

Review of Building Control Performance 2007/2008

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2.0 Introduction

- 2.1 The purpose of this document is to record and communicate the performance of Building Control across the range of services undertaken by the Section.
- 2.2 The information relates to the financial year 2007/2008.
- 2.3 Building regulations have been around since 2100BC when Hammurabi, King of Babylonia imposed a code of laws relating to buildings which in its simplest form decreed that if a building collapses and causes death to any of the occupants, then the builder shall be put to death.
- 2.4 Fortunately for the building industry within England and Wales the introduction of the Public Health Act 1875 set out a more humane structure for the control of buildings and formed the basis of the Building Act 1984, the cornerstone of current building regulation legislation.
- 2.5 Building regulations currently exist to ensure the health, safety, welfare and convenience of people in or around buildings.
- 2.6 They also seek to further the conservation of fuel, power and water, and to prevent waste, undue consumption, misuse or contamination of water.
- 2.7 The Sustainable and Secure Buildings Act 2004 widened the remit of building regulations to include furthering the protection or enhancement of the environment, facilitating sustainable development and furthering the prevention or detection of crime.
- 2.8 In this regard major changes to Approved Document L - Conservation of Fuel and Power, came into effect on 6 April 2006 which limits and controls carbon emissions into the atmosphere not only on newly constructed buildings but also on existing buildings where certain levels of alteration and extension are proposed. These changes are in response to the Governments commitment to the reduction of greenhouse gases and carbon emissions as set out in the Kyoto Agreement.
- 2.9 The Code for Sustainable Homes which replaced the BREs Eco Homes rating system and which sets standards in excess of current building regulations, is expected to be embedded within the Regulations and signal successive increases in standards based upon the levels set within the Code. Further the drive towards zero carbon homes by 2016 and the reduction in the use of water within buildings will be addressed through amendment of existing regulations.
- 2.10 As well as ensuring that developments carried out within the City achieve compliance with those standards contained in the Building Regulations, Building Control also has a role in providing technical advice on issues of fire safety and crowd management at large events with the Manager having the responsibility of chairing the Sunderland Stadium of Light Safety Advisory Group which advises the Council on the grant of the General Safety Certificate to the football club.

- 2.11 Building Control staff provide a valuable 24hour call out service for the Council to provide specialist advice on buildings or structures affected by fire, storm, or structural collapse to ensure public safety is maintained.

3.0 Summary

- 3.1 Fee Earning Applications – Appendix 1

- 3.2 The number of applications received fell slightly from 1198 to 1150 in respect of Full Plan applications and from 389 to 362 for Building Notice types.

- 3.3 The slight decrease in numbers is in the area of the domestic types of extension which are generally affected by fluctuations in interest rate levels as seen in recent months. New house building within the City was buoyant throughout the year and the Service continues to retain its market share against that of the private sector. However the area of volume house building will be carefully monitored in coming months and vigorously marketed to counter the effects of the downturn in the house building economy and the emergence of new private building control companies in the marketplace.

- 3.4 Large scale schemes in the City are still in the pipeline which will continue to focus attention on the further development of partnerships to enable Building Control to seek work outside of the City's boundaries to maintain levels of application numbers and fee income.

- 3.5 Non-Fee Earning Applications- Appendix 2

- 3.6 The number of Cavity Wall Applications decreased from 3720 to 1167 which equates to a 69% decrease on the level received in 2006/2007. This major reduction is put down to the fact that a significant number of homes within the City have now had the cavity insulation process carried out.

- 3.7 Fenestration Self-Assessment Scheme (FENSA) replacement window applications showed a slight decrease to 2938 against a figure of 3017 recorded in 2006/2007

- 3.8 From 2005/2006 the Section has recorded the numbers of applications received from the various organisations representing the electrical and gas industries in respect of domestic installations carried out by their members due to the introduction of new, and amendment of existing legislation. In the case of electrical work, numbers decreased from 5358 recorded in 2006/2007 to 4070 whilst for gas installations there was an increase to 5042 applications from 3366 last year.

- 3.9 The number of Initial Notices received i.e. the number of applications received for work carried out by private building control bodies increased in all areas of work from 58 in 2006/2007 to 73 for 2007/2008. Notwithstanding the increase the number still represents a low level of just 4.8% of numbers of applications lost to the private sector and in terms of lost fee income represents around 4% due to the minor nature of the works.

