

Committee(s) Planning & Transportation	Dated: July 2023
Subject: District Surveyors Annual Report 2022/23	Public
Report of: Executive Director, Environment Department	For Information
Report author: Gordon Roy, District Surveyor	

Summary

The purpose of this report is to update the committee on the workings of the District Surveyor's office which reports to it for the purposes of building control, engineering services for the City's major infrastructure and to provide resilience to buildings and businesses within the square mile that maybe affected by climatic and environmental risks. To provide Members with a better understanding of the work of the District Surveyor it was agreed to submit annual reports to the committee for information.

Recommendation(s)

Members are asked to:

- Note the report for information.

Main Report

Background

1. The principal role of the District Surveyor's Building Control Service is to ensure that all building work complies with the requirements of the Building Act 1984 and the Building Regulations 2010. Building Regulations are minimum standards laid down by Parliament to secure the health and safety of people in or about buildings with an increasing emphasis on improving energy efficiency, sustainability and accessibility. The building control section is also responsible for notices submitted under Section 30, London Building Act (Amendment) Act 1939 for temporary demountable structures.
2. In offering this Building Regulation regulatory service within the City, the District Surveyor's Office is in direct competition with approximately 90 private firms operating as corporate Approved Inspectors authorised to offer a building regulations approval service.
3. In addition, Dangerous Structures within Inner London are dealt with under the London Building Acts 1930-1939. Responsibility for dealing with them is delegated, by your committee to the District Surveyor. This service is provided on a continuous basis, 24 hours a day throughout the year to ensure public safety. A record of all calls is maintained on the CAPS Uniform software.
4. Other responsibilities placed upon the District Surveyor include:
 - Maintaining a register of all work under the control of Approved Inspectors.
 - Registering certificates under the Competent Persons Schemes.
 - Processing and recording Demolition Notices.

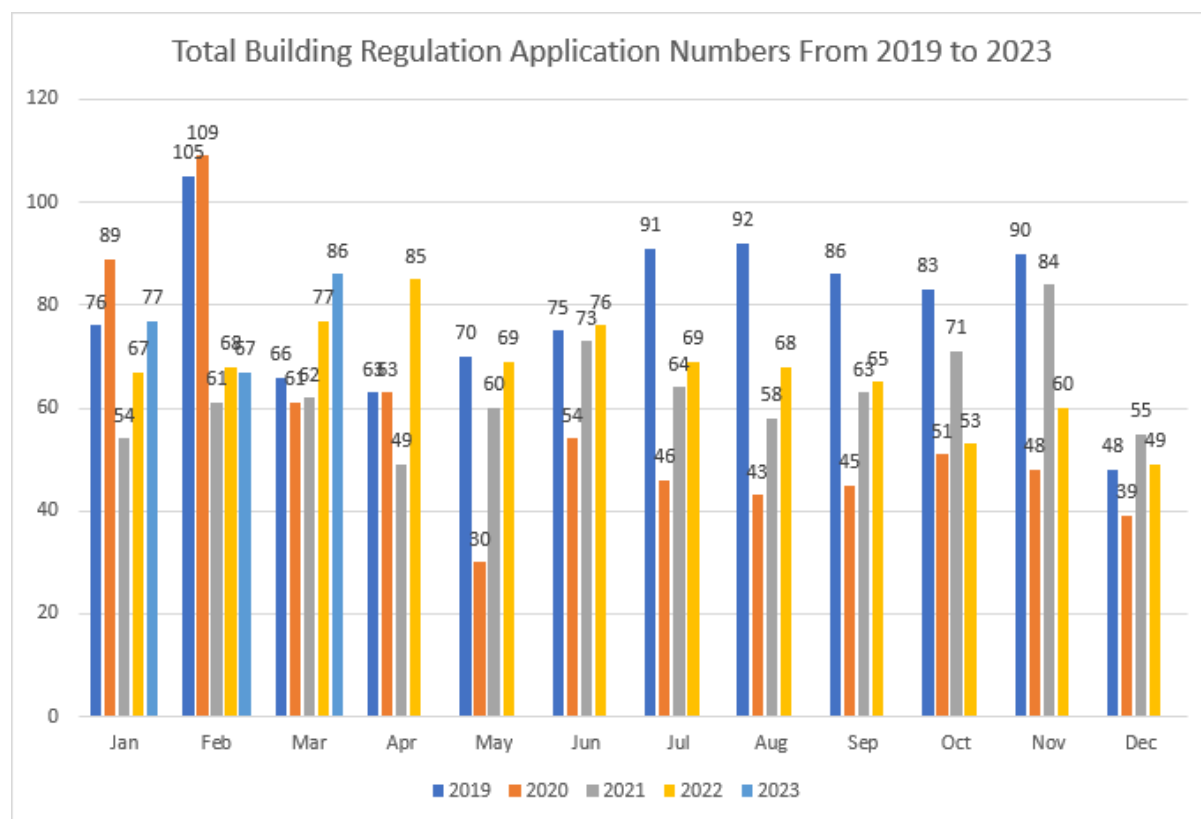
- Advice to the Community and Children's Services on Marriage Licence applications for the technical standards in relation to Health and Safety.
 - Advice to the Planning Service on major Planning Applications on the design of Sustainable drainage systems. This service was extended in April 2020, to include Fire Safety and Energy Statements, which are additional requirements for major planning applications under the Local Plan.
5. Advice and guidance on technical and procedural requirements are made freely available to other areas of the City of London Corporation and the public upon request.
 6. The Engineering Team are responsible for the structural inspection and maintenance of approximately 80 Highway Structures, the City's 5 river Bridges and a number of Statutory Reservoirs on which they have reported separately to your committee, Bridge House Estates Board and Open Spaces Committees respectively. The Engineering Team also provide advice on major Infrastructure Projects to protect the City's interests.
 7. The Environmental Resilience Team, formed in June 2019, aims to improve the resilience of the City Corporation and the Square Mile to environmental impacts including flooding, and fulfilling the City Corporation's statutory duties as Lead Local Flood Authority under the Flood and Water Management Act 2010.
 8. The District Surveyor is also responsible for monitoring delivery of projects within the Environment Department, designed to deliver the Corporate Climate Action Strategy.

