

## **PROPOSED JOINT WORKING PROJECT BETWEEN SEVENOAKS DISTRICT COUNCIL AND TONBRIDGE AND MALLING BOROUGH COUNCIL ON BUILDING CONTROL SERVICES**

### **Finance and Resources Advisory Committee – 21 January 2014**

Report of Chief Officer, Environmental and Operational Services

Status: For recommendation to Cabinet and report to Economic and Community Development Advisory Committee

Also to be considered by: Economic and Community Development Advisory Committee – 13 February 2014

Cabinet – 6 March 2014

Key Decision: Yes

---

**Executive Summary:** This report proposes an operating model for joint working with Tonbridge and Malling Borough Council (T&MBC) for Building Control Services and recommends that a joint working arrangement be entered into.

---

**This report supports the Key Aim of** a dynamic and sustainable economy and effective management of Council resources.

**Portfolio Holder** Cllr. Roderick Hogarth

**Contact Officer(s)** Kevin Tomsett – Head of Parking and Surveying Services Ext: 7368

---

**Recommendation:** That it be resolved that it be recommended to Cabinet and reported to the Economic and Community Development Advisory Committee that:

- a) in principle, and, subject to the views of the Economic and Community Development Advisory Committee the Council enter into an agreement with T&MBC for a joint working project for Building Control Services;
- b) the Portfolio Holder for Economic and Community Development be delegated the Authority to agree the Heads of Terms for a joint working Agreement; and
- c) the Portfolio Holder for Economic and Community Development be delegated the authority to approve any consequential actions required in order to implement the project.

---

**Reason for recommendation:** To build on the shared Management arrangements with T&MBC on Building Control to achieve efficiency savings for both Authorities and significantly increase the resilience for the Building Control Service by amalgamating two existing small teams into one larger team covering both Authorities.

---

## **Introduction and Background**

- 1 From September 2011, the Council entered into an agreement with T&MBC to have a shared Building Control Manager for both Authorities. This Council's Building Control Manager fulfilled this role until his promotion to Head of Parking and Surveying Services in September 2013.

T&MBC have explored various options for the arrangement of their Building Control Service and have concluded that a full joint working arrangement with SDC would deliver the desired outcomes of:-

- a) Increased capacity and resilience for both Authorities
- b) Ability to fulfil statutory obligations
- c) Ability to meet agreed service standards
- d) Ability for customers to access services to be the same, or better, than current arrangements
- e) Efficiency savings delivered for both Authorities
- f) A single professional Building Control Manager reporting to Director/Head of Service for each Authority.
- g) Ability to expand Consultancy Services across both Authorities
- h) Ability to strengthen market position against competitors
- i) Ability to attract appropriate professionally qualified staff
- j) New structure will provide career opportunities and succession planning

### **Brief Description of Building Control Services to be covered by the proposed joint working arrangement**

- 2 Building Control is a front line service, providing services to external and internal customers whilst fulfilling several statutory functions and well as providing consultancy services. These can be divided in to:
- 3 Chargeable element of the Building Regulation Service including plan checking and site inspections – Ensuring that building work is carried out to a minimum standard in the interest of the health, safety and welfare of the occupiers and users of buildings. Building Control is exercised under the Building Act and the main purpose of the Building Regulations is to secure the health and safety of people in and around buildings, promote conservation of energy and provide access to buildings and facilities, for people of all abilities. This is administered through the checking of plans for compliance with the requirements and undertaking site visits to ensure that buildings are constructed in accordance with the requirements of the regulations.
- 4 Statutory functions (non-chargeable)
  - Control of unauthorised works
  - Enforcement
  - Disabled adaptation applications
  - Temporary structures and grandstands – Safety Advisory Group representation
  - Dangerous Structures

- Demolitions
- Competent person notifications
- Initial Notice Register

5 Internal customers

- Development Control
- Environmental Health
- Private Sector Housing
- Land Charges

6 Consultancy Services

- Code for Sustainable Homes
- Domestic Energy Assessments
- Fire Risk Assessments

7 It is proposed that the 'host' Authority will be SDC with the main office base being at the Sevenoaks office, however, with 'hot desk' functionality being available at both the main T&MBC office and at the office in Tonbridge Castle.

**Finances**

8 It is proposed that a BC 'hub' account will be provided with all expenditure being charged to the 'hub'. The contribution of each authority to the 'hub' will be based on activity (site and plan inspection volumes), based on the previous financial year. This contribution will be adjusted, as necessary, each year, based on the previous financial years activity.

9 Income generated will be retained by the individual Authority.

**Staffing**

10 A full consultation on the proposal has commenced with the staff involved for both Authorities and will continue.

11 It is proposed that staff will remain being employed by their respective employers and if vacancies occur they will be filled by the employer where the vacancy arises.

12 Where appropriate, staff will be 'assimilated' into the new structure, but for some posts, for example the team leader posts, a selection process may be appropriate.

**Technology Infrastructure and ICT**

13 The integration of both Authorities ICT systems will be necessary to ensure access to each other's databases, however, it should be noted for both Authorities, the current IT system is 'Uniform' (supplied by the IDOX Group) so whilst there are recognised operational differences, there is already a common base of systems, knowledge, process and practice.

**Customers**

14 Both Councils have corporate performance standards and local arrangements will be maintained. Customer and performance standards will be set within the broad aim of

maintaining current levels of Service. Regardless of location base all customers will be able to contact their own Local Authority as current.

**Governance**

- 15 It is anticipated that the joint working arrangement will have a Partnership agreement that clearly sets out the joint working arrangements to ensure the parties adhere to the values, responsibility and performance of the project. This will cover:-
  - Functions and responsibilities
  - Delegations
  - Financial reporting and budgetary arrangements
  - Exit strategy
  - Performance measurement
  - How risks and benefit will be shared
  - Staffing issues
- 16 SDC and T&MBC will remain as two separate Councils, keeping their own political governance arrangements, accounts and their own identities. An Officer Partnership Board will be created representing both Councils, who will be responsible for managing the project.

**Key Implications**

Financial

The proposed joint working model will deliver annual savings for each Authority.

The proposal is based on savings and implementation costs being shared by both Authorities.

Legal Implications and Risk Assessment Statement.

There will be a legal agreement for the proposed joint working arrangement. This agreement, along with governance arrangements will need to be finalised and therefore it is recommended that the approval be delegated to the relevant Portfolio Holder.

Decisions regarding legal action will initially be retained by each Council.

Equality Impacts

Consideration of impacts under the Public Sector Equality Duty:		
Question	Answer	Explanation / Evidence
a. Does the decision being made or recommended through this paper have potential to disadvantage or discriminate against different groups in the community?	No	

Consideration of impacts under the Public Sector Equality Duty:		
Question	Answer	Explanation / Evidence
b. Does the decision being made or recommended through this paper have the potential to promote equality of opportunity?	No	
c. What steps can be taken to mitigate, reduce, avoid or minimise the impacts identified above?		

### **Conclusions**

There is no significant operational risk identified with the proposed arrangement. It will be enshrined within a legal agreement with termination clauses as appropriate.

The proposal maintains current levels of service delivery, increases capacity and resilience for both Authorities and provides significant annual efficiency savings.

Individual Authority governance arrangements are protected.

**Background Papers:** None

**Richard Wilson**  
**Chief Officer Environmental and Operational Services**