

## **BUILDING CONTROL – DEVELOPING A MANAGEMENT PARTNERSHIP**

**EXECUTIVE MEMBER:** Cllr Geoff Blackwell  
**LEAD OFFICER:** Fergus McMorrow, Director, Economic Prosperity and Sustainability  
**REPORT AUTHOR:** Michael Tichford, Head of Regeneration

**Summary:** The report provides an update for members on the investigation of a partnership for the delivery of the Building Control Services with Allerdale Borough Council. An outline framework for the partnership has been discussed, details of which are set out in the report. Authority is sought to develop the detail from these outline proposals, without prejudice and allied to ongoing consultations. If the Executive wishes to proceed a report will be brought back setting out the final framework, together with the implications, the implementation timetable and seeking a decision on whether or not to move to the next stage.

**A full report is in Part II of the agenda.  
This is an abridged version.**

<b>Recommendation:</b>	It is recommended that the Executive approve in principle the establishment of a management partnership with Allerdale Borough Council for the delivery of Building Control Services; further progress being subject to the preparation and endorsement of a report setting out the detailed business case, operational arrangements, implications and timescales.
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**Impact on delivering the Corporate Plan:** This is a key requirement in order to deliver the Council's objectives of providing quality services and quality development across the Borough.

**Impact on other statutory objectives (e.g. crime & disorder, LA21):** The service is an important element in achieving the Council's objectives in terms of the built environment. It is envisaged that a management partnership with Allerdale Borough Council will enhance the capacity of the Council and facilitate the delivery of a more effective and efficient service.

**Financial and human resource implications:** The Building Control Service has a statutory obligation to operate in relation to the fee generating responsibilities, on the basis of a three-year rolling budget that is required to balance income and expenditure. It is anticipated that the development of the partnership will ensure this requirement is met and will introduce further efficiencies and income generation opportunities. The

final report seeking Member approval to proceed will set out a clear business case.

From a human resources perspective there are currently three vacant posts in the Building Control Service, this includes the two senior posts, one of which it has not proved possible to fill (although this has not been attempted recently awaiting the outcome of the investigation and a decision on whether to proceed). The partnership proposals seek to address this issue and at the same time provide training opportunity as a means of securing the availability of local trained professional staff.

There have been three meetings with the Building Control staff, further consultation will be held, including bringing together the relevant staff of both Authorities.

**Project & Risk Management:**

The process being pursued facilitates a structured approach to the establishment of a partnership and ensures continuity of service delivery. As part of the detailed discussions to be undertaken risks and mitigation measures will be identified.

**Key Decision Status**

- Financial: N/A  
- Ward: N/A

**Other Ward Implications:** None

**1. INTRODUCTION / ACTIVITY TO DATE**

- 1.1 A meeting of the Executive held on 25<sup>th</sup> July 2006 considered a report reviewing the Building Control Service. The report put forward a twin track approach that involved a review of the Building Control establishment and a proposal to investigate with Allerdale Borough Council the development of a partnership for the Building Control Service. The framework proposed in the report was agreed as a way forward with a report to be brought back to Executive on the feasibility of a partnership scheme.
- 1.2 The key drivers for the report were the difficulties faced by the Building Control Service in terms of recruiting and retaining suitably qualified and experienced staff together with the lack of management and supervisory support for the team. It was recognised that the Building Control Team were delivering an excellent service in difficult circumstances but that the present situation could not continue. It was also prompted by the drive for partnership working across local authorities and specifically by the proposal for development of a Cumbria wide building control service by the Connected Cumbria Partnership.
- 1.3 There are currently three vacant posts within the service, namely:

- Building Control Team Leader/Manager
- Principle Building Control Officer
- Trainee Building Control Officer

The Building Control team currently consists of:

- Area Building Control Officers (4)
- Assistant Building Control Officer (1) – successful internal recruitment
- Support Officers (Administration and Customer support) – (2)

- 1.4 A series of meetings have been held with colleagues in Allerdale, additionally three meetings have been held with the Building Control Team, discussions held with some individual members of staff and a briefing note circulated. Information has been shared with Allerdale in terms of structures, number of applications, performance figures and budgets. A potential way forward in terms of a management partnership has been agreed that has Allerdale Corporate Management Team support. It is envisaged that if the Executive are supportive of the approach, then work that is more detailed will be undertaken to establish the business case, to identify operational and organisational implications and to draft a partnership agreement. In addition, there will be ongoing staff consultation including a joint meeting of both Allerdale and Copeland Building Control teams.
- 1.5 It should be emphasised that this report is only indicating that it appears there is both a willingness and potential for developing a partnership, notwithstanding the view of building control staff. The business case still needs to be produced and this process may raise issues that mean the partnership is not progressed.
- 1.6 The report was due to be presented to the Executive in January but its production left little time for full consultation. In particular the Building Control Team produced a detailed response which it was felt should be commented upon fully. Subsequently, the Building Control staff have been offered a meeting with the Building Control Manager of Allerdale to discuss the proposal but declined. A meeting has been held between the managers and two representatives from the team to discuss the proposal. A response to the main substantive points in the building control submission has been produced and will be made available to members of the Executive.
- 1.7 The time to reach this stage has been far longer than expected, or desired. The reason being that other workload demands have not allowed time for this initial phase of investigation, exacerbated by staff vacancies In the Department.