Current Position

9. As referenced earlier in the report, the Building Regulations function of the District Surveyor's Office is open to extensive competition and is affected by the fluctuating extent of building work within the City. During 2022/23 workload has generally returned to a normal level, following the Covid-19 pandemic where applications received by both the Approved Inspectors and The District Surveyors Office dropped by around 50% from previous years. The following bar chart

(Table1) shows the number of applications and Initial Notices received by the District Surveyors Office over the last few years.

Table 1



10. Applications received by the Building Control Service for 2022/23 and the resulting market share are shown in Table 2.

Table 2

Market Share					
	Yr. 2018/19	Yr. 2019/20	Yr. 2020/21	Yr. 2021/22	Yr. 2022/23
City of London Applications	244	300	158	222	216
Initial Notices Received	791	697	418	574	590*
Total Number of Applications	1035	997	576	796	824
City of London Market Share	24%	24%	27%	28%	26%

- 618 Initial Notices deposited, 20 Cancelled and 8 Rejected.

11. Market share was 26% and therefore in the middle of our 22-30% range.

12. A summary of the all the Building Control Service workload for 2022/23, is shown in table 3:

Table 3

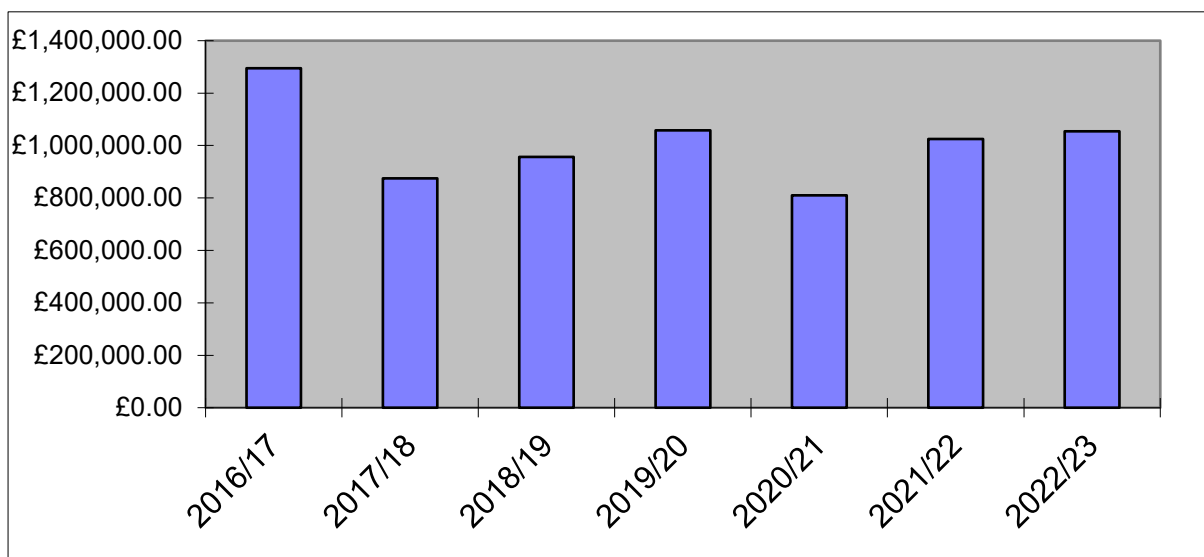
Building Control Statistics					
	2018/19	2019/20	2020/21	2021/22	2022/23
Corporate Complaints	0	0	0	0	0
Jobs Commenced	205	278	151	210	191
Jobs Completed	142	186	121	164	146
Full Plans Applications Submitted	110	174	100	118	108
Building Notice Applications submitted	73	78	46	78	71
Partnership Applications	24	10	8	9	10
Regularisations	28	29	12	14	24
Cross Boundary applications	9	9	2	3	3
Total Number of Applications	244	300	158	222	216
Competent Person Notifications	827	376	554	508	366
Dangerous Structure Call Outs	33	23	12	22	18
Site Inspections	1537	1759	894	1256	1205
Income	£957,150	£1,058,245	£810,533	£1,025,501	£1,054,705
Market Share	24%	30%	27%	28%	26%

13. Other areas where Building Control services have been requested include:

- Special and Temporary and Special Structures- 24 applications.
- Approvals in Principle for the Engineering Team- 29 applications.
- Marriage Act applications to carry out a technical assessment for the premises prior to a Licence being issued-12 applications.
- Sustainable Urban Drainage System (SuDS) - providing the technical advice and assessment for major planning applications -49 applications.
- Demolition Notices -14
- Fire Safety Statement advice for major planning applications-52 applications

14. Income from Building Regulation applications for year 22/23 was £1,054,705. This income and total Local & Central risk expenditure for delivering this service has been determined and included into the Building Control Financial Statement and has been approved by the Chamberlain. The statement has determined that the Building Regulation service has made a financial surplus of £24,056 for 2022/23.
