

Building and Development Control Service

Review of Building Control Performance 2008-2009

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1.0 Contents

2.0 Introduction

3.0 Summary

4.0 Functions & Services

5.0 Statutory Duties

Appendix 1	Fee Earning Applications
Appendix 2	Non Fee Earning Applications
Appendix 3	Site Inspections
Appendix 4	Speed of Application Processing
Appendix 5	Other Building Control Work
Appendix 6	Staffing Levels
Appendix 7	Building Control Local Performance Indicators
Appendix 8	Partner Authority Scheme List of Partners
Appendix 9	List of Service Initiatives
Appendix 10	Fee Income

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 Building regulations currently exist to ensure the health, safety, welfare and convenience of people in or around buildings.
- 2.3 They also seek to further the conservation of fuel, power and water, and to prevent waste, undue consumption, misuse or contamination of water.
- 2.4 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.
- 2.5 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. The next phase of this stepped approach of achieving zero carbon new homes is proposed in 2010. Further control on water efficiency, sanitation and hot water safety will be introduced in October 2009.
- 2.6 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 Development 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.
- 2.7 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 from 1150 to 868 in respect of Full Plan applications and from 362 to 278 for Building Notice types.

- 3.3 The decrease in numbers is mainly in the area of the domestic types of extension which are mainly affected by general economic uncertainty. There was a significant downturn in new house building within the City 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 scarce which will require us to 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 The Service has been fully involved in the Building Schools. for the Future Projects which has generated a considerable amount of work both in plan vetting and site inspection work.
- 3.6 Non-Fee Earning Applications- Appendix 2
- 3.7 The number of cavity wall applications slightly increased from 1167 in 2007/2008 to 1207 in 2008/2009.
- 3.8 Fenestration Self-Assessment Scheme (FENSA) replacement window applications showed a decrease from a figure of 2938 recorded in 2007/2008 to 2013 in 2008/2009.
- 3.9 Applications for building work which results in social and welfare benefit for people with registered disabilities are exempt fees and these type of applications have increased from 22 in 2007/2008 to 34 in 2008/2009.
- 3.10 Where plans are rejected it can be subject to a resubmission application and where the scheme is substantially the same no further fee is charged. These figures have reduced from 45 in 2007/2008 to 26 in 2008/2009.
- 3.11 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 4070 recorded in 2007/2008 to 3554 and for gas installations there was also a decrease to 3912 applications from 5042 last year.
- 3.12 The number of Initial Notices received i.e. the number of applications received for work carried out by private building control bodies decreased in all areas of work from 73 in 2007/2008 to 64 for 2008/2009. This number represents a low level of just 5.5% 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.

- 3.13 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.
- 3.14 Inspections – Appendix 3
- 3.15 The number of site inspections carried out is recorded at 10603 and is slightly down on last year's total of 10954. 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.
- 3.16 Application Response Times – Appendix 4
- 3.17 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.
- 3.18 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.
- 3.19 Local performance indicators record applications processed within 10 working days at 94% and at 99% for those attended to within 15 working days. The performance in respect of the 10 day target shows an increase from the figure of 72.5% recorded for 2007/2008 and demonstrates very 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 increased from 97% to 99%.
- 3.20 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.
- 3.21 Other Building Control Work – Appendix 5
- 3.22 The extent of Building Control involvement in other areas is both wide-ranging and diverse.
- 3.23 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 2008/2009 the number of emergency calls responded to was 25, down from last year's figure of 40.
- 3.24 A local performance indicator for this valuable service shows that 100% of calls received were inspected within 1 hour of receipt of call.

- 3.25 Numbers of local land searches handled fell from 3032 to 1126 to mainly due to the economic uncertainty and the number of personal searches carried out by private companies.
- 3.26 Staffing Levels – Appendix 6
- 3.27 The Building Control establishment currently has 1 vacancy at Building Surveyor level. Previous 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.
- 3.28 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.
- 3.29 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.
- 3.30 Recognising the need for succession planning one member of staff has achieved advanced level five and a second member of staff is about to embark on it having completed the level 3 on the Sunderland Leadership Programme.
- 3.31 Local Performance Indicators – Appendix 7
- 3.32 A wide range of local performance indicators shows Building Control responses against varying targets to be very effective.
- 3.33 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.

