



Derby City Council

**COUNCIL**  
**14 September 2016**

Report of the Strategic Director of Communities  
and Place

**Late**  
**Item A**

## **Building Consultancy Project**

### **SUMMARY**

- 1.1 At its meeting on 16 March 2016, Council Cabinet gave delegated authority for agreements to be concluded enabling the proposed transfer of the Council's Building Control function, and the staff who undertake those functions, to a company being formed as an amalgam of the building control services of six Derbyshire authorities. The authorities involved are Derby, Amber Valley, Bolsover, Chesterfield, Derbyshire Dales and North East Derbyshire councils.
- 1.2 The original reports detailing the proposal is listed as a background paper to this document and available to view on CMIS.
- 1.3 The partner authorities have met and are ready to proceed with the arrangements, having achieved the necessary approvals.
- 1.4 While these matters are largely executive functions not requiring Council approval and have been dealt with by the Council Cabinet or Council Cabinet members so far, one outstanding matter does require approval from Council – specifically approval of that the Building Control function be discharged by the newly formed company.
- 1.5 Approval of this report will satisfy the need for Council ratification under Article 4(4.2) of the Council Constitution, paragraph K of Part A of the Scheme of Delegations and Section 101(1)(b) of the Local Government Act 1972.
- 1.6 The matter is brought before Council in order that the contracts can be signed as soon as possible, with a completion date of 15 September 2016 proposed.

### **RECOMMENDATION**

- 2.1 To note the detailed report 'Transforming Building Control Across Derbyshire' published as Item 10 of the Council Cabinet agenda for the meeting of 16 March 2016, available to view on CMIS via the link detailed in the background papers within the footer of this report.
- 2.2 To note that the report was approved and that the project has since been progressed by officers to the stage where it is possible for contracts to be signed.

- 2.3 To approve the discharge of functions in relation to the council's Building Control service to a company jointly owned by six local authorities, namely Derby City Council, Amber Valley Borough Council, Bolsover District Council, Chesterfield Borough Council, Derbyshire Dales District Council and North East Derbyshire District Council, in accordance with section 101(1)(b) of the Local Government Act 1972.

## REASONS FOR RECOMMENDATION

- 3.1 While all executive matters in relation to this project have been progressed, the approval of the discharge of functions by another local authority or a joint committee of local authorities is reserved to Council both within the Council Constitution and the Local Government Act 1972.

## SUPPORTING INFORMATION

- 4.1 The full details of the project are provided in the Council Cabinet report published to all councillors in advance of the meeting on 16 March 2016, and available to view on CMIS.
- 4.2 The detailed report 'Transforming Building Control Across Derbyshire' was considered by the Corporate Scrutiny and Governance Overview and Scrutiny Board on 15 March 2016. The board resolved to note the report but did not make any specific recommendations to Council Cabinet proposing variations and additions to the decisions proposed.

## OTHER OPTIONS CONSIDERED

- 5.1 Due to the timescale involved, the only other means of receiving the necessary non-executive approval would have been to utilise the Chief Executive's urgency provisions. In view of the Council meeting being scheduled, it was deemed more appropriate to bring the matter before all members as a late item.

**This report has been approved by the following officers:**

<b>Legal officer</b> <b>Financial officer</b> <b>Human Resources officer</b> <b>Estates/Property officer</b> <b>Service Director(s)</b> <b>Other(s)</b>	Olu Idowu, Head of Legal Services N/A N/A N/A John Tomlinson, Director of Communities, Environment and Regulatory Services David Walsh, Head of Democracy
<b>For more information contact:</b> <b>Background papers:</b>  <b>List of appendices:</b>	Mick Henman 01332 642096 <a href="mailto:mick.henman@derby.gov.uk">mick.henman@derby.gov.uk</a> Report: 'Transforming Building Control Across Derbyshire', considered by Council Cabinet on 16 March 2016 and available on CMIS here: <a href="https://cmis.derby.gov.uk/cm5/MeetingsCalendar/tabid/73/ctl/ViewMeetingPublic/mid/410/Meeting/8190/Committee/1882/Default.aspx">https://cmis.derby.gov.uk/cm5/MeetingsCalendar/tabid/73/ctl/ViewMeetingPublic/mid/410/Meeting/8190/Committee/1882/Default.aspx</a> Appendix 1 – Implications

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<b>IMPLICATIONS</b>
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**Financial and Value for Money**

- 1.1 None arising from this report.

**Legal**

- 2.1 Approving the recommendation will satisfy the necessity for Council approval as detailed in paragraphs 1.5 and 3.1 of the report.

**Personnel**

- 3.1 None arising from this report.

**IT**

- 4.1 None arising from this report.

**Equalities Impact**

- 5.1 None arising from this report.

**Health and Safety**

- 6.1 None arising from this report.

**Environmental Sustainability**

- 7.1 None arising from this report.

**Property and Asset Management**

- 8.1 None arising from this report.

**Risk Management and Safeguarding**

- 9.1 None arising from this report.

**Corporate objectives and priorities for change**

- 10.1 None arising from this report.