

Cabinet

13 February 2024

South Thames Gateway Building Partnership Control Business Plan

Portfolio Holder: Councillor Naushabah Khan, Portfolio Holder for Housing and Property

Report from: Adam Bryan, Director of Place

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Summary

This report seeks agreement to the South Thames Gateway Building Control Partnership Business Plan for 2024 to 2027.

1. Recommendation

- 1.1. It is recommended that the proposed Business Plan for 2024-2027 for the South Thames Gateway Building Control Partnership, as set out in the Exempt Appendix, be approved by the Cabinet and the proposed contribution of £141,763 for 2024-2025 be noted.

2. Suggested reasons for decision

- 2.1. The constitution of the Joint Committee requires approval of the Business Plan for the following year by the Cabinet of each Partner Authority.

3. Budget and policy framework

- 3.1. The approval of the South Thames Gateway (STG) Building Control Partnership Business Plan is a matter for Cabinet; however, specific parts of the plan may need to be progressed in accordance with the Council's relevant policies and procedures. The Partnership's business plan outlines how the building control function for the four Partnership Councils will be delivered over the next three financial years.

4. Background

- 4.1. The South Thames Gateway Building Control Partnership (involving Medway Council, Canterbury City Council, Gravesham Borough Council, and Swale Council) went live in 2007 and was expanded in 2018 with Canterbury City Council joining on the 1st April 2018.
- 4.2. The Joint Committee's Constitution sets out the process for approval of the business plan each year and the timing required to ensure that each partner authority can incorporate associated budget requirements into the financial planning process for the subsequent year. The stages to this process are as follows:
 - Before 1 October each year the Joint Committee is required to approve and send its draft Business Plan for the following year to each partner authority for comments.
 - Each Council has 35 days (from receipt) to provide comments to the secretary of the Joint Committee on the draft business plan. To streamline the process, the Cabinets in each partner authority have agreed to delegate authority to the relevant director, in consultation with the council's Chief Finance Officer and appointed member on the Joint Committee to deal with this element of the process.
 - The Joint Committee is then required to meet to consider any comments received and agree any revisions to the draft business plan.
 - By no later than 5 January the Joint Committee must send a revised draft to each partner authority for their final approval.
 - Each partner authority must advise the Secretary to the Joint Committee whether it approves or rejects the revised draft business plan by no later than 10 days before the Annual Meeting of the Joint Committee. (The Joint Committee will formally adopt the Business Plan at its Annual meeting).
- 4.3. There are also provisions in the Constitution of the Joint Committee stipulating the process and timescales for agreeing amendments to the Business Plan during each year.
- 4.4. Whilst much of the building control partnership operation is subject to competition from approved inspectors, the service retains statutory responsibilities regarding public protection eg, dangerous structures, demolitions, unauthorised works, and maintenance of public registers etc.

5. Executive Summary

- 5.1. The Business Plan outlines how the building control function will be delivered on behalf of the four Partnership Councils up until 2027 and indicates what the contributions will be between 2024-2027.
- 5.2. On 1st October 2023 the Building Safety Regulator (BSR) became the building control authority for all higher-risk buildings (HRBs) in England and now oversees the performance of the whole building control profession. All surveyors both public and private will have to be registered with the BSR regardless of whether they work on higher-risk buildings or not by 6th April 2024.
- 5.3. As the only regulatory service open to direct competition from the private sector, it has always been challenging competing for work and surveyors. It is acknowledged within the industry the aging demographics of building control surveyors with the most difficult challenges being retention, recruitment, and licensing.
- 5.4. There was already a shortage of qualified/experienced surveyors and now many in the industry have chosen to take retirement rather than undertake the mandatory assessments required for licencing. Demand for licenced surveyors is becoming more competitive and surveyors are already choosing to leave the public sector for the higher salaries attainable in the private sector.
- 5.5. Developing our own surveyors helps to maintain resilience and future proof the partnership. The Business Plan continues to follow this training path to ensure surveyors can demonstrate the competencies to achieve the relevant licences to undertake the restricted activities within the Building Regulations 2010.

6. Risk management

- 6.1. Should chargeable applications and therefore income fall below expectations and outside of any mitigating proposals put forward to enable a zero-based budget there may be further calls on the contributions from each of the partner authorities. However, this would be only applied for as a last resort.
- 6.2. Should surveyor(s) fail to obtain a licence an assessment would need to be undertaken on a case-by-case basis as to achieving licence requirements or employment position as unable to fulfil their duties.
- 6.3. If the partnership does not have sufficient surveyors licenced at the right levels, this will impact on service delivery and have a financial impact. Suitably licenced surveyors would need to be contracted to deliver the service.
- 6.4. The inability to recruit suitably qualified, experienced, and licenced building control surveyor's places increased pressure on existing staff.

- 6.5. Potential for staff to be poached due to the lack of building control surveyors, new licencing within the industry and approved inspectors offering higher salaries.
- 6.6. The Building Safety levy fund will place an additional burden on local authorities if they become the collection agency and will require updates to IT software.
- 6.7. Service risks are set out in Part 8 of the Service Delivery Plan 2024-2027.

7. Financial implications

- 7.1. The Memorandum of Agreement, which underpins the Partnership, states “each Council shall notify the Partnership no later than 28 February in each year the amount the Council has allocated to the Partnership from its revenue budget”. For Medway the sum of £142,205 has been provided for in the 2024-2025 draft budget, which demonstrates exceptional value for money as in comparison to the costs of one building control surveyor, including on-cost, is £76,000.
- 7.2. The table below shows the number of surveyors each partner authorities contributions pay for.

	Number of Surveyors (FTEs)		
	2024/2025	2025/2026	2026/2027
Canterbury	1.05	1.06	1.12
Gravesham	0.68	0.69	0.73
Medway	1.87	1.89	2.00
Swale	0.96	0.97	1.02
TOTAL	4.55	4.62	4.87

The partnership currently employs 18.81 FTE surveyors and has 2 FTE vacancies.

- 7.3. Detailed below are the indicative costs (inclusive of on-costs) for the minimum number of surveyors required for each partner authority to undertake site inspection work only.

	2024/2025	2025/2026	2026/2027
	£	£	£
Canterbury	228,000	234,000	240,000
Gravesham	152,000	156,000	160,000
Medway	304,000	312,000	320,000
Swale	228,000	234,000	240,000
Total	912,000	936,000	960,000

8. Legal implications

- 8.1. The building control function is a statutory duty under the Building Act 1984 and therefore must be provided by each authority – whether as a partnership arrangement or a standalone service.

Lead officer contact

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Appendices

Exempt Appendix South Thames Gateway Building Control Partnership Business
Plan 2024-2027

Background papers

None