- 3.34 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.
- 3.35 Building Control operates a quality management system which complies with the requirements of BS EN ISO 9001:2008 which was upgraded from 2000. This is audited on a monthly basis and inspected annually by BSI Management Systems. A recent inspection by BSI carried out in April 2009 for re-registration commended the Service for its systems and procedures.
- 3.36 Further Building Control has been awarded 3 Charter Mark Awards by the Governments Cabinet Office for excellence in service delivery. This award is now replaced by the Customer Service Excellence Award which and this too was achieved in June 2008, which prompted a letter from the Prime Minister congratulating Building Control on being among the first 100 companies in the country to receive this new award.
- 3.37 The service was commended for its sophisticated understanding of the needs and expectations of the service's various customers. This is used effectively to make sure that the services delivered continue to change and evolve in order that we continue to meet the needs and expectations of customers.
- 3.38 Building Control along with our Development Control colleagues were joint winners of the City Councils 'Customer Service Team Award'.
- 3.39 Partner Authority Scheme – Appendix 8
- 3.40 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).
- 3.41 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.
- 3.42 Currently Building Control is partnered with 22 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 Frank Haslam Milan, & Howard Litchfield Architects.
- 3.43 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. In addition we have been involved in the construction of the of the multi award winning Wild Bird Sanctuary building at Saltholme, Stockton on Tees.
- 3.44 List of Service Initiatives – Appendix 9

- 3.45 The fourth Building Control Excellence awards were held at the Sunderland Stadium of Light in February 2009. Awards were made in the categories of Best Partnership, Best Social Housing Project, Best Small Builder,, Best Commercial Building under £1million, Best Commercial Building over £1 million, Best Housing Project under 11 units, Best Housing Project over 10 units, Best Healthcare Building, Best Sustainable Project and Best Educational building.
- 3.46 The winners in all categories were submitted into the regional awards held in June at Newcastle Gateshead Hilton Hotel and the winners in the regional awards are automatically entered into the national awards which will be held in London in the autumn,
- 3.47 At the national awards in October in October 2008 Sunderland Building Control's partnership with Miller Homes North East won the Best Partnership Award. In addition the Sunderland Aquatic Centre received a commendation in the category of Best Community Building.
- 3.48 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.
- 3.49 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.
- 3.50 Fee Income – Appendix 10
- 3.51 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.
- 3.52 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.
- 3.53 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. A slight drop in application numbers in 2008/2009 has resulted in a failure to reach the budget target. Building Control Surveyors are carrying out work for other sections in order to reduce the costs of running the Building Control Service. This will protect the high level of service given and staff levels within the service. At the end of this financial year Building Control has registered a drop in building regulation applications which has resulted in a failure to reach the budget target.

- 3.54 In order to reduce the cost of running the Building Control Services some of the surveyors are carrying out work for other sections. The high level of the service will be maintained but the financial deficit will be reduced. Building Control are giving greater emphasis to marketing our service with our existing partners to win work in other areas of the country.
- 3.55 The system is monitored and assessed under guidelines drawn up by The Chartered Institute of Public Finance and Accountancy (CIPFA).
- 3.56 Customer Satisfaction
- 3.57 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.
- 3.58 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.
- 3.59 The 2-stage consultation process captures the 2 different elements of work and client at those points.
- 3.60 In the first case consultation is generally completed by the architect or draughtsperson whilst the second stage is usually completed by the builder, developer or owner.
- 3.61 Responses from the plan examination process indicate that 96% of clients confirm that Building Control provides value for money and 100% rate the overall plan examination service as either good or excellent.
- 3.62 With regard to the customer feedback questionnaire issued at completion of work 89% of respondents confirm that the Service provides value for money and 90% satisfied with the overall service.
- 3.63 The results of an independent customer survey carried out in 2008 indicate that Building Control staff are friendly, helpful and courteous with the majority of users happy with the service provided.

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.