15. Tables 2 and 3, show the total number of Building Regulation applications dropped significantly during 2020/21 but started to increase again during 21/22 and generally returned to a normal level during 2022/23.
16. The Covid Pandemic in April 2020, required Building Control to stop all physical site inspections of on-going building work, with surveyors having to adopt a new remote inspection process, where photographs, Facetime, video, and similar electronic methods of completing a remote inspection, were used. While this remote method was considered as not being ideal, it allowed contractors to proceed with their works, and has been adopted as an acceptable method of completing some site inspections, where a re-check of a situation is required. This method of site inspections alongside physical site inspections will continue and are being accepted by the new Building Safety Regulator under their Building Control Operational Standards.
17. As application numbers started to recover in 2021/22, income also increased. Table four shows fee generation from applications between 2016/17 to 2022/23 to use as a comparison.

Table 4



18. Income received in a year can be difficult to use as a measure of new business activity as large projects which have already started, are invoiced throughout their construction period and can disguise market activity. To analysis new business

activity, applications received in a calendar year and their respective fee income is checked and the results are listed in table 5:

Table 5

Table 5 Building Control Applications 2015-2022		
Year	Number of Application	Fees Generated
2015	280	£1,210,007
2016	228	£847,099
2017	236	£778,279
2018	246	£778,279
2019	266	£1,091,256
2020	191	£810,533
2021	210	£1,391,085
2022	220	£937,669

19. The analysis of Table 5 suggests that although application numbers have increased slightly, income generated from these applications varies. Within this period, there were a small number of large projects that submitted applications. However, the office has received requests for pre application advice form a number of large schemes, so the outlook remains positive.
20. Fees and charges for Building Regulation work are governed by The Building (Local Authority Charges) Regulations 2010 and the City are required to approve a Building Regulation Charges Scheme. In 2010 the charges scheme was approved and has been reviewed annually to ensure the principles of the Regulations, to ensure full cost recovery of the Building Regulation part of the service, was being maintained. The scheme has been amended on a number of occasions and in March 2023, this Committee approved the latest charges scheme ensuring fees are set at an appropriate rate. This report recommended some changes to the scheme, for commencement from 3rd April 2023, which has been implemented.