- 3.10 That the figure is so low is due to the concentrated efforts made to provide a quality service to clients and to the high priority given to the marketing and promotion of Building Control both within the region and nationally. Building Control has a dedicated and effective Customer Forum who give advice and support to the direction of the Service and keeps in touch with clients via media such as newsletters, guidance notes, training sessions, satisfaction surveys, corporate days to maintain a high profile with clients.
- 3.11 Inspections – Appendix 3
- 3.12 The number of site inspections carried out is recorded at 10954 and is slightly down on last year's total of 11376. The number still highlights the high levels of site activity largely due to the proportionately high number of Building Notice applications received. This form of application is made without the benefit of working plans and as a result requires higher levels of site supervision.
- 3.13 Application Response Times – Appendix 4
- 3.14 The statutory response time for the issue of a building regulation application decision is set in The Building Act 1984 as 5 weeks from the date of deposit.
- 3.15 The need for swift response to submitted applications is recognised as well as the need to maintain high levels of quality in the decision making process.
- 3.16 Local performance indicators record applications processed within 10 working days at 55% and at 97% for those attended to within 15 working days. The performance in respect of the 10 day target shows a decrease from the figure of 72.5% recorded for 2006/2007 but still demonstrates high levels of speed in the application process, a factor that is highly regarded by regular users of the service. The percentage of applications attended to within 15 working days slightly decreased from 98.3% to 97%.
- 3.17 Speed of response is recognised from consultation with clients to be a key element in the choice of service provider and therefore creates a focus to Building Controls service standards.
- 3.18 Other Building Control Work – Appendix 5
- 3.19 The extent of Building Control involvement in other areas is both wide-ranging and diverse.
- 3.20 Building Control continues to provide an emergency call out service both during and out of office hours for 365 days per annum, responding to all building related emergencies. In 2007/2008 the number of emergency calls responded to was 40, up from last year's figure of 39.
- 3.21 A local performance indicator for this valuable service shows that 100% of calls received were inspected within 1 hour of receipt of call.

- 3.22 Numbers of local land searches handled fell from 4205 to 3032 mainly due to the increasing number of personal searches carried out by private companies.
- 3.23 Staffing Levels – Appendix 6
- 3.24 The Building Control establishment is currently fully staffed. However skills shortages in the area of qualified Chartered Building Control Surveyors have meant that posts in the past have been filled with personnel unqualified when appointed. The resulting commitment to the training and development of new members of staff places pressure on qualified staff who are required to divert their time to the training process and great care is needed to ensure that service levels in future are not affected as a direct result of this diversion. However the benefits of developing staff in-house helps to redress the national skills shortage problem and one that is currently affecting the whole of the building control profession.
- 3.25 Major challenges to the future performance of Building Control come with the advent of new legislation in respect of sustainability issues. Notwithstanding the requirement to understand the complexity of the legislation there is also a challenge to employers to retain existing qualified staff in the face of recruitment programmes to attract surveyors to fill new positions such as energy performance assessors and home information pack assessors. This new legislation and the employment opportunities that arise has the consequence of seeing a further drift of qualified building control surveyors to fill these new positions. This drift together with the constant movement of staff from local authority to private sector building control requires constant monitoring to ensure that service levels are maintained.
- 3.26 Further concern arises about the pressures placed on staff to keep abreast of the wide-ranging changes that have happened or are about to happen to Building Regulations as a result of changing Government initiatives and changes in European law. Sustainability and the control over carbon emissions into the atmosphere are regulations now embedded within the body of Building Regulations and have resulted in intensive training of staff to take on board new skills and competencies.
- 3.27 Local Performance Indicators – Appendix 7
- 3.28 A wide range of local performance indicators shows Building Control responses against varying targets to be very effective.
- 3.29 Speed of response to submitted applications has been mentioned. Also of note is the 100% response recorded for requests for same day site inspection where those requests are made before 10 00am on the day.
- 3.30 Data recorded for site workload indicates that 100% of active sites receive a minimum of 1 visit every 15 working days and that 100% of non-active sites receive a minimum of 1 visit every 3 months.