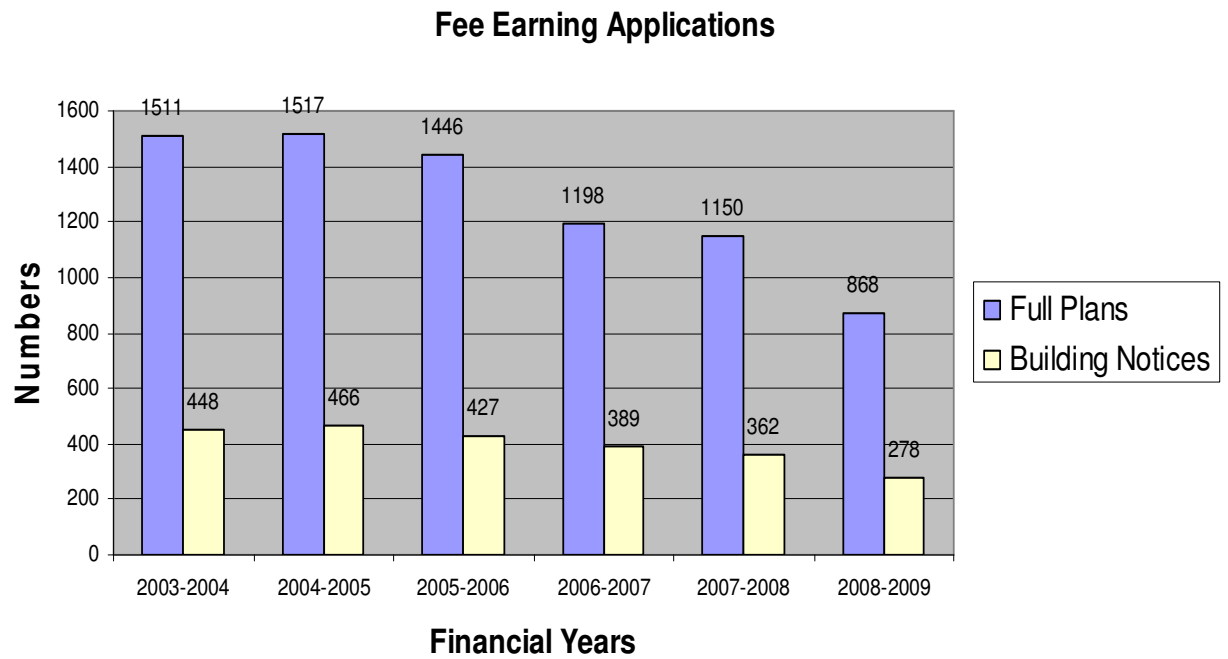
5.0 Statutory Duties

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

- 5.2 Key legislation includes;

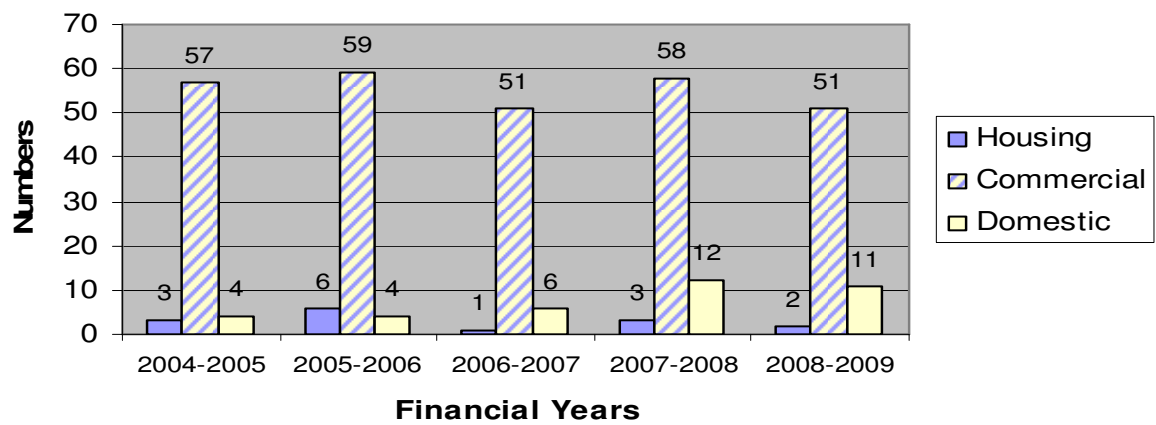
- ❖ Building Act 1984
- ❖ Disability Discrimination Act 1995
- ❖ Fire Safety & Safety of Places of Sport Act 1987
- ❖ Licensing Act 2003
- ❖ Public Health Acts 1936,1961
- ❖ Safety of Sports Grounds Act 1975
- ❖ Sporting Events (Control of Alcohol etc) (Amendment) Act 1972
- ❖ Sustainable and Secure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

