

REPORT TO CABINET

Open		Would any decisions proposed :		
Any especially affected Wards	Mandatory/Operational	Be entirely within Cabinet's powers to decide	YES	
		Need to be recommendations to Council	NO	
		Is it a Key Decision	NO	
Lead Member: Cllr Richard Blunt E-mail: <i>cllr.Richard.Blunt@West-Norfolk.gov.uk</i>		Other Cabinet Members consulted: Cllr Brian Long		
		Other Members consulted:		
Lead Officer: Stuart Ashworth E-mail: <i>stuart.ashworth@west-norfolk.gov.uk</i> Direct Dial: 01553-616417		Other Officers consulted: Geoff Hall – Director Environment & Planning Emma Duncan – Legal Services Manager & Monitoring Officer		
Financial Implications YES	Policy/Personnel Implications YES	Statutory Implications YES	Equal Impact Assessment: NO	Risk Management Implications NO

CONTINUATION OF THE BOROUGH COUNCIL AS PART OF THE CNC BUILDING CONTROL PARTNERSHIP

This report seeks to agree confirmation of the continuation of the Local Authority Building Control (LABC) function carried out by CNC Building Control on behalf of the Borough Council, so that it continues for another 5 years.

The Participation Agreement for the provision of Building Control Services is reviewed and updated every 5 years, and it is now due for renewal/review.

The current participation agreement involves 5 Local Authorities, namely South Norfolk Council, who host the Building Control function, Broadland District Council, Norwich City Council, King's Lynn and West Norfolk Borough Council, and Fenland District Council.

The Building Control function has been carried out by CNC on behalf of the Council since October 2010, when the Borough Council joined the partnership. It is considered to work well, and has offered significant financial savings to the Council during the course of its operation.

Recommendation

That the Council continues to be part of the CNC Building Control partnership for the next 5 years.

Reason for Decision

To ensure the continued provision of a statutory Building Control function through the CNC Building Control partnership.

1.0 Background

- 1.1 In October 2010 the Borough Council entered into a partnership agreement to join CNC Building Control, for the provision of the statutory Building Control function. At the time the partnership was made up of South Norfolk Council, Broadland District Council and Norwich City Council. Fenland District Council became the last Council to join the partnership in 2014. CNC is hosted by South Norfolk Council, with its base at the Council Offices in Long Stratton, and there is also an office at the Boathouse in Wisbech, covering the King's Lynn and Fenland areas.
- 1.2 Building Control operates in a competitive market, and customers can choose who to employ to obtain Building Regulations approval, which could include Approved Inspectors, the NHBC and other Local Authorities. However Local Authorities still need a Building Control function, and are responsible for issues such as dangerous buildings, and other non-fee earning work. It is this that has provides a cost to the Council.
- 1.3 CNC now wish all of the partners to agree to the updated Participant Agreement, and continue in the Partnership for the next 5 years.
- 1.4 The main reason for joining CNC in 2010 was the ongoing and increasing costs to the Council of carrying out the Building Control function. The estimated deficit for the last financial year the service was run in house was circa £133,000. At the time of the original agreement with CNC, the charge for providing the service was circa £89,000 per annum, which represented a significant saving. At the time of joining CNC it was hosted by Broadland Council, but this changed to South Norfolk Council in 2013, who provided a better financial offer to the partners at the time. Last year's charge for the provision of the service to the Borough Council was £69,197.
- 1.5 Given the above it is clear there have been significant ongoing savings through CNC carrying out the Building Control function on the Council's behalf. The charge going forward to the Borough Council for the continuation of the service on our behalf has been further reduced to £62,277 per year for the next 5 years, subject to annual inflation. This is 10% reduction on the previous year's (17/18) costs of £69,197.
- 1.6 The operation of the Building Control function by CNC Building Control is considered to be working well and it is considered the only sensible option to continue with the agreement. All of the other participant Authorities have accepted the proposed 5 year charges from CNC going forward, and are taking this through their own internal procedures.

2.0 Options Considered

- 2.1 **Option 1 – Take back the function in-house.** The main alternative option is to take the Local Authority Building Control function back in house. However this would potentially be costly, as well as disruptive, and would not allow the savings CNC Building Control has provided to be realised. There would also be major logistical challenges in doing this and it would require significant investment to be able to provide a competitive and supported service.
- 2.2 **Option 2 – Tender for alternative provider.** This is a potential option but there would be the expense of going through this process, as well as

additional costs of paying for that function. It is highly unlikely that the costs would be less than the current charges paid by the Council, given the need for a private company to deliver a profit. There is also the risk of no providers being interested in the carrying out the function on behalf of the Council.

- 2.3 **Option 3 – Continue to operate within the CNC Building Control partnership.** This is the most realistic and financially sensible option, which would give the least disruption and continuity of service. The existing arrangements are considered to work well and have provided significant savings to the Borough Council. In addition the CNC Building Control partnership has allowed enhanced working through investment in technology, income generation through being better placed to win competitive work over a much wider area. There has also been a reduction in individual Council support service demands.

3.0 Policy Implications

- 3.1 The proposal is in line with Council Priority 1 – Provide important local services within our available resources, Priority 2 – Drive local economic and housing growth & Priority 6 – Work with our partners on important services for the Borough.

4.0 Financial Implications

- 4.1 The costs to the Council of CNC carrying out the Building Control function on behalf of the Council will be £62,277 (plus inflation) for the next 5 years.

5.0 Personnel Implications

- 5.1 There are no additional personnel implications with this recommendation.

6.0 Statutory Considerations

- 6.1 This will allow the Local Authority Building Control statutory function to continue to be carried out by CNC Building Control, which it has since 2010.

7.0 Equality Impact Assessment (EIA)

(Pre screening report template attached)

- 7.1 There are no EIA implications.

8.0 Risk Management Implications

- 8.1 This is considered to be positive given the robustness of the existing CNC partnership arrangement and the advantages it provides, including increased resilience within a competitive environment.

9.0 Declarations of Interest / Dispensations Granted

- 9.1 None.

Background Papers

None

Pre-Screening Equality Impact Assessment

Borough Council of
**King's Lynn &
West Norfolk**



Name of policy/service/function	Continuation of CNC Building Control carrying out the Council's statutory Building Control function				
Is this a new or existing policy/ service/function?	Existing				
Brief summary/description of the main aims of the policy/service/function being screened. Please state if this policy/service rigidly constrained by statutory obligations	To provide a Building Control function for the Borough Council. This is a statutory requirement.				
Question	Answer				
<p>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups according to their different protected characteristic, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p>		Positive	Negative	Neutral	Unsure
	Age			x	
	Disability			x	
	Gender			x	
	Gender Re-assignment			x	
	Marriage/civil partnership			x	
	Pregnancy & maternity			x	
	Race			x	
	Religion or belief			x	
	Sexual orientation			x	
	Other (eg low income)			x	
Question	Answer	Comments			
2. Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another?	No				
3. Could this policy/service be perceived as impacting on communities differently?	No				
4. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?	No				
<p>5. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions? If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section</p>	N/A	Actions: N/A			
		Actions agreed by EWG member:			
Assessment completed by: Name: Stuart Ashworth					
Job title: Assistant Director – Environment & Planning	Date: 26 April 2018				