

CABINET
DATE 10TH MARCH 2016

BUILDING CONTROL PARTNERSHIP BETWEEN MID DEVON DISTRICT COUNCIL AND NORTH DEVON COUNCIL

Cabinet Member: Councillor Richard Chesterton
Responsible Officer: Jenny Clifford, Head of Planning & Regeneration

REASON FOR REPORT: The purpose of this report is to inform Members of the business case for delivering the Building Control Service through a Partnership between Mid Devon and North Devon councils for the purpose of gaining approval to prepare for a formal Partnership Agreement.

RECOMMENDATION TO COUNCIL:

1. That Mid Devon District Council and North Devon Councils form a Joint Committee in respect of their Building Control functions to enable joint working to reduce costs and provide resilience.
2. That this matter is brought back to Cabinet, once the draft agreement (along with all other aspects of joint working on building control) with North Devon Council has been finalised, so that decisions can be made on the following in respect of a new Joint Committee:
 - i) its membership and formation;
 - ii) the proposed variations to the constitution; and
 - iii) finalise all other details.

Relationship to Corporate Plan: The effective operation of the Building Control Service directly links with all four of the emerging corporate priorities of economy, homes, community and the environment. It is principally a service to ensure health and safety standards apply to building work, energy saving provisions are attained and premises are fully accessible for use through the application of the Building Regulations. The service also deals with dangerous structures.

Financial Implications: See below

Legal Implications: See below

Risk Assessment: There is risk associated with all changes to the way we work. The Partnership business case contains a risk analysis that shows that after mitigation the risk profile is low.

1.0 BACKGROUND.

- 1.1 Building Control is a statutory service that operates in a highly competitive commercial environment and as such faces a range of challenges that

threaten the viability of the service. Competitors have become established in the area with 31 different Approved Inspectors operating in the Mid and North Devon area in 2014/15. As the market matures awareness of alternative providers is now wide spread with those procuring Building Control Services making an informed choice between suppliers. It is therefore essential we provide a service that our customer's value at a competitive price that ensures that the business is sustainable.

1.2 Significant change is required to both culture and systems. The service needs to be more customer facing and build stronger relationships with its clients. Whilst internally inefficient working practices and duplication of processes must be eliminated through the adoption of a single system of work driven by computer based administration.

1.3 Formation of a Partnership provides a mechanism to deliver,

- Improved business resilience
- Reduction of costs
- Updating of systems
- Shared investment
- More effective use of skills to the benefit of the partners
- More effective and reduced cost of training
- Joint marketing initiatives
- A suitable structure for future development if wider joint working is pursued

2.0 **FINANCIAL IMPLICATIONS.**

2.1 Improvement of the Mid Devon ICT systems for Building Control have largely already been budgeted for as part of a corporate upgrade introducing Version 10 of the Uniform Building Control System together with the Enterprise work flow management system. An investment in systems is required from North Devon Council with the majority of costs relating to the transfer the data from North Devon Council on to the Uniform system and adoption of the workflow management system but these costs would be required in any case to update the systems and the cost of this investment and the risks are reduced by effectively "piggy backing" the implementation in Mid Devon.

2.2 The financial impact of the project on completion will be positive for both partners due to predicted reduction in costs for North Devon Council and anticipated improved income compared to costs in Mid Devon District Council. North Devon Council has identified funding to cover the cost of the project as set out within the accompanying business case document.

3.0 **LEGAL IMPLICATIONS**

3.1 Pursuant to section 101, 102, 112 and 113 of the Local Government Act 1972 (and regulations made under that Act) together with the general power within

section 1 of the Localism Act 2011 North Devon and Mid Devon District Councils are able to establish and to participate in a joint committee. Such a joint committee being established to facilitate a partnership to jointly deliver certain of their functions with a view to their more economical, efficient and effective discharge.

- 3.2 To create a joint committee for this purpose it will be necessary for both authorities to enter into an agreement recording the agreed functions that will be delegated the joint committee and to establish the constitution of that joint committee

4.0 HUMAN RESOURCES.

- 4.1 Staff will need to be seconded so that they are the direction of the Joint Partnership Committee and there would be issues regarding pay and conditions that will require harmonising. The aim is to create a single team based at both Tiverton and Barnstaple to ensure maximum flexibility.

5.0 GOVERNANCE.

- 5.1 It is proposed that the Partnership adopts the model of a Building Control Partnership Board accountable to a Joint Partnership Committee appointed by the Partner Authorities.

6.0 WORK PROGRAMME.

- 6.1 The preparation and implementation of the project involves a significant work program that incorporates a service improvement plan for Mid Devon that will build on best practice from both Authorities so that when the partnership agreement is signed North Devon Building Control would be able to adopt the systems and procedures in place in Mid Devon and migrate data on to a single administrative database.

- 6.2 The work program will consist of four phases.
1. **Project Initiation** – Leading to consideration of this report
 2. **Preparation for Partnership** – Upgrading Mid Devon systems and implementation of a service improvement plan to ensure working practices and systems can be adopted by North Devon
 3. **Unification of systems** – Merging of data on to a single database and introduction of a single mode of operation.
 4. **Consolidation of business** – Review of the success of the project and development of Business and Marketing Plans

7.0 RESOURCE IMPLICATIONS.

- 7.1 It is expected that the project will be set up and run within existing resources of both councils.

8.0 CONCLUSIONS.

- 8.1 Continuing to operate an independent Building Control Service within the boundaries of an individual Local Authority is unlikely to provide the necessary scale of business to support a sustainable business model for the future. Joint working between Mid Devon District Council and North Devon Council provides the opportunity to share the cost of management needed to drive through change and the cost of investment combined with the opportunity to reduce overheads by merging back office support and systems.
- 8.2 A commitment to joint working with North Devon Council is required to allow officers of both authorities to continue to work together to present a final proposal to Cabinet on how the Joint Committee will operate to allow Cabinet to decide, among other matters, which members will represent Mid Devon District Council on the Joint Committee and to consider what amendments must be made to the Constitution to allow for the delegation of the Council's building control function to the Joint Committee.

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Background papers: The Business Case for Project Initiation – Building Control Partnership

Circulation of the Report: Cllr Richard Chesterton, Members of Cabinet