Appendix 1 - Fee Earning Applications

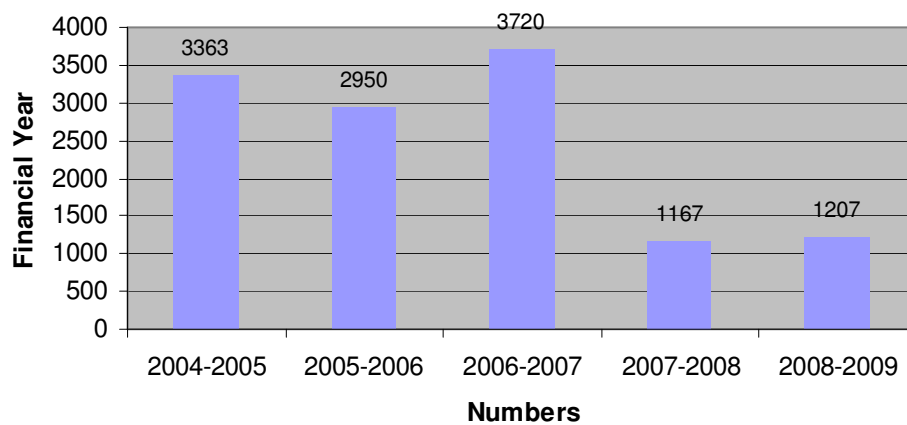


Appendix 2 – Non-Fee Earning Applications

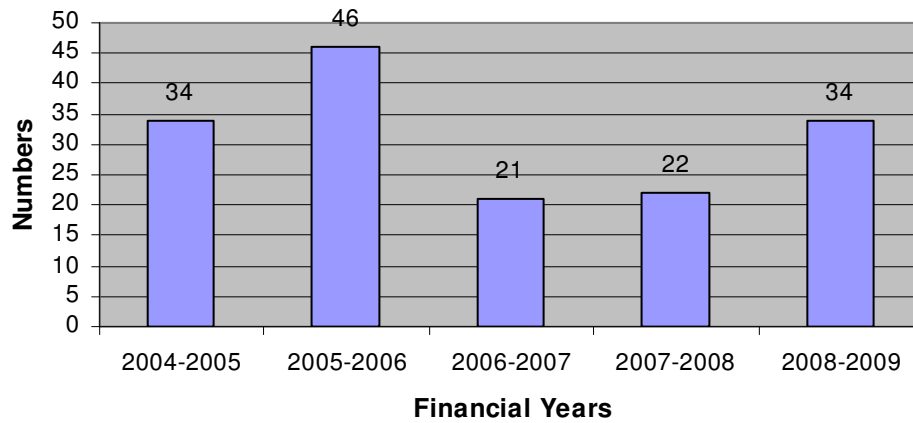
Initial Notices



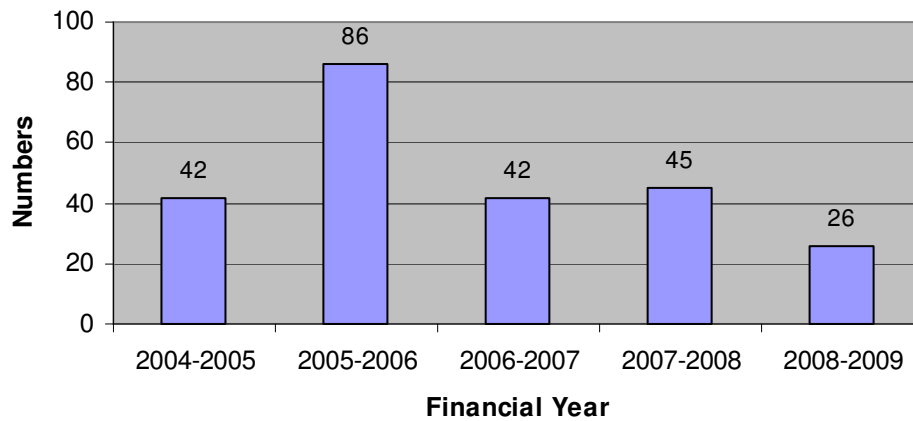
Cavity Wall Applications



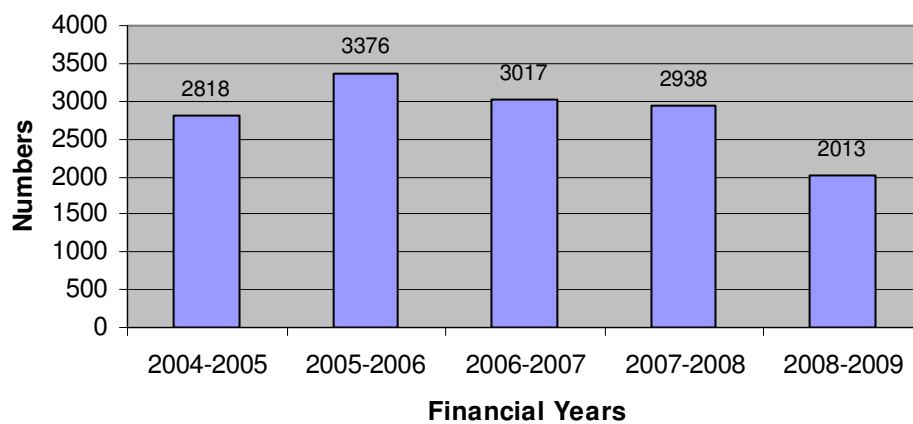