Major Projects that Completed in 2022/23

21. Construction work during 2022/23 was still affected by the COVID pandemic but works to a number of major buildings still completed during the year. These included:
- 22 Bishopsgate.
 - 100 Bishopsgate.
 - Warwick Court, 5 Paternoster Square
 - Multiple fit out works for 22 Bishopsgate, and
 - Refurbishment of 2 Gresham Street.
22. While the number of large projects that completed was small, fit out works at 22 Bishopsgate and, 100 Bishopsgate continue as does the construction works at 81 Newgate Street, Salisbury Square development, 1 Leadenhall, 8 Bishopsgate, 1-2 Broadgate and 40 Leadenhall. Works to 2-3 Finsbury Avenue are due to commence shortly.

Engineering Team

23. The Engineering team are continuing to work in collaboration with the development project team, for the Museum of London at Smithfield. Their projects to waterproof a number of bridges around Smithfield and Snow Hill, are taking longer to match their access requirements and further delaying strengthening to the bridge at Lindsey Street.
24. The increased development activity referenced above has also been matched by increased abnormal load movements, crane notification etc.
25. A number of reservoir projects are also continuing to proceed along with maintenance and inspection of all the structures the team advise on.

Environmental Resilience Team

26. The Environmental Resilience Team has continued its leading-edge work to ensure that the City is resilient to the increasing risks we face from climate change (flooding, heat stress, water shortages, biodiversity loss, emerging pests & diseases and disruption to food, trade and infrastructure).
27. Implementation of the City's Local Flood Risk Management Strategy 2021-27 continues. These tasks contribute to fulfilling the City Corporation's duties as Lead Local Flood Authority for the Square Mile under the Flood and Water Management Act 2010 and the Flood Risk Regulations 2009. Last year saw the publication to the Environment Agency's second cycle Flood Risk Management Plan. The City of London Strategic Flood Risk Assessment 2023 is due to be published shortly. Following the Environment Agency's 10 year reviews of the Thames Estuary 2100 Plan the Environmental Resilience Team will be updating the Riverside Strategy to ensure it continues to align.

28. As part of the Climate Action Strategy the Cool Streets & Greening programme of pilot projects, is underway. This work is to assess suitable climate resilience measures such as sustainable drainage (SuDS), climate resilient greening and tree planting, which will protect the Square Mile from climate related changes in our weather. Construction is complete on seven sites, three sites are underway or due to start imminently and designs are progressing for a further seven sites. Design work is planned to transform 14 City Gardens as part of the replanting for climate resilient workstreams. Further sites are being identified for suitability to test SuDS measures. 28 new street trees were planted this year and a new round of site identification will take place in time for the 23/24 tree planting season.
29. The team has also been successful in attracting external funding to expand the programme. This has included £40 000 from the GLA's Grow Back Greener fund for tree planting on Middlesex Street, £80 000 from DEFRA's Woodland Creation Accelerator Fund to pay for staff resourcing to explore innovative solutions to urban tree planting and £21 000 from the Mayor of London's Rewild Fund to trial different approaches to the management of grassed areas in Square Mile Sites of Interest for Nature Conservation (SINCs) around Noble Street.
30. The coming 12 months will finally see the installation of city-wide Climate Sensors Network, which has been delayed due to supply chain issues. This will see the installation of temperature, soil moisture and drainage gully sensors across the Square Mile. This will provide city specific long term climate monitoring data, be used to assess the effectiveness of interventions in reducing overheating and flood risk and offers the opportunity to be used in real-time decision making for operations including gully cleaning and irrigation of planted areas.
31. Last year saw the successful completion of the joint project between the Environment Resilience Team and the British Geological Survey. The NERC funded "Cubic Mile" project reviewed below ground mapping to identify opportunities for SuDS, tree planting and cool spaces. The outputs from which have already been used to assist with identification of sites for Cool Street and Greening Programme. The lessons learnt from the project and its recommendations will now be progressed, including feeding into the national understanding on subsurface planning.
32. As part of the Climate Action Strategy's Mainstreaming Resilience project, the team have been working colleagues from across the Environment Department to create specifically tailored Climate Adaption Action Plan. This builds on the climate risk assessments undertaken in 2021 and will be rolled out in the following year to the remaining service directorates (Community & Children's services and Innovation & Growth). The team have continued to run a series of "Climate Chats" to communicate climate change issues within the Environment Department. These will be continued with a view to expand these to a wider audience, along with other initiatives to upskill colleagues and raise climate awareness.

