

## Building Control in Northern Ireland

### 1. Introduction

- Local Government in Northern Ireland was re-organised in 1973
- 26 District Councils were established, which had a range of functions including Building Regulations enforcement
- At the same time, 25 of the Councils were linked together in “Groups” for the purpose of administering the Building Regulations. (Belfast City Council, as the largest Council, was excluded from this arrangement).
- The five Building Control Groups are shown on the map below
- This paper describes how the Building Control Groups operated in the period 1973-1995 and from 1995 to the present.



- Councils in the Group System are: -
  - Northern Group                      - Derry, Coleraine, Limavady, Ballymoney and Moyle
  - Western Group                        - Omagh, Strabane, Fermanagh, Cookstown and Dungannon & South Tyrone
  - North Eastern Group                - Ballymena, Newtownabbey, Larne, Antrim, Magherafelt and Carrickfergus
  - South Eastern Group                - Down, Lisburn, North-Down, Ards and Castlereagh
  - Southern Group                       - Craigavon, Newry & Mourne, Armagh and Banbridge

## 2. The Group System 1973-1995

- When the new District Councils came into being on 1<sup>st</sup> October 1973, the Building Regulations (NI) 1973 were introduced on the same day.
- The Building Regulations (NI) were closely based on the corresponding Regulations in England and Wales and replaced the former Building Bye-Laws.
- The functions delegated to the new District Councils were relatively limited, certainly as compared to those given to Councils in England and Wales. Planning Control, for example, was retained by Central Government, as was responsibility for roads, water and sewage, education and housing.
- District Councils had therefore relatively weak Technical Services Departments and, in addition, some Councils were so small that they had no separate Technical Services Departments at all.
- It was realized that there was a need to be able to recruit, train and manage adequately qualified Building Control Staff to administer the new Province-wide Building Regulations on a uniform and co-ordinated way, and this led to the creation of the Building Control Group System.
- The main features of these Building Control Groups were as follows:-
  - The system was mandatory, i.e. Councils were obliged by law to operate it
  - In each Group one of the Councils was designated as the “Employer Council” for Building Control staff
  - A Building Control Group Committee was established for each Group, composed of two Councillors from each of the constituent Councils in the Group
  - The Employer Council was responsible for the employment of all Building Control staff in the Group
  - Initially, the Group Committee was responsible for interviewing and selecting all Building Control staff, with the Employer Council being obliged to employ those officers selected by the Committee (Eventually, this arrangement ran into trouble as it became apparent that the Employer Council would itself have to be responsible for the selection of staff)
  - In each Group a Chief Building Control Officer was appointed who was responsible for the day to day management of all Building Control staff in the Group

- The Employer Council re-charged the expenses of employing staff and administering the system to the Councils in the Group in accordance with agreed arrangements
- Whilst Building Control staff in a Group were employed by an “Employer Council” they were directly answerable, in the exercise of their functions, to the Council in whose area they worked, as the District Councils were legally responsible for the enforcement of Building Regulations
- The advantages claimed for the Group System were:-
  - The recruitment, training and management of professional Building Control staff would be facilitated
  - The introduction, and application of the new Building Regulations would be carried out in a uniform, co-ordinated way
  - The cost of the employment of specialist staff, such as structural engineers, could be spread over the Councils
  - The Building Control Service would develop in a focused way to meet the needs of the building industry.
- The system did, in fact, work well in practice in the delivery of the service and this was confirmed by a number of independent investigations, including one carried out by RICS.
- However, various objections to the arrangements were raised and grew in strength as time went on. These included:-
  - Complaints from the Chief Executives of Councils in the Groups that they had little control over Building Control staff who, effectively, worked for and were paid by the Council
  - Complaints from Councils about the costs of the Group arrangements – costs over which, they felt, that they had no control
  - Perceptions by Building Control staff working for Councils that they were seen as outside main-stream Council activities and that this was adversely affecting their status, salaries, etc
- It should be noted here that a similar “Group System” operated in Northern Ireland for the employment of Environmental Health Officers. This system also generated increasing opposition as time went on and, in the minds of Councillors and Chief Executives, the two “Group Systems” were viewed as having identical problems. In response to pressure from Councils, therefore, the Government changed the system in 1995.