Applications for Disabled Person



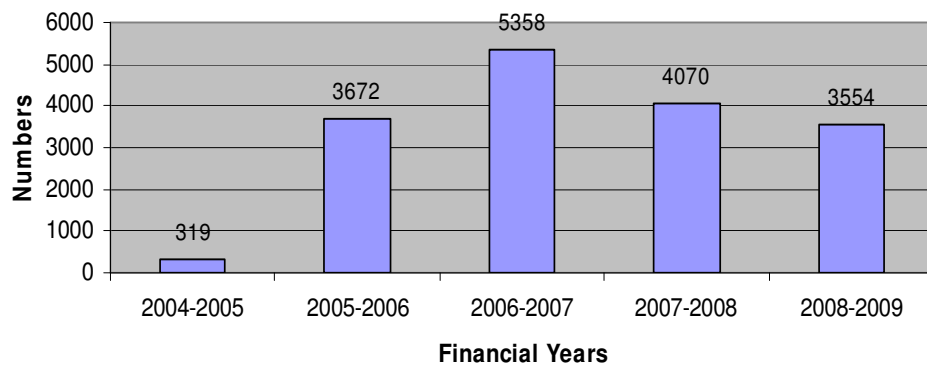
Resubmission Applications



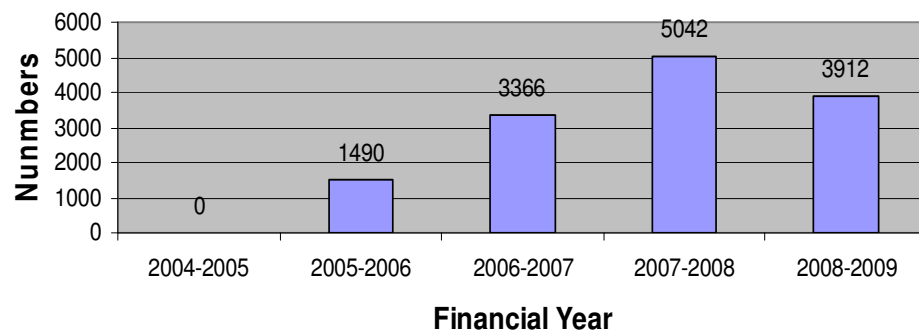
Fensa Applications



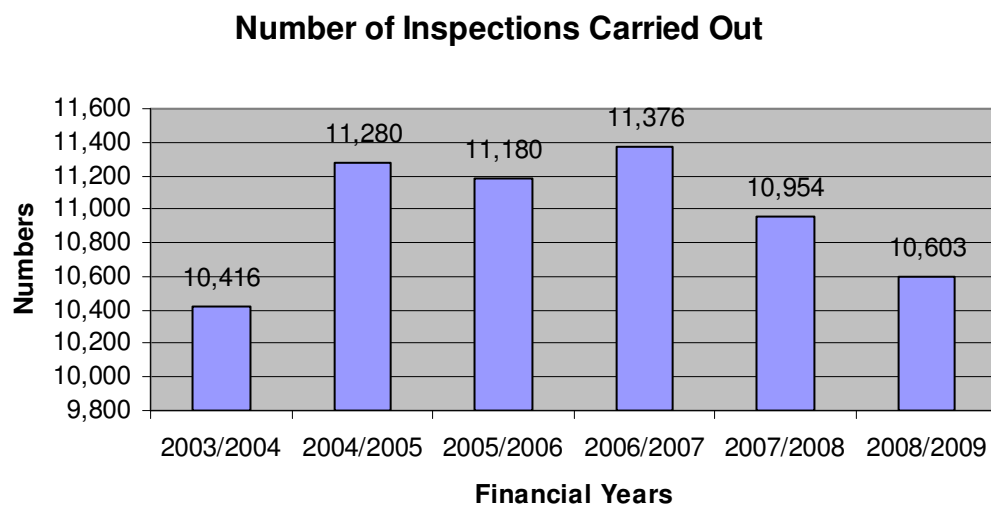
Competent Person Scheme Applications for Electrical Works