## **2. A MANAGEMENT PARTNERSHIP**

- 2.1 Whilst in the longer term the objective of a fully integrated shared service may be an option it is recommended that an incremental approach be taken to ensure business continuity and avoid constraining future management decisions.
- 2.2 Establishing a management partnership could have the following benefits:

- Maximise the existing skills and capacity across both teams (Copeland and Allerdale BC)
- Seek to share knowledge, expertise and good practice
- Allow each team to continue to operate under the auspices of each council, whilst not restricting joint working and mutual support
- Facilitate either a move to a more integrated service or a separation of the two services if it is deemed not to be working as envisaged
- Provide better career development opportunities for staff through an expanded structure, enhancing retention and recruitment.

In other words, it will provide a flexible and supportive approach, a learning environment through which decisions can be made as to future developments and the implications thereof.

2.3 The management partnership, if agreed, would operate on the following basis:

- A Building Control Manager to manage both teams
- Two Principal Building Control Officers, one in each Council's team, will act as Team Leaders and manage the teams in the absence of the Building Control Manager. They will provide 'on the ground' team leadership in each area and deputise for the manager as appropriate.
- The team structures below these posts will remain as existing, but may be reviewed in the light of experience.
- The administrative support for each team will remain the same as it is currently, but systems will be reviewed to secure commonality of administrative and recording systems. Allerdale are already using the Northgate Building Control system, which Copeland are now currently implementing (Northgate M3).
- Copeland will pursue a twin track approach in that it will seek to develop and strengthen its service whilst continuing with the development of the partnership with Allerdale. Encouraging progress has been made by the team, despite the difficult circumstances, on identifying priorities and progressing the implementation of the Northgate M3 software system.
- Ultimately, the teams will be mutually supportive in covering peaks in workload, holidays or sickness. Realistically this will be principally in relation to the urban areas surrounding the two main conurbations of Whitehaven and Workington. In addition customers will be able to hand in applications and receive advice through both Authorities teams irrespective of where an application relates too. However, there are a number of practical and operational issues, which will need to be addressed before both these aspects can be fully implemented.

- There will be a sharing of knowledge and expertise, both in terms of professional development and in undertaking specialised inspection work, eg: safety of sports grounds, across both areas.
- A joint trainee Building Control / Technician programme will be developed as a means of bringing forward professionally qualified staff from both areas.
- Under the partnership, both teams would continue to be employed by their respective Authority and be subject to their existing conditions of service.
- Each Authority will retain independent budgets and the rolling account for their respective Building Control Services. Aside from the costs noted in the full report there will be no movement of funds between the two authorities (except for purely administrative reasons if for instance fees could be paid at either authorities offices).
- There will be regular joint team meetings.
- A formal agreement for the establishment and operation of the partnership will be put in place that would allow for a review of the arrangements in the light of experience and service developments.

2.5 It is not intended to create a freestanding service, located away from either local of the local authorities' offices. The existing locations in Whitehaven and Workington serve both teams and their customers well and there is currently no business case for alternative arrangements.

2.4 The advantages of the suggested approach can be briefly summarised as:

- Minimum change and disruption of service
- Integrated management, shared expertise and best practice
- Introduction of quality management systems
- It will provide an opportunity to achieve ISO 9001 accreditation for the CBC Building Control Service, this will necessitate a review of operational procedures and a gap analysis
- Staff development opportunities
- Improved training and staff retention
- Joint partnership work
- Common fee structure
- Stepped approach to closer shared working and a bring together of performance levels
- Ability to attract new Building Control Partnerships across West Cumbria (this is where a Building Control Service deals with all the applications for a particular company no matter where the scheme is being undertaken)

- Ability to compete with the private sector inspectors
- Greater ability for West Cumbria Building Control to play the key role in the development of any future Cumbria shared service

2.4 A partnership approach could provide for a smoother transition to a fully shared service and an integration of the teams in the longer term, but only if this is subsequently considered to be the right way forward. Such a shared service could provide a vehicle to secure staff retention and recruitment through the application of common conditions of service and enhanced remuneration packages.

