

UPDATE ON BUILDING CONTROL AUDIT COMMITTEE 10 JULY 2025

National picture

We are currently in a challenging environment to deliver the changes in national legislation brought about by the tragedy at Grenfell. The new regulator tasked with overseeing this fundamental shift was the Building Safety Regulator (part of the HSE)

The necessity for staff to go through a rigorous professional qualification is understood, but it has meant that a lot of very experienced professionals have left the profession, putting pressure on resources. Due to lack of capacity and high turnover, the BSR are now looking to Councils to provide them with resources or to second staff in to assist, which we do not have.

Only class 3 registered surveyors can deal with high rise buildings. This is resulting in significant delays in signing off Gateway 2 for those buildings over 18m, adding 9 to 12 months as a minimum. This is impacting on the ability of the industry to build new homes.

Baroness Taylor, chair of the House of Lords Industry and Regulators Committee, has launched an inquiry into building safety regulation and the BSR in particular. Written contributions are being invited from all stakeholders by 31 August (we will respond) with public evidence sessions between June and September (currently the HBF and the construction industry). A report is expected in the Autumn. A national building control service has been mooted as a solution in terms of the lack of resilience faced by many Councils due to lack of staffing.

On 30 June 2025, the MHCLG took decisive action and announced it was setting up a board to take on the functions of the BSR as part of initial steps to creating a single construction regulator (to be headed up by a previous Commissioner of the London Fire Brigade).

BSR external audit

The BSR have a 5-year programme to audit every Council building control service and approved inspectors. This started in early 2024. Most approved inspectors have been audited (results are not public). We were in the first tranche of Councils and our audit started in mid-January 2025 and ran to mid-March. This was an intensive period for staff who also had to deal with the day-to-day work.

Whilst we were initially advised we would get a final document by end of April, we have not yet received a draft response due to a backlog at the BSR. Moving forwards, they may have to refine their approach, and adapt it based on risk/potential breaches of the operating standards by some Councils and Approved Inspectors (we have not done this).

The recommendations will be one of:

- (1) all compliant – very unlikely
- (2) letter of contravention and action plan – highly likely
- (3) improvement notice – possible
- (4) serious contravention notice – BSR have said they will not go straight to this level.

We submitted all the necessary information on the 33 KPI's we must report against at the end of April to the BSR. We also have to submit quarterly returns.

Currently we use Elmbridge Building Control Services Ltd via a SLA to undertake some of our site visits and review applications. This provides us with some level of resilience when staff are on leave.

Resourcing

Over the past two years we have lost several staff. A year or so ago one member of the team retired and another, newly qualified, went to work for an agency to undertake work for LB Hillingdon for nearly double what we could offer him (£110k). This reduced the team from 5 to 3. Another member of the team is due to leave us imminently for another role closer to home, and one other member of staff is looking at other options. If both staff leave, then there will be 1 permanent member of staff.

Surrey Heath is currently operating with one manager and a team of agency staff (they cannot recruit despite a number of attempts). Neighbouring London Boroughs are in a similar situation (Hounslow and Hillingdon). Other Councils in the SE are advising builders not to use their service and to go to other providers as they do not have the resource to do any work.

Actions undertaken in advance of BSR external audit

In anticipation of a likely letter of contravention and action plan, the following measures are already in train:

- There is a gap in the capacity at management level to cover the KPI's and rigor now imposed by the BSR. We have brought in a very experienced manager on a part time basis (he also works for Runnymede). He is already working with us a maximum of 2 days per week for the next 3 months to bring us up to speed, and will then oversee for 1 day per month.
- We have applied for membership of the Local Authority Building Control (LABC) QMS system. This has required a further separate internal audit (undertake by the part tie manager). This will be submitted in mid-July once it has been discussed and agreed with the team.
- We have been working on the UNiform IT system to make more effective use of its functionality to ensure we have the data for the KPI's (some of it has only recently developed by the supplier IDOX).
- In line with all other Surrey D&B's we will be changing our duty system. Calls will be taken by the business support team rather than officers having to be in the office to take calls. This means the surveyors can be out on site (income generating work). It will mean there is a slightly longer turnaround time to return calls.
- In line with all other Surrey D&B's we will also be stopping our weekend Dangerous Structures call out service. There will need to be consultation on this, so this will not come into effect for 3 months. Matters will need to wait until the Monday following the weekend. We only have 2-3 calls out per year. 3 staff are currently on a rota throughout the year (which is not sustainable if one or two of these will be leaving). Urgent issues can be covered by Applied Resilience.
- We have reviewed salaries against other Councils and the market. This has been challenging as agency staff can currently command around £120k pa (without a pension and holidays). The market supplement has been increased

so the overall offer is just over £68k. It is not clear if this will be sufficient to attract staff.

All of the above is within existing budgets - reallocating underspend from a vacant post.

- Alongside this, we are speaking to several experienced professionals who might be interested in coming to work for the Council. This may require an in-year growth bid which would need to come to this committee for consideration.

Moving Forwards

LGR does give us the opportunity to work more closely with our nearest neighbours now even before the decision is made in mid-October. We are always looking at how we align processes and letters/notices, standardize information on our websites and share best practice.