- 3.31 Building Control operates a quality management system which complies with the requirements of BS EN ISO 9001:2000 and which is audited on a monthly basis and inspected annually by BSI Management Systems. A recent inspection by BSI carried out in March 2008 commended the Service for its systems and procedures.
- 3.32 Further Building Control has been awarded 3 Charter Mark Awards by the Governments Cabinet Office for excellence in service delivery.
- 3.33 The Service is also commended by Charter Mark for its work with the Sunderland Access Group to create an inclusive environment, the continuing work with its partners and in particular the service provided to other local authorities. Further commendation was made for the development of the “submit-a-plan” website which was developed by Building Control and is now utilised by over 200 local authorities in England and Wales.
- 3.34 Partner Authority Scheme – Appendix 8
- 3.35 The Partner Authority Scheme was set up in 1998 by the Local Government Association, District Surveyors Association and the Local Authority National Type Approval Confederation (LANTAC).
- 3.36 The Scheme allows for Partner Companies to choose their Partner Authority as the contact for the submission of all building regulation applications throughout England and Wales.
- 3.37 Currently Building Control is partnered with 20 partner companies with the arrangement producing additional streams of income to the Service. In the last 12 months additional partnerships have been entered into with Balfour Beatty Construction Northern Ltd, McInerney Homes, Durham Estates, M Design, David Walker Architectural Services and Robertson Simpson Architects.
- 3.38 Under the Scheme Building Control has most recently been involved in a mixed user development in Alnwick, regeneration work on North Shields fish quay, and mixed developments in the regeneration of the former Stannington Hospital and St Oswalds Hospice in Newcastle. Work in connection with a major scheme forming part of the Kings Cross regeneration in London is still ongoing. Previous partnerships have seen Building Controls involvement in hotel schemes at East Midlands Airport and Durham, refurbishment work to an entertainment facility in Southampton and housing development throughout Durham, Northumberland and Tyne and Wear.
- 3.39 List of Service Initiatives – Appendix 9

- 3.40 The third Building Control Quality Awards were held at the Sunderland Stadium of Light in February 2008. Awards were made in the categories of Best Partnership, Best Access/Community Project, Best Housing Project, Best Small Builder and Best Regeneration Project. The ceremony was well received by all of the prize-winners and plans are in place to repeat the event in 2009. The winners in all categories were submitted into the regional awards held in April at Slaley Hall where the winners of our own Best Partnership Award, Miller Homes North East Ltd and the Best Access Community Project, Redbox Design Group and Balfour Beatty Construction Limited scooped the regional award and now go forward to the national finals to be held in London in the autumn.
- 3.41 As a member of Local Authority Building Control Services Limited, Building Control is able to offer a range of benefits from using the local authority as the building control service provider.
- 3.42 A full list of the value added services are listed in the appendices and include such benefits as new housing warranties, Latent Gold latent defect insurance and a contaminated land warranty.
- 3.43 Fee Income – Appendix 10
- 3.44 Under legislation contained within The Building (Local Authority Charges) Regulations 1998 local authority building control units are required to recover the costs incurred in the provision of building regulation charge earning work. The accounting is over a rolling 3-year period to acknowledge the cyclical nature of building construction.
- 3.45 The financial details of the trading operation are protected by the commercial sensitivity of the building control operation in respect of its competition with the private sector.
- 3.46 Since the advent of the regulations, Building Control has consistently made surpluses in its charging account which is part protected as a working surplus and part reinvested into the development of the Service. Despite a slight drop in application numbers in 2007/2008 fee income reached the budget target.
- 3.47 The system is monitored and assessed under guidelines drawn up by The Chartered Institute of Public Finance and Accountancy (CIPFA).
- 3.48 Customer Satisfaction
- 3.49 Customer satisfaction and feedback is viewed as being a crucial element in the delivery of a high quality, customer focused service and is carried out in many ways including customer forums, newsletters, meetings in reception or on site and written correspondence. Monitoring of customer satisfaction levels is carried out at 2 stages of the building control process.
- 3.50 The first consultation takes place following the transmission of the application decision to the applicant, with a second consultation taking place following completion of works on site.

- 3.51 The 2-stage consultation process captures the 2 different elements of work and client at those points.
- 3.52 In the first case consultation is generally completed by the architect or draughtsperson whilst the second stage is usually completed by the builder or developer.
- 3.53 Responses from the plan examination process indicate that 90% of clients confirm that Building Control provides value for money and 98% rate the overall plan examination service as either good or excellent.
- 3.54 With regard to the site inspection work 82% of respondents confirm that the Service provides value for money and 90% rate the inspection service as either good or excellent.

4.0 Functions and Services

- 4.1 To carry out the administrative and technical processes involved in the enforcement of statutory building standards contained within the Building Regulations and allied legislation.
- 4.2 To advise on all safety matters relating to the issue of the General Safety Certificate required under the Safety of Sports Grounds Act 1975 by Sunderland AFC.
- 4.3 To provide technical advice on safety matters and crowd management issues at outdoor events.
- 4.4 To advise on all fire matters in Houses in Multiple Occupation.
- 4.5 To advise the Access Committee of Sunderland Council for the Disabled.
- 4.6 To supervise the handling of all dangerous structures within the City.
- 4.7 To carry out the statutory function of numbering and naming streets on developments within the City.

