

ABERDEEN CITY COUNCIL

COMMITTEE	Public Protection Committee
DATE	10 th October 2019
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Building Standards Activity Report
REPORT NUMBER	PLA/19/382
DIRECTOR	Angela Scott
CHIEF OFFICER	Gale Beattie
REPORT AUTHOR	Gordon Spence
TERMS OF REFERENCE	4.2 & 4.3

1. PURPOSE OF REPORT

- 1.1 To provide assurance and an overview of Council responsibilities in relation to securing dangerous buildings and protecting public safety, as well as activity on unauthorised building work and unauthorised occupation of buildings.

2. RECOMMENDATION(S)

The Committee:-

- 2.1 Notes the contents of the report and appendix and agrees to 6 monthly assurance reporting – next update April 2020.

3. BACKGROUND

- 3.1 Aberdeen City Council act as verifier to administer the Building (Scotland) Act 2003 which is intended to secure the health, safety, welfare and convenience of persons in or about buildings and of others who may be affected by buildings or matters connected with buildings. In addition, the Building Standards team complete enforcement duties under the above Act with the objective of

protecting the public from harm caused by buildings. This report provides an update to the committee report of 5th December 2018 which covered the reporting period of Jan to Oct 2018. Moving forward, the intention is to provide 6 monthly assurance reporting to the committee.

3.2 Details of formal and non-formal enforcement activity can be found in Appendix 1 relating to:

- Public Safety and dangerous buildings
- Unauthorised building work
- Unauthorised occupation of buildings without a completion certificate

3.3 It should be noted that these activities do not have targets or performance measures as each case is dealt with in accordance with the Regulators Code of Conduct supported by the Building Standards Enforcement Charter.

4. FINANCIAL IMPLICATIONS

4.1 The costs of verification and enforcement activities undertaken are included in the Building Standards revenue budget. There are no increased financial implications in relation to on-going activities.

5. LEGAL IMPLICATIONS

5.1 Occasional legal input required for enforcement action.

6. MANAGEMENT OF RISK

Category	Risk	Low (L) Medium (M) High (H)	Mitigation
Financial	Potential increase in work completed by Building Standards	L	Legislation permits monies to be retrieved from owners of buildings
Legal	Increased legal input	L	Any cost resulting from the increase in activity will be actively monitored and will be met through existing service budgets.
Employee	Potential increase in enforcement activity	L	Any cost resulting from the increase in activity will be actively monitored and will be met through existing service budgets.

Customer	Delay in processing building warrant applications	M	Management of resources
Environment	None		
Technology	None		
Reputational	Delay in processing building warrant applications	M	Management of resources

7. OUTCOMES

The proposals in this report have no impact on the LOIP.

Design Principles of Target Operating Model	
	Impact of Report
Customer Service Design	The Building Standards activity reduce demand on partner organisations. For example, engaging with owners to ensure security of vacant buildings or carrying out security works where owners are absent. This reduces the risk of wilful fire raising or other illegal activity
Organisational Design	None
Governance	None
Workforce	None
Process Design	None
Technology	None
Partnerships and Alliances	The Building Standards activity reduce demand on partner organisations. For example, ensuring security to vacant buildings reduces the risk of wilful fire raising or other illegal activity

8. IMPACT ASSESSMENTS

Assessment	Outcome
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Equality & Human Rights Impact Assessment	Full EHRIA not required
Data Protection Impact Assessment	Not required
Duty of Due Regard / Fairer Scotland Duty	Not applicable

9. BACKGROUND PAPERS

None

10. APPENDICES (if applicable)

Appendix 1 – Building Standards Activity

11. REPORT AUTHOR CONTACT DETAILS

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Appendix 1 – Building Standards Activity

Period	Live Notices at start of period	Notices Served during period	Notices Closed during period	Live Notices at end of period
31/10/18 – 31/07/19				
Public Safety and Dangerous Buildings	2	15	0	17
Unauthorised Building Work	5	4	4	5
Unauthorised Occupation of Buildings	1	0	0	1

Number of visits resulting in formal or informal action	65 visits
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For information – once a Notice is served, there is a statutory period of 21 days to allow an owner to appeal the notice. Thereafter, there is an expiry date by which the terms of the Notice must be met.

Position at the start of the period showed 8 live notices, as a result of the activity in this period there are now 23 live notices. The activity breakdown of the notices is;

11 notices are currently live and within the expiry period.

5 notices where the time period has been stopped to discuss options with owner.

4 notices the Council are making safe the building, (3 of these notices have been served on the same building).

2 notices where the time period has expired, further action being considered.

1 notice is pending approval of building warrant application to regularise the work and is therefore in the process of being closed