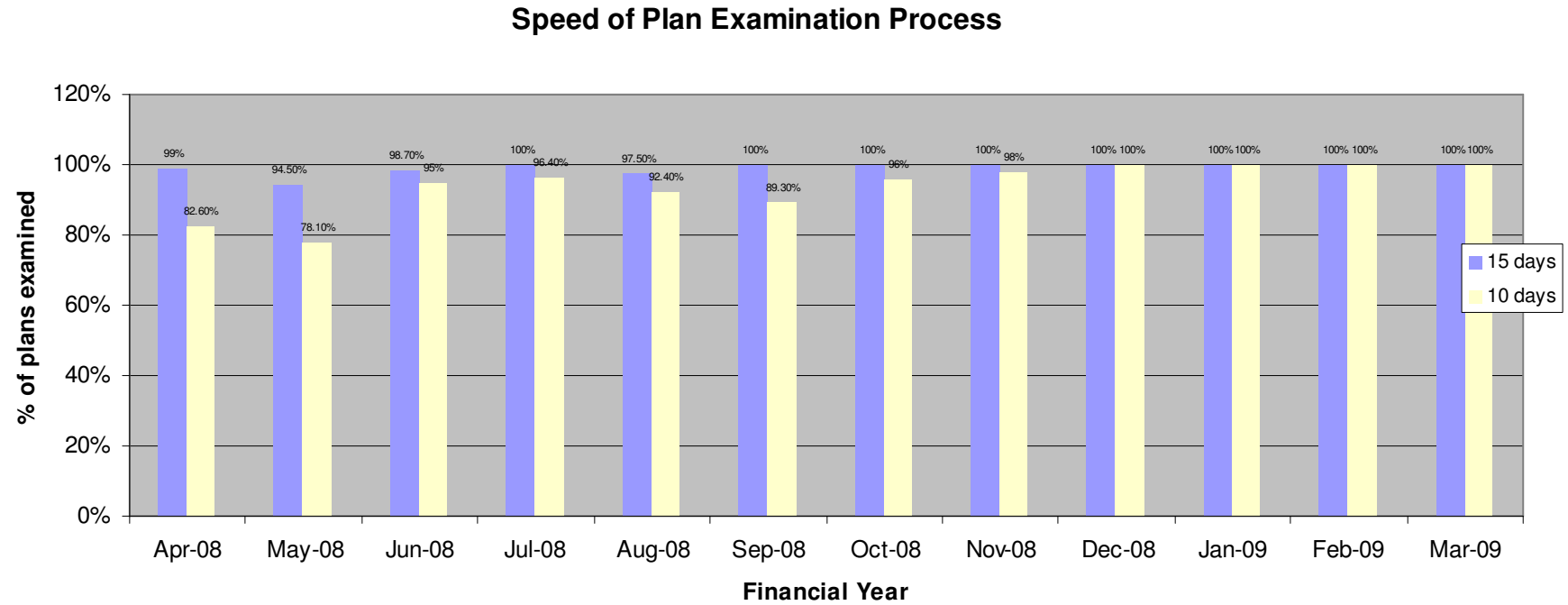
Competent Persons Gas Applications



Appendix 3 – Number of Site Inspections



Appendix 4 – Speed of Plan Examination Process



Appendix 5 - Other Building Control Work

	04/05	05/06	06/07	07/08	08/09
No. of Dangerous Structures	53	29	39	40	25
No. Local Land Searches	5356	4348	4205	3032	1126
No. of Safety of Sports Grounds Inspections	29	34	36	33	33
Copy Approvals	396	278	324	116	76
Estimated no. of telephone calls	60000	60000	60000	50000	73000
Estimated no. of enquiries at reception	4500	5000	6000	5000	5000
Advice on crowd management at events & Licensing	36	32	32	75	407
Naming and numbering new developments	15	12	16	22	50

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
- 1 Vacancy is held at Building Control Surveyor level.

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, BC Surveyors have degrees in Building Surveying and are pursuing corporate membership of RICS, 2 are studying for degrees in Building Surveying, and 1 has an ONC in Construction and is studying for HNC in Building.

Technical Administration staff are trained to give limited technical advice, including the calculation of application charges to clients either by telephone or at reception. 2 Technical Administrators have successfully completed a HNC in Construction and HND in Business Management. Another Technical Administrator is currently pursuing a HNC in Construction.

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	99%
c) Examination and verification of Building Notices	Administration	None	100% within 2 working days	% checked within 2 working days	99%
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	89%
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	94%
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	99%