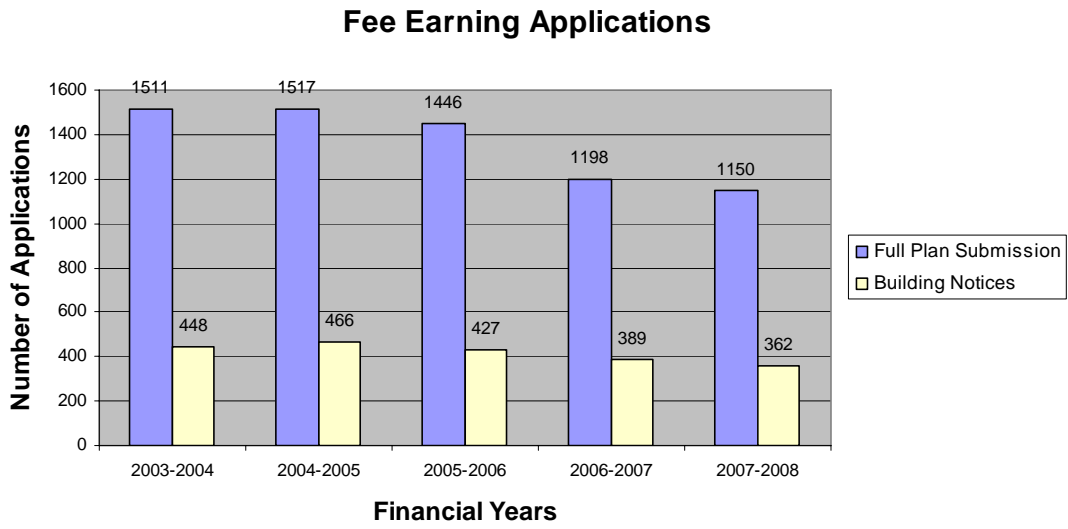
5.0 Statutory Duties

- 5.1 The Section exercises a wide range of statutory duties on behalf of the Council.

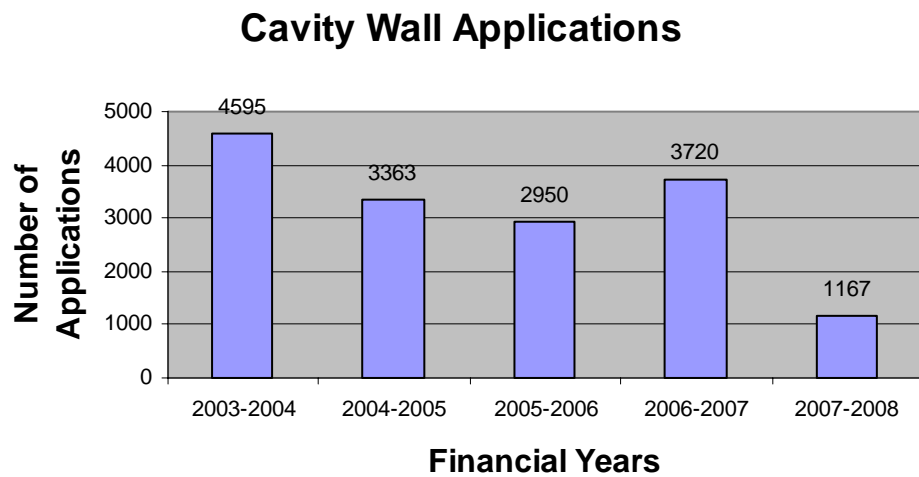
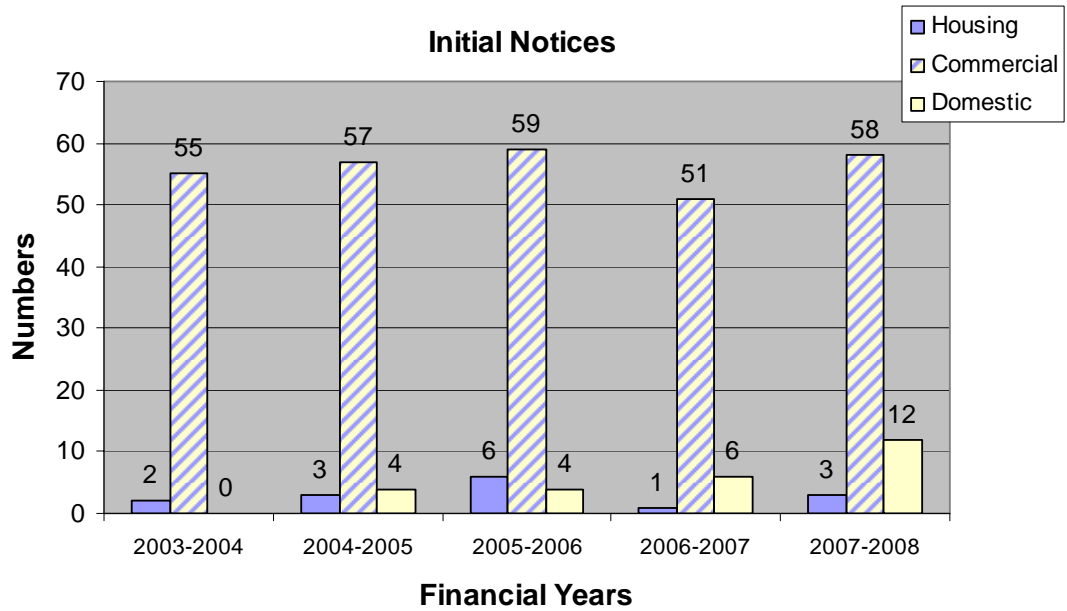
5.2 Key legislation includes;

