

CABINET

5 November 2003

PERSONNEL COMMITTEE

10 November 2003

BUILDING CONTROL SOLICITORS' ENQUIRIES SERVICE AND SEARCHES
ADMINISTRATOR RESOURCES

REPORT OF DIRECTOR OF DEVELOPMENT SERVICES

Contact Officer: CHRIS GRIFFITH-JONES Tel No: 01962 848151 Email: cgriffith-jones.winchester.gov.uk

RECENT REFERENCES:

CAB 597 – Development Services Business Plan – February 2003

EXECUTIVE SUMMARY:

The Development Services Business Plan identified a requirement to review the Building Control staff establishment in the first quarter of 2003/4. The Director of Development Services agreed that this should be delayed until the appointment of the new Head of Building Control, following the retirement of the Chief Building Control Surveyor and the appointment of the new Director of Development Services. It is considered that the Searches Administrator post can be dealt with independently of this larger staff review.

The Acting Head of Building Control has undertaken a review of the solicitors' searches service provided by Building Control to Land Charges and the solicitors' search enquiries service also provided by Building Control. Changes to the Land Charges CON29 questionnaire in July 2002 resulted in an increased administrative workload to research and provide information on Building Control Regulation case history. An additional £8,000 per annum was recharged by Building Control to the Land Charges service to provide some additional staff resources. This charge is covered by land charges fee income.

There has been a secondary impact of the changes to the questionnaire, involving an

increased number of solicitors enquiries requesting further details associated to the Building Regulation case history previously provided. This has further increased the workload in this area.

Since July 2002, a temporary Searches Administrator has been appointed within Building Control to assist with this work.

The Acting Head of the Building Control service has undertaken comparisons with other authorities in Hampshire on how the solicitors' enquiries service is undertaken. These comparisons revealed that many other authorities in Hampshire charge for this service.

It is proposed that Winchester City Council charge a fee of £25 for a simple enquiry and £50 for a more detailed enquiry, with an estimated income of £9,000 per annum. It is also proposed that the temporary Searches Administrator post be created into a permanent, full-time post. The annual salary costs could be met by the Land Charges recharge and the solicitors' enquiries fee income.

RECOMMENDATIONS:

- 1 That Cabinet approves the introduction of a fee for Building Control solicitors' enquiries of £25 for a simple enquiry and £50 for a more detailed enquiry.
- 2 That Cabinet approve the use of the solicitors' enquiries fees and the Land Charges recharge to appoint a permanent Searches Administrator at scale 2, with a salary of approximately £11,500 per annum at SCP10 (employer's annual cost of £15,000).
- 3 That Personnel Committee approves the change in the establishment of the Building Control Section.

CABINET

5 November 2003

PERSONNEL COMMITTEE

10 November 2003

BUILDING CONTROL SOLICITORS' ENQUIRIES SERVICE AND SEARCHES ADMINISTRATOR RESOURCES

REPORT OF DIRECTOR OF DEVELOPMENT SERVICES

DETAIL:

1 Introduction

- 1.1 As part of the conveyancing process, the City Secretary and Solicitor's Land Charges team provides property information to solicitors acting for prospective purchasers, by responding to "local searches" submitted by these solicitors. The response includes information on the property, which the Council holds in respect of a number of its functions, including planning and environmental health.
- 1.2 In July 2002, there were substantial changes made to the form used by solicitors to submit a local search (the CON29 questionnaire), which resulted in an increase in the amount of information provided by the Building Control service. The additional requirements involved an increased administrative workload to research and provide information on Building Control Regulation case history.
- 1.3 This additional resource requirement was identified in 2002/3 and the City Secretary and Solicitor's Department provided some growth budget. Supplementary income from this growth budget of £8,000 per annum was recharged to the Land Charges budget by the Building Control service to provide Searches Administrator resources to carry out these search enquiries.
- 1.4 Since the change to the CON29 questionnaire, the Building Control service has received an increased number of solicitors' enquiries. These enquiries involve requests to provide additional information to supplement the Building Control Regulation case history previously supplied.
- 1.5 Since July 2002, a temporary Searches Administrator has been appointed to undertake this work full-time.

2 Solicitors Enquiries

- 2.1 The Building Control service has received an increased number of solicitors' enquiries. This is attributable to the changes made in the CON29 questionnaire, which now provide details of Building Control Regulation case history. Solicitors now require house sellers to provide evidence (e.g. approval documents and completion certificates) to supply to prospective purchasers. Recent monitoring of the number of solicitors' enquiries suggests an estimated number of 130 enquiries received in the 2nd quarter of 2003/4 (an average of approximately 43 enquiries per month).

2.2 It is proposed that a fee be introduced to deal with solicitors' enquiries to assist with resources in meeting the demands for this service. The fees proposed are £25 for a simple enquiry and £50 for a more complex enquiry. The simple enquiry service will provide case history and evidence back to 1993 and a more complex enquiry service will provide case history back to 1985. The more complex enquiry will involve more time, due to the need to research paper records, whereas from 1993 onwards data will be more easily accessible from computer records by 2003/4.

2.3 The Acting Head of Building Control, in co-operation with the Hampshire Building Control Partnership, has undertaken a comparison of (building control) solicitors' enquiries services within Hampshire authorities. The results of this comparison indicated that Winchester City Council was in the minority of authorities who currently do not charge for their solicitors' enquiry services.

3 Searches Administrator

3 3.1 It is proposed that the permanent, full-time post will undertake the following duties:

- Provision of Building Control Regulation Case History and other details required by the Building Control service for the Land Charges CON29 questionnaire (to be provided to the Land Charges service) within 48 hours;
- Provision of further details relating to the original search, to solicitors, following requests within 48 hours;
- Provide proper maintenance and administration of Building Control Regulation computer and paper records; and
- Provision of any administrative support requirements on behalf of the Building Control service.



It is important that the above timescales are maintained, to assist with the Land Charges Best Value Performance Indicator (on turnaround of searches) and to provide an efficient service to solicitors, assisting them with urgent conveyancing enquiries.

3.2 The post is estimated at a scale 2, based on the duties of other similar roles within Winchester City Council. Subject to the approval of this addition to the staff establishment, a job evaluation questionnaire will be completed.

3.3 It has become clear due to the continuing workload that a permanent full-time member of staff is required for this work which will lead to reduced cost as Agency staff are currently employed in this position

OTHER CONSIDERATIONS:4 CORPORATE STRATEGY (RELEVANCE TO):

- 4.1 Providing sufficient staff time and resources to provide good quality services, dealing with enquiries and decisions quickly, sympathetically and effectively and being responsive to the needs of the public.
- 4.2 The Corporate Strategy includes, as a key priority, improving performance in key areas. The speed of the Building Control Service's response to the CON29 questionnaire impacts on the Land Charges Best Value Performance Indicator on the speed of turnaround on searches.

5 RESOURCE IMPLICATIONS:

- 5.2 One Searches Administrator post at scale 2, with a salary of approximately £12,987 per annum at SCP 10 (employer's annual cost of £15,974).
- 5.3 It is proposed that the salary costs are met from Building Control service income – both recharges income of £8,000 per annum (which is covered by external income from land charges search fees) and direct fee income (estimated at £9,000 per annum) for solicitors' enquiries. The solicitors' enquiries fee income is estimated on approximately 32 enquiries per month, multiplied by the lower fee of £25 per enquiry.

BACKGROUND DOCUMENTS:

None

APPENDICES:

Appendix 1 - Table of Hampshire Authorities

Appendix 2 - Job Description