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	<p>Commencement – 2 days from end of day the notice is given.</p> <p>Excavation of foundations – 1 day from end of day the notice is given.</p> <p>Concrete in foundations – 1 day from end of day the notice is given.</p> <p>Damp proof course – 1 day from end of day the notice is given.</p> <p>Concrete oversite – 1 day from end of day the notice is given.</p> <p>Drains (stage 1) – 1 day from end of day the notice is given.</p> <p>Drains (stage 2) – 5 days after completion of work</p> <p>Occupation – 5 days before intended occupation</p> <p>Completion – Not more than 5 days after completion</p>	% 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	90%
b) Maintain market share of commercial/industrial work	All B.C. staff	None	Achieve 100% of all applications	% of application received	74%
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	Not achieved
5. Effective Performance Review					
a) Maintaining BS EN ISO 9001:2000 Quality Management Accreditation	Quality Manager	None	Systems/procedures subject to 6 monthly review by BSI	Continuing accreditation	Achieved
b) Customer Service Excellence Award	All B.C. staff	None	Annual review/3 yearly renewal	Renewal of award	Achieved 2008

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	July 2005
Contracts Division	
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
Frank Haslam Milan	March 2009
Howarth Litchfield Partnership	March 2009

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
- ❖ LABC Regional Building Excellence Awards
- ❖ Contaminated land warranty facilitator
- ❖ Sunderland City Council Building Local Building Excellence 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 were either re-invested in the Service or held as a working surplus to address dips in building activity within the City. This year due to the downturn in construction work the Building Control account is in deficit.

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