- ❖ Building Act 1984
- ❖ Disability Discrimination Act 1995
- ❖ Fire Safety & Safety of Places of Sport Act 1987
- ❖ Licensing Acts 2003
- ❖ Public Health Acts 1936,1961
- ❖ Safety of Sports Grounds Act 1975
- ❖ Sporting Events (Control of Alcohol etc) (Amendment) Act 1972
- ❖ Sustainable and Secure Buildings Act 2004

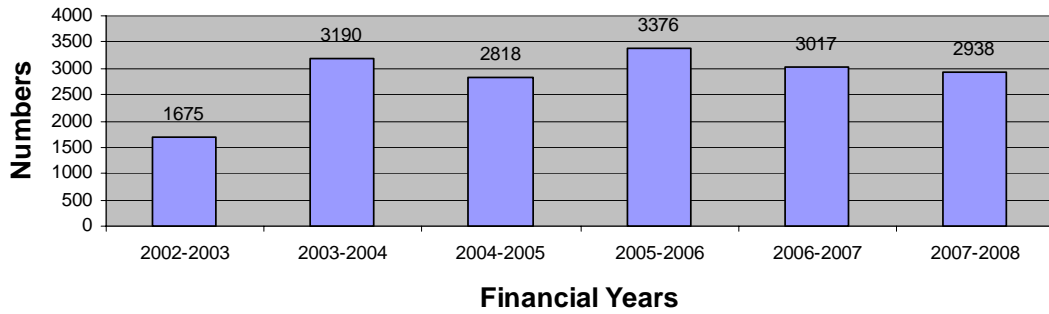
Appendix 1 - Fee Earning Applications



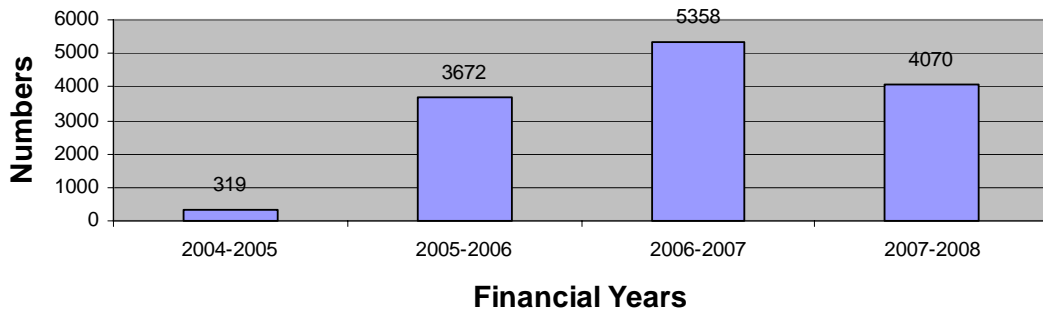
Appendix 2 – Non-Fee Earning Applications



