

# Public Document Pack

## North Yorkshire Building Control Partnership

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Held at Offices of North Yorkshire Building Control Partnership - Easingwold  
on Wednesday 29 September 2010

### Present

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Councillors Baker, Bastiman (Chairman), Branch, Deans, Duff, Hemesley OBE and Mackman

### In Attendance

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David Archer, Mandy Burchell, Maurice Cann, Les Chapman, Karen Iveson, Nicki Lishman, Paul Cresswell and Keith Dawson

### Minutes

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#### 55      **Apologies for absence**

Apologies for absence were received from Councillors Allanson and Cottam.

#### 56      **Exempt Information**

To consider a resolution to exclude the press and public from the meeting during consideration of the following item:

15 (Partnership Review) as provided by paragraph 3 of Schedule 12A of Section 100A of the Local Government Act 1972.

The public interest test has been considered and, in all the circumstances of the case, the public interest in maintaining the exemption is considered to outweigh the public interest in disclosing the information.

#### **Resolved**

To consider a resolution to exclude the press and public from the meeting during consideration of the following item:

15 (Partnership Review) as provided by paragraph 3 of Schedule 12A of Section 100A of the Local Government Act 1972.

The public interest test has been considered and, in all the circumstances of the case, the public interest in maintaining the exemption is considered to outweigh the public interest in disclosing the information.

#### 57      **Minutes of the Meeting Held on 30 June 2010**

The Minutes of the meeting of the North Yorkshire Building Control Partnership held on 30 June 2010 were presented.

With reference to Minute Number 54 (Dates of Next Meetings) it was pointed out that the dates 23 March 2011 and 29 June 2011 clashed with meetings of the North Yorkshire Audit Partnership. It was agreed that alternatives dates would be sought.

**Resolved**

That the Minutes of the meeting of the North Yorkshire Building Control Partnership held on 30 June 2010 be approved.

58 **Urgent Business**

There were no items of urgent business.

59 **Declarations of Interest**

There were no declarations of interest.

60 **External Audit Report**

Mr A Lince of Deloitte LLP, Chartered Accountants presented the External Audit Final Report 2010 for Members information.

It was noted that turnover for the financial year 2009/10 exceeded £1,000,000 for the Partnership and therefore required a more extensive external audit.

The report detailed key findings on audit risks and other matters, audit status, identified misstatements, accounting policies and financial reporting, accounting and internal control systems and financial standing.

**Resolved**

That the External Audit Final Report be noted and the actions and recommendations be implemented.

61 **Internal Audit Report**

The Building Control Manager presented to Members the Internal Audit Report (previously circulated) for the financial year 1 April 2009 to 31 March 2010.

The Audit report indicated that with one minor exception the Partnership's procedures, processes and policies were robust and well applied, with no major risks identified.

One minor issue was identified relating to procedural matters and revisions had been implemented to remove the risk.

### **Resolved**

- i. That the report be noted
- ii. That the Accountancy Section at Ryedale District Council be thanked for their valued assistance

## **62 Monitoring Report**

The Head of Building Control presented to Members a report (previously circulated), which detailed the financial performance of the North Yorkshire Building Control Partnership for the months April 2010 to August 2010 inclusive.

The report profiled the budget for 2010/11 to the end of August based on estimated patterns of expenditure and income streams.

The report showed an overall surplus for the period of £51,353 against a profiled revised budgeted surplus on £63,160.

The report advised Members that the financial position of the Partnership required close monitoring for the remainder of 2010/11.

### **Resolved**

That the report be noted.

## **63 Street Naming & Numbering Changes**

The Senior Administration Officer presented to Members a report (previously circulated), which proposed the introduction of charges for the function of Street Naming and Numbering on behalf of Scarborough Borough Council, with effect from 1 October 2010.

