

**Medway Council**  
**Meeting of South Thames Gateway Building Control Joint**  
**Committee**

**Thursday, 16 September 2021**

**10.06am to 10.58am**

**Record of the meeting**

**Subject to approval as an accurate record at the next meeting of this committee**

**Present:** Councillors: Chitty, Burden and Gibson

**Substitute:** Councillor Jones-Roberts (Substitute for Spooner)

**In Attendance:** Gemma Dand, Technical and Administration Manager - South Thames Gateway Building Control Partnership  
Caroline Frampton, Principal Accountant, Swale Borough Council  
Wendy Lane, Assistant Director (Planning) - Gravesham Borough Council  
Janine Weaver, Director, South Thames Gateway Building Control Partnership  
Debbie Yau, Democratic Services Officer

**10 Apologies for absence**

An apology for absence was received from Councillor Spooner and he was substituted by Councillor Jones-Roberts.

**11 Record of meeting**

The record of the meeting of the Committee held on 17 June 2021 was agreed and signed by the Chairman as correct, subject to the reference to "10 March 2021" in Minute no. 9 being amended to read as "10 March 2022".

**12 Declarations of Disclosable Pecuniary Interests and Other Significant Interests**

Disclosable pecuniary interests

There were none.

Other significant interests (OSIs)

There were none.

Other interests

Councillor Jones-Roberts referred to the possibility of engaging in property development in the Canterbury district.

**13 Urgent matters by reason of special circumstances**

There were none.

**14 Monitoring Report April to August 2021**

**Discussion:**

Members considered the Partnership's monitoring report from April to August 2021 which set out the current forecast for the 2021-2022 financial year and gave details against the progress of the objectives of the Business Plan 2021-2022. They expressed appreciation on the Partnership's performance as outlined in paragraph 5.3.

Concerns were expressed over the potential enactment of Section 38 Civil Liability under the Building Act 1984, and members noted that the Local Authority Building Control (LABC) body was currently seeking legal advice as to whether *Murphy v Brentwood District Council* case would still stand and the potential liability to building control if enacted. There was a question about the building control service provided by the local authorities, and members were advised that the extent of inspection work carried out by the local authorities was comprehensive and thorough. It was expected that once the law was passed, more people might choose the Partnership for building control work as they might be better protected under the correct standard and easier to claim compensation if necessary. In response to members' request, the Partnership agreed to prepare a briefing note in relation to Section 38, outlining the impacts of the new law on the Partnership and the individual authorities when more details were known. In this connection, members asked that the constituent authorities be asked to check with their insurers that there was no shortfall in respect of their insurance cover and that of the Partnership against any potential claims

**Decision:**

The Joint Committee agreed to note the contents of the report.

**Reasons for Decision:**

The Constitution requires the Joint Committee to monitor the progress of the Partnership.

**15 South Thames Gateway Building Control Business Plan 2022-2025**

**Discussion:**

## **South Thames Gateway Building Control Joint Committee, 16 September 2021**

Members considered a report seeking agreement to the South Thames Gateway Building Control Partnership's Business Plan and Delivery Plan for 2022-2025 (dated 13 August 2021 Version 1).

Members noted that local authorities were unable to compete with the salary packages offered by Approved Inspectors (AIs), which would get more intense once surveyors were required to be licensed, with the more competent surveyors becoming more sought after. A question was raised about the ways to stop building control surveyors leaving the Partnership. Members were advised that it was extremely difficult to retain surveyor staff and it was necessary to undertake a restructuring and review of salaries and job descriptions. While appreciating that the financial pressure made it difficult for the Partnership to maintain competitiveness for qualified surveyors, members urged that recruitment and training of surveyors for each category should be carried out and completed in time to meet the registration timescales likely by around April 2023.

In response to a suggestion of generating revenue by raising the service charges, it was advised that the Partnership was a statutory non-profit making body, and AIs would undercut the Partnership if their charges deviated from the benchmark. Members considered it useful to highlight the added value the Partnership provided that the AIs did not. They also suggested that Leaders of the four Councils could issue a joint press release to promote the Partnership and its work.

### **Decision:**

The Joint Committee agreed to approve the draft Business Plan 2022-2025 (dated 13 August 2021 Version 1) and Delivery Plan 2022-2025 (dated 13 August Version 1) and make them available for each Partner Authority for comments.

### **Reasons for Decision:**

The Joint Committee has a duty under the Memorandum of Agreement to formally adopt the Business Plan at the Annual General Meeting.

## **16 Exclusion of the press and public**

### **Decision:**

The press and public were excluded from the meeting during consideration of the exempt appendices relating to agenda items 5 and 6 because consideration of these matters in public would disclose information falling within Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 as specified in agenda item 7, and, in all the circumstances of the case, the Joint Committee considered that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

**Chairman**

**Date:**

**Debbie Yau, Democratic Services Officer**

Telephone: 01634 332947

Email: [debbie.yau@medway.gov.uk](mailto:debbie.yau@medway.gov.uk)