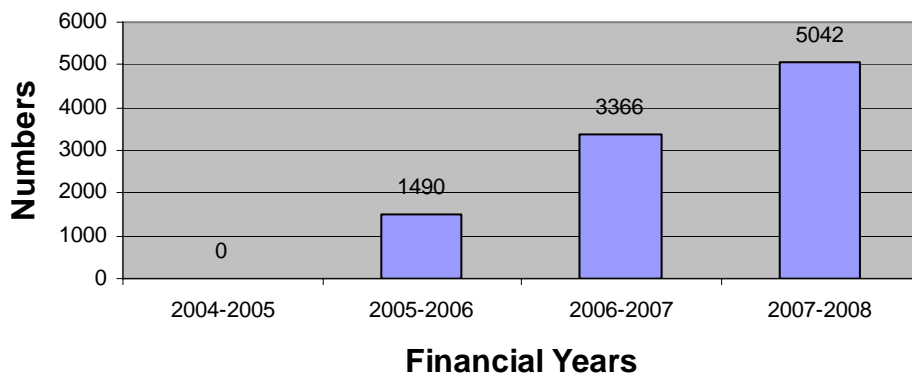
Fensa Applications



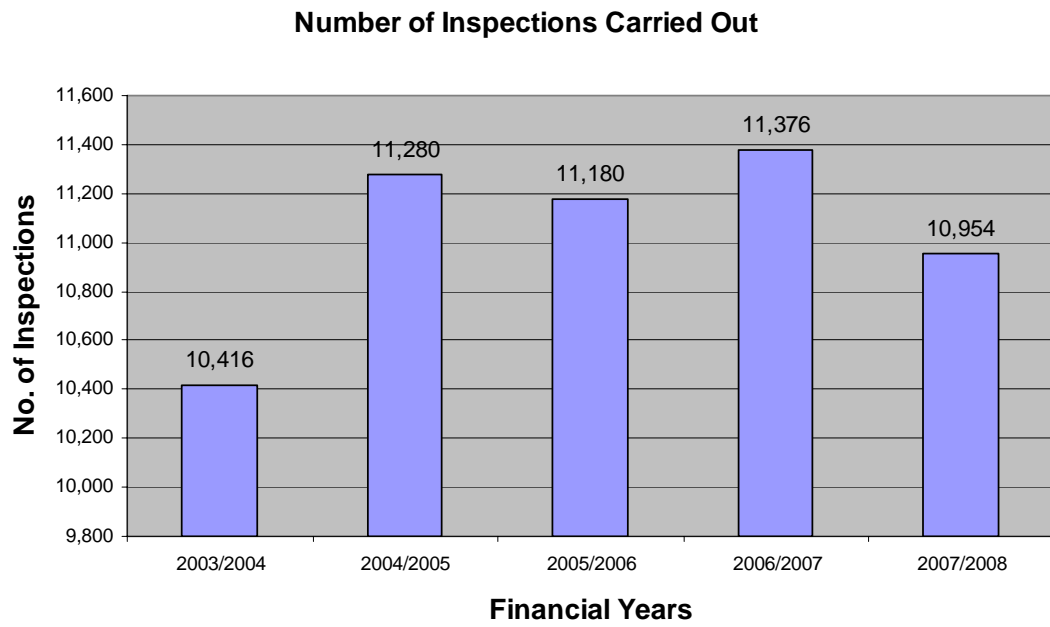
Competent Person Scheme Applications for Electrical Works