33. This year the team will also be undertaking a horizon scanning exercise into the pest and diseases that are likely to increase due to climate change. Working with colleagues across the organisation, they are going to highlight the work we already do and undertake a gap analyse to identify any areas where additional research would be beneficial. The final output will create a single point of reference to give confidence to that the risk is being adequately monitored.
34. The Environmental Resilience Team remain active within the climate resilience professional community, contributing to sharing best practise, remaining up to date with changes and demonstrating leadership across London. Team members contribute to the steering group for the Thames Tidal Councils Forum, attend the London Climate Change Partnership, London Drainage Engineers Group, London Borough's Biodiversity Forum and other groups. The team is also working with community groups to coordinate on biodiversity initiatives including Friends of City Gardens and Pollinating London Together.

Staff

35. The overall team of 28, including 19 in the Building Control Team, and 5 in the Engineering Team. In addition, the Environmental Resilience Team has been consolidated to ensure delivery of the Climate Action Strategy objectives and now has a team of 3 officers with another officer about to be recruited. The District Surveyors Office has officers of various seniority and specialisms to reflect the work we do. These include structural engineers, chartered surveyors, fire engineer, services engineers and environmental specialists. All members of the Engineering Team are civil engineers.
36. Over the last few years, the Building Control Team has been in transition with a number of staff members retiring with three retiring between November 2022 and May 2023. Recruitment to fill positions is extremely difficult due to the National shortage of Building Control Surveyors, competition from Approved Inspectors, and constraints due to corporate Grading structures, therefore the team continues to reduce in size. In December 2022, recruitment for two new surveyors/engineers was again unsuccessful.
37. The total Building Control establishment figure of 26, currently has 7 vacant posts as a result of these recruitment difficulties. Therefore following discussions with the Executive Director, the apprenticeship program, to train our own surveyors/engineers will be accelerated, to recruit 2 new technical apprentices. In addition to the apprentices, 2 graduate surveyors will also be recruited, during Summer 2023.
38. We continue to actively seek out potential clients and win new work, with discussion continuing with major developers and landowners, such as British land. Pre application requests have been received regarding, 70 Gracechurch Street and 1 Undershaft. Initial design workshops regarding the Markets relocation project have also commenced. We also work with British Land on their framework agreement for redeveloping the whole of Broadgate. Applications for

1-2 Broadgate, 30-34 New Bridge Street, 2-3 Finsbury Avenue, 120 Fleet Street, 81 Newgate Street and the Fleet Street Courts project have been submitted. We are therefore very optimistic for the future and continue to market the service at every opportunity.

39. The London District Surveyors Association (LDSA) represents the heads of Building Control in the 33 London authorities. The District Surveyor office continues to support the work of the LDSA and is represented on all its major committees, including its executive committee. Gordon Roy, the District Surveyor is the current President until March 2024.
40. Regular reviews of our workload and performance are carried out and reviewed in the light of regular customer surveys.
41. Performance standards are measured by means of Key Performance Indicators which indicated in table six, KPI's 2021.

Table 6

	LBC1	5 week apps 90% within 19 working days			LBC2	8 week apps 90% within 26 working days			LBC3	Completion Certificates Issued 85% within 10 working days		
		Apps.	Success	%		Apps.	Success	%		Final Inspections	Success	%
2022/23												
Apr		7	6	86%		4	4	100%		9	9	100%
May		8	8	100%		12	11	92%		11	11	100%
Jun		5	4	80%		3	3	100%		9	9	100%
Jul		4	4	100%		4	4	100%		11	11	100%
Aug		2	2	100%		3	3	100%		7	7	100%
Sept		4	4	100%		4	4	100%		9	9	100%
Oct		2	2	100%		2	2	100%		8	8	100%
Nov		0	0	100%		4	2	50%		16	15	94%
Dec		1	1	100%		2	1	50%		18	18	100%
Jan		9	7	78%		6	4	67%		14	14	100%
Feb		7	5	71%		4	4	100%		10	10	100%
Mar		4	3	75%		5	4	80%		17	17	100%
YEAR TOTAL		53	46	87%		53	46	87%		139	138	99%

42. The Building Control division operate a Quality Management System which was externally audited in August 2022 and received re-accreditation. This re-accreditation of the Building Control Quality Management System means that the division has been providing an accredited management system, continuously for 29 years.
43. The District Surveyor's office uses the Building Control module of CAPS Uniform software to record all applications and records. This is the same software that the Planning department use for their purposes. The use of a common system enables easy abstraction of information for building searches and shared information.