The report detailed charges for four categories of development:

- Large scale development involving new streets
- Smaller single/infill development
- Re-naming existing properties
- Providing clarification of existing addresses

It was estimated that had the charge been in place for the year 2008/09, the Partnership would have realised income of £28,905 and for the year 2009/10 realised income of £12,000.

The introduction of the charges would ensure that the Partnership continued to deliver a cost-effective and efficient service by recovering all legitimate costs.

Officers had received a request from Scarborough Borough Council for any decision to be deferred pending further consultation.

It was proposed by Councillor Mackman and seconded by Councillor Baker that delegated approval be granted to the Head and Chairman of the North Yorkshire Building Control Partnership to introduce charging for street naming and numbering as detailed in the report, following further consultation with Scarborough Borough Council.

### **Resolved**

That the Head and Chairman of the North Yorkshire Building Control Partnership be given delegated approval to introduce charges for Street Naming and Numbering, as detailed in the report, following further consultation with Scarborough Borough Council.

## **64 Demolition Charging Scheme**

The Senior Administration Officer presented to Members a report (previously circulated), which proposed the introduction of charges for the serving of a Section 81 Notice in relation to the demolition or part demolition of a building, with effect from 1 October 2010.

The partnership reviewed the scheme of charges applied in other local authority areas which included Barnsley, Doncaster, Havering, Reading, Spelthorpe, Surrey and West Berkshire. These ranged from £54.00 to £300.00.

The charge the partnership proposed was £240.00 based on the time associated with carrying out the function.

It was estimated that had this charge been in place for the year 2009 to 2010, the Partnership would have realised income of approximately £9920 for 40 notifications (excluding Richmondshire and Ryedale).

The introduction of the charges would ensure that the Partnership continued to deliver a cost-effective and efficient service by recovering all legitimate costs.

### **Resolved**

That the introduction of charges for the serving of a Section 81 Notice in relation to the demolition or part demolition of a building, with effect from 1 October 2010 be approved.

## **65 Development Enquiry Charging Scheme**

The Senior Administration Officer presented to Members a report (previously circulated), which proposed the introduction of a charge for responding to enquiries to whether building regulations approval was required for development enquiries.

For charging purposes it was proposed to introduce a fee of £20 to cover the cost of administering the function, where there was no liaison between Development Management and Building Control.

For charging purposes, it was proposed that a fee of £10 be added to the planning charge for work undertaken by Building Control to enable a joint response and that the Director responsible for Building Control sought relevant authorisation from their local authority to achieve this.

The introduction of the charges would ensure that the Partnership continued to deliver a cost-effective and efficient service by recovering all legitimate costs.

### **Resolved**

- i. That a fee of £20 be introduced to cover the cost of administering responses to whether building control regulations approval was required for development enquiries where there is no liaison between Development Management and Building Control.
- ii. That a fee of £10 be added to the planning charge for work undertaken by Building Control to enable a joint response and that the Director responsible for Building Control sought relevant authorisation from their local authority to achieve this.

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### **Revised Budget**

The Head of Building Control presented to Members a report (previously circulated) detailing the revised budget for the financial year 2010/11.

Members were aware that a revised budget for 2010/11 was submitted to the Board for approval on 24 March 2010 as a result of the enlargement of the Partnership by the inclusion of Richmondshire District Council.

Due to the implementation of a new charging regime with effect from 1 October 2010 and the reduction in staffing levels it was felt appropriate to bring forward a further revised budget for 2010/11 whilst at the same time setting a draft budget for the next financial year.

Due to changes to the Partnership structure and the introduction of a new charging regime, prudent estimates were taken including the impact of the revised charging scheme to include street naming and numbering, demolitions, etc. This proposed budget would be continually monitored during the financial period and any deviations reported to the Board and Partner Authorities.

## **Resolved**

- i. That the revised budget set out in Annex A of the report be adopted for the financial year 2010/11
- ii. That the draft budget set out in Annex A of the report be adopted for the financial year 2011/12

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### **Revised Scheme of Charge from 1 October 2010**

The Head of Building Control presented to Members a report (previously circulated), which detailed a revision to the Building Control Charges Scheme for the Building Control Partnership from 1 October 2010.

