



**REPORT of  
ASSISTANT DIRECTOR - PLANNING AND IMPLEMENTATION**

---

**to  
STRATEGY AND RESOURCES COMMITTEE  
24 JULY 2025**

**BUILDING CONTROL POLICY 2025 - 2028**

**1. PURPOSE OF THE REPORT**

- 1.1 To consider the Building Control Policy and Procedures 2025 - 2028 and recommend it to the Council for approval.

**2. RECOMMENDATION**

To the Council:

- (i) That the Building Control Policy and Procedures 2025 - 2028 (**APPENDIX A**) be approved.
- (ii) That the Assistant Director – Planning and Implementation be granted delegated powers to amend the Building Control Policy and Procedures 2025 - 2028, in consultation with the Building Control Team Manager, as and when required, to ensure they remain up to date and functional.

**3. SUMMARY OF KEY ISSUES**

- 3.1 The Building Act 1984 places a duty on Local Authorities to enforce the Building Regulations within its area. The purpose of the Building Regulations is to protect peoples' health, safety and welfare in and around buildings. The regulations are also designed to improve the conservation of fuel and power, protect and enhance the environment and promote sustainable development.
- 3.2 The Building Safety Act 2022 was introduced in response to the investigation finding of the tragic Grenfell Tower residential fire in London in June 2017, which claimed the lives of 72 people. It introduced widespread reform of building safety in the UK.
- 3.3 The Building Safety Act 2022 places a requirement for all people carrying out restricted building control functions to be qualified and registered with the Building Safety Regulator (BSR), which is currently part of the Health and Safety Executive but is expected to shortly become an agency of the Ministry of Housing, Communities and Local Government (MHCLG). Building Inspectors in both the public and private sector must be qualified and also publicly registered to a level appropriate to the work they undertake. There are now restrictions on the maximum number of people an Inspector can supervise, which presents new succession planning challenges to smaller building control teams, such as Maldon District Council's that can no longer have several trainee inspectors working for them at any one time and any it does have to have a greater proportion of their work rechecked by a more qualified Inspector.

- 3.4 Maldon District Council's Building Control team consists of 3.7 FTEs (Full Time Equivalents); three Registered Inspectors and a Technical Support Officer handling around 360 cases every year that includes:
- Compliance with the construction of buildings in relation to Building Regulations
  - Compliance on ensuring access to buildings of all persons regardless of age or ability
  - Enforcement against unauthorised works
  - Dangerous structures
  - Demolition notices
  - Conservation of fuel and energy in buildings.
- 3.5 To sense-check how Maldon District Council's Building Control function was performing against the new legal duties and the BSR's processes, in 2024 / 25, the Building Control function was subject to an internal audit by BDO (the Council's internal auditors). The findings confirmed that the whole team held the relevant qualifications, were registered with the BSR and maintained Continuous Professional Development (CPD) according to the standards set by their respective institutes. The audit was complementary in how the function had identified in its Service Risk Register around the national shortage of Registered Building Inspectors and the steps that had been taken to try and reduce the impact this could have on services at Maldon District Council, including reviewing the team's structure and job descriptions. The audit tested a random sample of building control applications and found that for those that were subject to statutory time limits all had been met and the fees set, matched the fees charged.
- 3.6 There were however some areas of concern, and this was reported to the Performance, Government and Audit Committee on 5 June 2025 (Minute No. XX refers) with several improvement actions identified by management.
- 3.7 This concluded that whilst the Building Control Policy and Procedure set out the performance targets for the function to adhere to whilst delivering the service, it was not fully compliant with the new BSR's requirements, and it did not contain a document control table for version control and responsibilities for updating.
- 3.8 The Policy and Procedure has therefore been updated in response to the findings and agreed Management Responses 1.1 and 3.1 (as set out in the internal audit report). Given the evolving nature of the BSR, authority is also sought from Council for the Assistant Director of Planning & Implementation to amend the Policy and Procedures, from time to time and as necessary to ensure they remain up to date and functional.

#### **4. CONCLUSION**

- 4.1 The Building Control Policy and Procedure has been updated to reflect the requirements of the BSR and to address findings in the internal audit 2024 / 25.

## **5. IMPACT ON PRIORITIES AS SET OUT IN THE CORPORATE PLAN 2025 - 2028**

### **5.1 Supporting our communities**

- 5.1.1 The Building Control Policy and Procedures 2025 - 2028 supports communities by protecting peoples' health, safety and welfare in and around buildings.

### **5.2 Investing in our District**

- 5.2.1 The Building Control Policy and Procedures 2025 - 2028 supports investment in the District by ensuring new development projects have access to competent building inspectors to support the design and construction of new buildings.

### **5.3 Growing our economy**

- 5.3.1 The Building Control Policy and Procedures 2025 - 2028 supports growing our economy by ensuring new construction businesses and traders in the District are supported by competent building inspectors.

### **5.4 Protecting our environment**

- 5.4.1 The Building Control Policy and Procedures 2025 - 2028 supports protecting our environment by ensuring the development of the built environment maintains standards set by the Building Regulations, that dangerous structures are attended to and that demolition activities can be controlled.

### **5.5 Delivering good quality services**

- 5.5.1 The Building Control Policy and Procedures 2025 - 2028 helps support the delivery of good quality services by ensuring development meets the requirements of the Building Regulations, that the Council's officers are suitably qualified and trained and that data can be collected for the purposes of the BSR requirements.

## **6. IMPLICATIONS**

- (i) **Impact on Customers** - The Building Control Policy and Procedures 2025 - 2028 seeks to ensure the Council provides consistent standards are Building Control services to all customers.
- (ii) **Impact on Equalities** – The Building Control Policy and Procedures 2025-2028 has been evaluated by an Equality Impact Assessment (**APPENDIX B**) and no adverse impacts were found.
- (iii) **Impact on Risk (including Fraud implications)** – The Building Control Policy and Procedures 2025 - 2028 helps reduce corporate and service risks concerning Building Control functions and tackles policy areas which were identified as needing action by an internal audit.
- (iv) **Impact on Resources (financial)** – The Building Control Policy and Procedures 2025 - 2028 sets an operational framework for the standard of service to expect from a fully staffed Building Control team.
- (v) **Impact on Resources (human)** – The Building Control Policy and Procedures 2025 - 2028 guides how the Council's Registered Building

Inspectors can work when delivering the Building Control function, including quality control, supervision and continual professional development.

- (vi) **Impact on Devolution / Local Government Reorganisation** - The Building Control Policy and Procedures 2025 - 2028 is not currently impacted by Devolution or Local Government Reorganisation.

Background Papers: None.

Enquiries to:

Michael Johnson, Head of Development Management and Building Control

Steve Murray, Building Control Team Manager