.28 Other changes to both Building and Approved Inspector Regulations to help the building control system operate more effectively.**
- 5.29** Looking at a closer working relationship between planning and building control and the use of the planning portal to allow building regulation applications to be made.
- 5.30** There may be scope to simplify areas between the building regulations and health and safety at work legislation.

## **6.0 FINANCIAL IMPLICATIONS**

- 6.1** None resulting from the contents of this report.

## **7.0 LEGAL IMPLICATIONS**

- 7.1** None resulting from the contents of this report.

## **8.0 RISK ASSESSMENT**

- 8.1** None resulting from the contents of this report.

## 9.0 CONCLUSION

- 9.1 This report is to make board members aware of potential changes which are been proposed and, depending on the outcome of the consultation, the way in which the building control service on a national level may develop in the coming years. These proposed changes are been discussed at a regional level with a view to sending a joint LABC response to the consultation rather than from each LA.

**Background Papers:** 2012 consultation on changes to the Building Regulations in England published by The Department of Communities and Local Government.

### OFFICER CONTACT:

Please contact Robert Harper, Development Manager, or Les Chapman, Head of Building Control for further information on the contents of this report. Robert can be contacted on 01347 825759 or at [robert.harper@nybcp.org](mailto:robert.harper@nybcp.org) and Les can be contacted on 01347 825760 or at [les.chapman@nybcp.org](mailto:les.chapman@nybcp.org).

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