Building Safety Act 2022

44. Following the Grenfell tragedy, the Government appointed Dame Judith Hackitt to conduct a review into the Building Regulations and Fire Safety, and in the summer of 2019 the government published proposals for reforming the building safety system. In 2021, The Building Safety Bill was published and in April 2022, this Bill received Royal Assent with the publication of the Building Safety Act 2022. This new Act is designed to ensure people are and feel safe in and around buildings and affects all buildings within the built environment.

45. The Act will see major changes to the Building Control system, which will include.

- The introduction of the Building Safety Regulator as part of the Health & Safety Executive. This has commenced and the Regulator is now working across the construction industry.
- All building control surveyors having to register with the Regulator as “Building Control Inspectors”. This will result in our Building Control surveyors using the title of “Registered Building Inspector”. Registration will commence in October 2023 and all surveyors must register by April 2024.
- Compulsory requirement for all “building control Inspectors” to be able to demonstrate their competence, through an accredited body. All surveyors must complete their “competency” test by April 2024.
- The Building Safety Regulator will become the Building Control authority for high-risk buildings (high rise residential buildings over 18m in height), rather than the Local Authority or an Approved Inspector.
- The Building Safety Regulator will be able to require a Local Authority to provide services to them as the Building Control Authority. A Report was presented to the Committee in January 2023, to allow the District Surveyors Office to act as the single point of contact between all London Local Authority Building Control departments and the Building Safety Regulator.
- Introduction of industry wide Performance Standards and indicators, with the Building Safety Regulator being able to issue Improvement Notices on a Local Authority. The District Surveyors completed a trial of new performance data with the Building Safety Regulator between January and March 2023. Following this “trial” the District Surveyors Building Control team are already monitoring a number of new indicators.
- Improved building control enforcement procedures with the introduction of Compliance and Stop Notices.
- Introduction of Gateway’s 2 and 3. This will require developments on high-risk buildings (high rise residential buildings over 18m in height), to not proceed into construction or occupation without Building Control approval.
- The introduction of new safety protocols for existing high rise residential buildings, including the need to produce and have approved, Building Safety Cases, to ensure people are and feel safe. This requirement for existing buildings is not part of Building Control workstream, but will place a requirement on other Corporation departments.

46. The District Surveyor Building Control team is well progressed, with implementing additional training of staff to be able to demonstrate competence. The District Surveyor and an Assistant District Surveyor are members of the Building Safety Competency Foundation, scheme committee, and therefore at the forefront of the new requirements for demonstrating “competence”.

47. The Building Safety Regulator from October 2023 will become the Building Control Authority for all high-rise residential buildings with a floor level over 18m or 7 stories. Therefore, all applications that we currently receive for these buildings, approximately 70 relating to Barbican properties will go to the Regulator. Under the proposed single point of contact as outlined above, we expect to be asked to provide assistance to the Regulator on these and similar

applications. However, new rules from the Building Safety Regulator regarding “Conflict of Interest” are proposed, and it is currently unknown if these will affect our ability to provide our services to these buildings.

48. Acting as the single point of contact for the Building Safety Regulator however may increase our overall applications as potential requests may come for properties that would normally go to an approved inspector.

49. The District Surveyor continues to work closely with the Building Safety Regulator on new requirements and procedures, but the Building Safety Act 2022, allowed changes to be made to the Building Regulations 2010, and allow for additional secondary legislation. At the time of writing this report, these new Regulations and secondary legislation have not yet been published, and with a commencement date of October 2023, there is concern that building control surveyors and industry will not be fully prepared for these changes.

Conclusion

50. This report describes the background of Building Control, the Engineering Team and the Environmental Resilience Team within the City of London and the work of the District Surveyor’s office over the last year plus looks positively forward to the challenges ahead.

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