### **3. The Group System 1995 - present**

- On 1<sup>st</sup> April 1995 the new Group Building Control Staff Employment Order came into operation. This changed the roles and responsibilities of all staff employed under the previous Group System.
- The main features of the new Group System are:-
  - the five Building Control Groups remain
  - there is still a Group Committee for each Group, comprised, as before, of two Councillors from each Council
  - each Council is now directly responsible for the appointment and employment of its own Building Control Staff, who are directly answerable to their own Council through the Chief Executive
  - Councils are therefore directly responsible for the Management and effective delivery of the Building Control Service within their own areas.
- Each Group still has one Council designated as Employer Council for the purpose of the appointment and employment of Group Staff
- Group Staff are responsible to the Group Committee for the discharge of the Committee's functions, which include:-
  - the co-ordination and monitoring of the provision of Building Control services within and between Groups
  - advising Councils on the preparation of District Building Control Plans
- The Group Chief Building Control Officer has therefore no responsibility for the day-to-day supervision and management of Building Control Staff working at District level. This is the most major change from the previous arrangements.

### **4. Co-Ordination of the Building Control Service within Northern Ireland**

- As noted, the Group Committees have a responsibility to co-ordinate the provision of Building Control Services within and between Groups.
- In order to do this in practice Group Building Control Staff, and Staff employed in the Districts and Belfast City Council have set up a number of arrangements, including:-
  - Liaison meetings within individual Groups
  - The Group Chief Building Control Officer's Forum
  - The "Central Panel" and its associated Satellite Panels

- The Association of Building Control Managers
- Liaison Meetings within individual Groups take place at regular intervals and involve Senior Group and District Staff. Matters which are discussed range from business planning to the interpretation and application of individual Regulations. Issues which arise, if likely to be of interest to all Districts, are reported to the appropriate Panels and/or the Group Chief Building Control Officers Forum.
- The Group Chief Building Control Officer's Forum, which includes the Head of Belfast Building Control, meets monthly and helps to co-ordinate the activities of Building Control Staff.
- The Central Panel is the most important and influential body. Its membership includes Group and District staff (including Belfast).
  - The Five Satellite Panels are:-
    - Fire Safety Panel
    - Standards Panel
    - Performance and Quality Panel
    - Marketing Panel
    - Training Panel
  - Membership of the Panels is drawn from all areas and all levels of the Building Control Service. These Panels meet as required and report to the Central Panel, which meets quarterly.
- The Building Control Group Committees meet quarterly and the Group Chief Building Control Officers report to them on the operations of Group Units and the co-ordination and monitoring of the service.
- In addition to the five Group Committees, a Northern Ireland Building Control Group Committee has been established. This comprises the Chair and Deputy Chair of the five Group Committees and the Group Chiefs service it. The NI Group Committee helps to co-ordinate the work of the individual Group Committees and deals with issues which impact on Building Control on a broader scale.
- Some Councils are also members of LABC Services, which is an English-based local authority building control organization. This enables contact to be maintained with Building Control in England and Wales
- Links are also maintained with the Scottish Chief Building Control Officers Association and the Irish Institute of Building Control to promote the uniform application of Building Regulations.

**5. Issues to be considered in the Review of Public Administration**

- The building industry in Northern Ireland has benefited from the application of Building Regulations in a consistent and uniform manner since 1973
- The Group system in its present form is unlikely to survive in a seven-Council arrangement
- The Building Control view is that :-
  - i. The administration of Building Regulations should remain as a purely local government function
  - ii. There should be some statutory mechanism for ensuring that the service is delivered in a uniform and co-ordinated way
- Possible ways of securing co-ordination of the service include:-
  - Statutory provision for a NI Building Control Group Committee, based on the seven Councils, that would have powers to monitor and co-ordinate the service, etc
  - Monitoring/auditing of the service by the Government Department responsible for Building Regulations
  - The setting up of an independent monitoring/auditing/standards-setting body on a NI basis (this body could also cover other services such as Environmental Health, Planning, administration of grants, etc).

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