Members were aware that a new scheme of charges was published in March 2010 and became operative on 1 April 2010. However, within the Regulations a six month lead-in period was granted which enabled local authorities to review and amend their current charging regime in accordance with new CIPFA guidance and The Building (Local Authority Charges) Regulations 2010.

The new charging regime was set out in an Annex to the report and was based on an hourly charge to recover costs of the chargeable service. Any surpluses or deficits within the chargeable area of operations were to be held within a reserve.

It was important to note that the Partnership should not build up excessive reserves and where these were foreseeable, the charging scheme should be amended accordingly.

If a deficit occurred, actions needed to be taken to bring the budget back into line and to a "break even" point within an agreed time period. Due to operational needs of the Partnership it was viewed that the break even position was when the Partnership had £150,000 in reserves. This level of reserve would facilitate the Partnership's operational requirements as it was not practical to request additional contributions from each of the Partners as and when required or to request monies to maintain the agreed level of operational reserve.

The scheme of charges set out in an Annex to the report was established using the hourly rate times number of inspections and hours taken plan checking. Annex 2 showed the current scheme of charges.

If an applicant agreed to pay the inspection charge at the same time as paying the deposit charge on a full plans application a 5% discount was introduced, as the costs associated with the application were reduced as there was no need for invoicing and debt recovery. These savings could be passed on to

the applicant. It was hoped that this would encourage more people to submit full plans applications.

It was anticipated that by adopting the revised charges the overall impact on the agreed budget would not significantly change from that approved on 1 April 2010 and revised on the 29 September 2010.

It was essential that the charges were set at an appropriate level and within the guidelines of the LGA Model Scheme of Charges to deliver locally accountable building control services, whilst remaining competitive against charges set by Approved Inspectors.

### **Resolved**

That the revised Building Regulations Charges scheme for the Building Control Partnership from 1 October 2010 be approved.

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### **Performance Report**

The Head of Building Control presented to Members a report (previously circulated) which detailed the Building Control Partnership's operational performance from 1 April 2010 to 31 August 2010.

Appended to the report was the Covalent performance report for the period, which showed a reduction in performance across a number of areas, namely;

- BC1 Check plans within 10 working days. For the first time in several years the target had not been met, this was mainly due to staff levels and holidays. Changes to site areas should make available additional staff for checking.
- BC3 Plans over statutory time period. There had been an increase in the number of plans exceeding the statutory time period, with an increased number in the last two months due to staffing levels and holiday periods.
- BC4 Applications approved first time. Again due to staffing levels it had not been possible to contact agents and chase up amendments resulting in the application being rejected.

Resulting from the recent redundancies it had been necessary to reorganise site inspection areas, reducing these from 12 to 11. These changes would become operational on the 4 October 2010. These changes provided an additional officer for plan checking duties and also provided area relief as and when required.

The Partnership continued to hold bi-monthly CPD events for Officers.

All Building Control officers attended seminars on changes to the regulations relating to Parts F (ventilation) L (thermal) and J (combustion appliances); senior staff attended a seminar on changes to the Charge Regulations.

**Resolved**

That the report be noted.

69 **Partnership Review**

The Head of Building Control presented to Members a report (previously circulated), which reviewed the North Yorkshire Building Control Partnership to ensure that the current method of delivery was the most cost effective and efficient.

The report detailed five methods by which building control could be delivered and recommended an option for the current working party.

After discussion of the various options and the content of the report it was proposed by Councillor Baker and seconded by Councillor Mackman that further consideration of the options be delayed for eighteen months,

**Resolved**

That consideration of the content of the report and the recommended options be delayed for eighteen months.

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

There were no items of urgent business.

**The meeting closed at 3.00 p.m.**