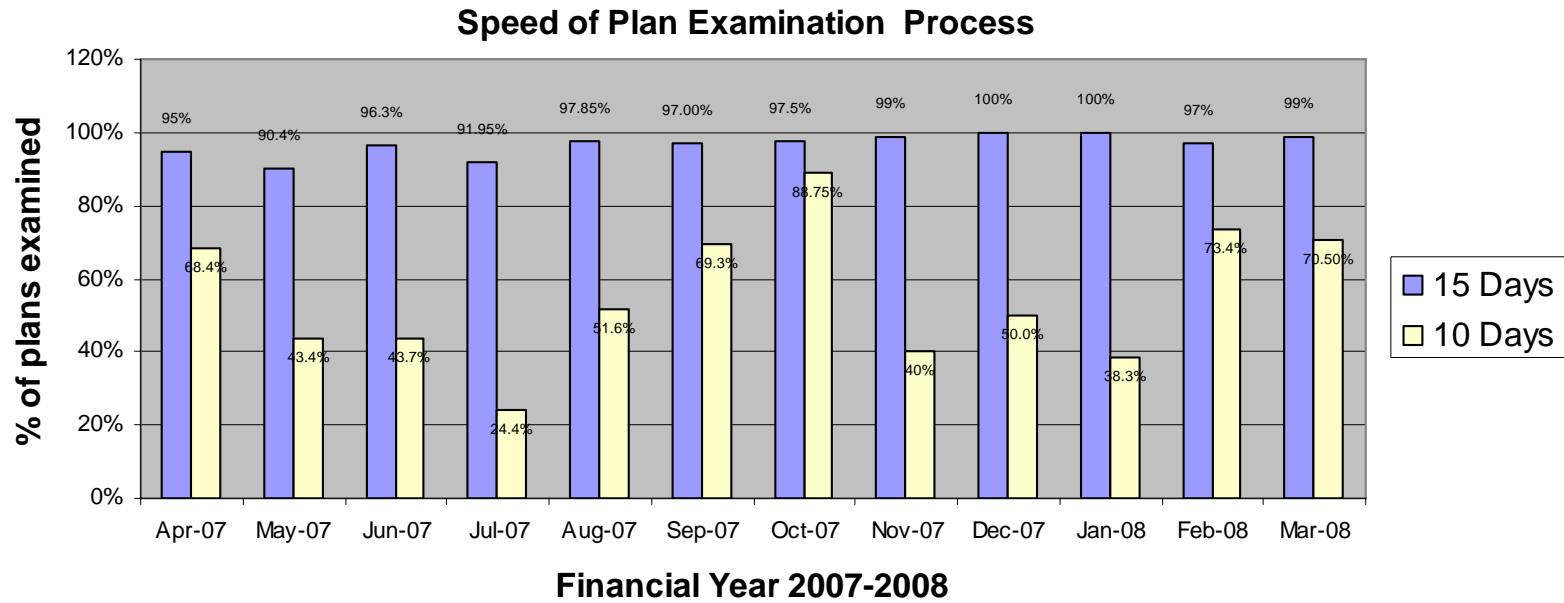
Competent Persons Gas Applications



Appendix 3 – Number of Site Inspections



Appendix 4 – Speed of Plan Examination Process



Appendix 5 - Other Building Control Work

	03/04	04/05	05/06	06/07	07/08
No. of Dangerous Structures	44	53	29	39	40
No. Local Land Searches	7424	5356	4348	4205	3032
No. of Safety of Sports Grounds Inspections	27	29	34	36	33
Copy Approvals	450	396	278	324	116
Estimated no. of telephone calls		60000	60000	60000	50000
Estimated no. of enquiries at reception		4500	5000	6000	5000
Advice on crowd management at events		36	32	32	75
Naming and numbering new developments		15	12	16	22

Appendix 6 – Staffing Levels

- 1 Development Manager
- 1 Technical Building Control Manager
- 1 Principal Building Control Surveyor
- 10 Building Control Surveyors
- 1 Office Manager
- 4 Support Staff

From the establishment of 13 BC Surveyors, 8 are Chartered Surveyors.

The Manager is a Fellow of The Royal Institution of Chartered Surveyors, a further 7 BC Surveyors hold corporate membership of RICS.

Of the remainder, 1 BC Surveyor has a degree in Building Surveying and is pursuing corporate membership of RICS, 3 are studying for degrees in Building Surveying, and 1 has an ONC in Construction and is studying for HNC in Building.

Administration staff are trained to give limited technical advice, including the calculation of application charges to clients either by telephone or at reception.

Appendix 7 – Building Control Local PI's

Function	Responsibility	Statutory Limit or Requirement for Notice	Target for Response/Action	P.I.	Outcome %
1. Effective Plans Check					
a) Checking of Charges	B.C.O. (Fees)	None	100% within 1 working day	% checked within 1 working day	100%
b) Applications registered and acknowledged	Administration	None	100% within 2 working days	% checked within 2 working days	97%
c) Examination and verification of Building Notices	Administration	None	100% within 2 working days	% checked within 2 working days	100%
d) Acceptance or rejection of Notices and Certificates submitted under the Building (Approved Inspectors) etc. Regulations 1985	Senior B.C. Staff	Within 5 working days	100% within 5 working days	% checked within 5 working days	96%
e) Checking of functions in connection with limited powers (e.g. building over public sewers)	B.C.O. (Fees)	None	100% within 2 working days	% checked within 2 working days	100%
f) Examination of plans and issuing of decisions	All B.C. Staff	Five weeks from date of deposit or up to 2 months if agreed with applicant	Maximum time to be within statutory requirement with a desired target of 75% examined within 10 working days from deposit (i.e. plans examined and contact made)	% checked within 10 working days	55%
g) Examination of plans and issuing of decisions	All B.C. Staff	Five weeks from date of deposit or up to 2 months if agreed with applicant	Maximum time to be within statutory requirement with desired target of 100% examined within 15 working days from deposit (i.e plans examined and contact made)	% checked within 15 working days	97%

Function	Responsibility	Statutory Limit or Requirement for Notice	Target for Response/Action	P.I.	Outcome %
2. Effective Inspections Regime a) Response to requests for site visits (if made before 10 a.m.) made on same day	All B.C. inspection staff	Commencement – 2 days from end of day the notice is given. Excavation of foundations – 1 day from end of day the notice is given. Concrete in foundations – 1 day from end of day the notice is given. Damp proof course – 1 day from end of day the notice is given. Concrete oversite – 1 day from end of day the notice is given. Drains (stage 1) – 1 day from end of day the notice is given. Drains (stage 2) – 5 days after completion of work Occupation – 5 days before intended occupation Completion – Not more than 5 days after completion	% inspected on same day		100%