### 3. CONSULTATION

3.1 Consultation was carried out on the original proposal that went to the Executive in July 2006. Then, as now, there is strong opposition to the proposal from all of the building control staff, who feel that the Copeland Building Control Team should be built up to full strength before any steps are taken towards any form of partnership or shared service. They are also concerned that this proposal represents a 'take over' of the service by Allerdale BC.

3.2 It has been pointed out to staff that this report is only indicating that management consider there is are principle advantages to be gained through a building control partnership and that there is a willingness by the Council's to investigate it further, through the development of a business case. This report is not committing the Council to a partnership. Staff will be involved at all stages in the development of the business case and unions will be consulted as part of the process.

3.3 The Development Services Manager has expressed concerns about the lack of consultation with staff on the options identified in the report and raises a number of issues of detail. Whilst valid concerns it is considered that these issues will be evaluated as part of the development of the business case and do not strongly effect the deliberation here as to whether or not to progress. Staff will be involved not only in giving views on the parameters of the partnership but also their development, in due course.

3.4 The portfolio holder has concerns about the approach being recommended and has requested that a full response be made to the document submitted jointly by building control staff. This will be made available to all members of the Executive before the meeting.

### 4. OPTIONS

4.1 The following options have been considered:

<b>Do Nothing</b>	It is felt that to do nothing about the service and leave it as it currently exists is not an option. The team needs strengthening and in particular requires management support. Staff retention could be a problem in the future with
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	this option.
<b>Retain CBC Independent Service</b>	This is an option that would involve implementing the agreed structure and endeavouring to recruit to the vacant posts. It has not proved possible to attract suitable candidates in the past and there is no reason to assume that we would now be successful. This is seen as the fallback position. In addition we would not gain the economies of scale of the larger service operation.
<b>Develop a Management Partnership with Allerdale Borough Council</b>	This is seen as the preferred option as it could have many clear advantages, set out earlier in this report, whilst providing the flexibility to either move forward to a fully shared service or to withdraw back to an independent service in the light of experience. It is the starting point for joint working in line with the Government's current approach.
<b>Develop a shared Building control Service either with Allerdale Borough Council or Cumbria wide</b>	This option could have significant benefits. However, the implementation of this option would involve a great deal of time and detailed work and the partnership option provides a springboard from which to develop this option at a later stage, if it is considered appropriate.
<b>Develop a Partnership with a private sector partner.</b>	<p>We already have a relationship with a private sector partner, JBC Ltd, who carry out plan checking on our behalf. The private sector is already able to compete with local authorities in carrying out inspections. Our arrangement is a voluntary one and approvals are still issued by the Council. This option has clear benefits and would be continued by the proposed partnership unless it is shown that there is a more cost effective and better quality option available. Some checking will be brought back in house to facilitate professional development and maximise income.</p> <p>A future option for the partnership, or more logical Cumbria Building Control Services, would be for an independent business, whilst still providing statutory services to the local authorities. However, at this stage there is no consideration of this option for the prime reason that it felt an incremental approach would best meet our needs.</p>

## 5. CONCLUSIONS

- 5.1 A management partnership provides an opportunity to bring both services together under one Manager, not only to provide support and guidance but also to secure a commonality of approach and understanding across West Cumbria. It also provides an opportunity for gaining experience and a chance to reflect whether or not this is the right approach. If it is felt that it is the way forward then the arrangement could move to

a more integrated shared service. Alternatively, it does not preclude the return to an independent approach.

- 5.2 It is therefore recommended that further discussions are held with Allerdale BC with a view to producing a business case for establishing a management partnership and that a further report on the detailed arrangements and the partnership agreement is submitted for consideration as soon as is practicable. Regular consultation will be held with the staff involved.
- 5.3 If this proposal is accepted then it is anticipated that further discussions with Allerdale Borough Council would start forthwith. These would deal with setting out the business case from both Authorities perspective, the structural and related financial arrangements together with the operational issues. This would be embodied in draft agreement for the establishment of the partnership and reports submitted to both Authorities' Executives seeking a decision as to whether or not to proceed. In parallel with this process would be regular staff consultation with both Building Control teams, including a joint meeting, to input directly to the agreement. We would seek to complete the discussions by the end of April and to submit the report during May. However, the department still has significant vacancies, reducing management capacity, so this timescale is a provisional one.

## **List of Appendices – Report in part 11 of the Agenda**

**List of Background Documents:** Building Control Report to Executive – October 2005

Building Control and Town Planning Report to Executive – July 2006

Building Control Team's response to draft report.

**List of Consultees:** Executive, Chair of Personnel Panel, Corporate Team, Human Resources Manager, Development Services Manager, Building Control Staff