Function	Responsibility	Statutory Limit or Requirement for Notice	Target for Response/Action	P.I.	Outcome %
b) General inspection of works – active sites	All B.C. inspection staff	None	Minimum of 1 visit every 15 working days	% of active sites receiving a minimum of 1 visit every 15 working days	100%
c) General inspection of works – non active sites	All B.C. inspection staff	None	Minimum of 1 visit every 3 months	% of non-active sites receiving a minimum of 1 visit every 3 months	100%
d) Response time to dangerous structure call out	All B.C. inspection staff	None	100% responded to within 1 hour	% inspected within 1 hour	100%
3. Effective Marketing of Building Control Service					
a) Maintain market share of new housing	All B.C. staff	None	Achieve 100% of all applications	% of applications received	89%
b) Maintain market share of commercial/industrial work	All B.C. staff	None	Achieve 100% of all applications	% of application received	75%
C) Maintain market share of domestic work	All B.C Staff	None	Achieve 100% of all applications	% of application received	99%

d) Continue to develop customer care philosophy	All B.C. staff	None	Pre-paid response cards on receipt of service	Results of customer surveys	Achieved
4. Provision of a self financing Building Control Service	All B.C. staff	The Building (Local Authority Charges) Regulations 1998	Self financing for the building regulations function	% above or below break-even	Achieved
5. Effective Performance Review					
a) Maintaining BS EN ISO 9002 Quality Management Accreditation	Quality Manager	None	Systems/procedures subject to 6 monthly review by BSI	Continuing accreditation	Achieved
b) Maintaining Charter Mark Award	All B.C. staff	None	Annual review/3 yearly renewal	Renewal of award	Achieved 2005

Appendix 8 - Partner Authority Scheme – List of Partners

Company	Date of Partnership
Red Box Design Group	December 2000
Anthony Watson Architects	April 2001
Leftbank Development Ltd	November 2001
Ultimate Leisure Group Plc	November 2001
Team Steel Building Systems	February 2002
Jane Darbyshire & David Kendall Ltd	April 2002
Jarvis Construction (UK) Ltd	February 2003
Miller Homes (North East) Ltd	April 2003
B3 Burgess	June 2005
Edward Thompson Group Contracts Division	July 2005
Planit Design	March 2007
Sunderland Housing Company	April 2007
Emperor Property Management	April 2007
Hopper Howe Saddler	April 2007
Durham Estates	May 2007
McInerney Homes	June 2007
M Design	August 2007
Balfour Beatty Construction Northern Ltd	September 2007
David Walker Architectural Services	November 2007
Robertson Simpson Architects	November 2007

Appendix 9 – List of Service Initiatives

- ❖ New Housing Warranty
- ❖ Provider of energy rating service
- ❖ Member of LANTAC
- ❖ Member of Partner Authority Scheme
- ❖ Masterbond facilitator
- ❖ Latent Gold facilitator
- ❖ Considerate Contractor Scheme
- ❖ Built in Quality Awards Scheme
- ❖ Contaminated land warranty facilitator
- ❖ Sunderland City Council Building Control Awards

Appendix 10 - Fee Income

From 1 April 1999 the setting of building regulation fees was devolved to local authorities under legislation contained within The Building (Local Authority Charges) Regulations 1998.

The essential requirement of the Regulations is that Building Control recovers costs incurred in the provision of building regulation fee earning work, which currently accounts for 78% of the overall workload. The fact that building activity is cyclical is acknowledged in the Regulations with the requirement to recover costs being assessed over continuous 3-year periods.

In practice a significant proportion of work undertaken by Building Control, currently 22% from detailed time recording, is non fee earning and related to the wider role of public protection assumed by public bodies.

The operation of the system is assessed under guidelines drawn up by The Chartered Institute of Public Finance and Accountancy (CIPFA).

To enable correct accounting procedures to be employed delegated budgets are set up within the trading account with individual items of income and expenditure having separate reference to enable accurate recording of the accounts which is shown in financial statements produced at monthly intervals and at each financial year end.

Itemised costs relating to the building regulation charging account are in place to identify the income and expenditure of the fee earning work.

Since the inception of the Regulations in 1999 Building Control has produced surpluses at the end of each financial year which are either re-invested in the Service or held as a working surplus to address dips in building activity within the City.

An annual return is sent to ODPM at the end of the financial year to report on surplus or deficit in the charging account.

