



EXECUTIVE MEMBER DELEGATED POWERS DECISION NOTICE

LOCAL GOVERNMENT ACT 2000 SECTION 9E

1 DETAILS OF EXECUTIVE MEMBER TAKING THE DECISION

1.1 Councillor Stephen Boulton, Executive Member, Environment and Planning

2 TITLE OF REPORT

2.1 Extension of Service Level Agreement with Hertfordshire Building Control Limited to August 2022.

3 DECISION TAKEN

3.1 That the relevant Service Level Agreement with Hertfordshire Building Control Limited be extended to August 2022. This extends the timetable for the original Service Level Agreements agreed by Cabinet in July 2016.

4 IF URGENT, REASONS FOR URGENCY

4.1 Other authorities involved in the joint company are agreeing the same extension.

5 DETAILS OF OTHER EXECUTIVE MEMBER(S) CONSULTED

Name Cllr Stephen Boulton

Signature 

Date this decision was taken: 15 October 2020

Date of circulation/publication of this decision: 15 October 2020

6 EXPLANATION/BACKGROUND

6.1 In July 2016 Cabinet agreed to create a jointly owned building control company, to transfer its staff and non-statutory functions into that company and to transfer its statutory functions to LA1 (Three Rivers District Council), all subject to provisions set out in Articles of Association, a Shareholder Agreement, Service Level Agreement and Inter-Authority Agreement, with further oversight by a company board and commissioning panel.

6.2 The Service Level Agreement runs until 16 August 2021. In 2019 when it was agreed that Dacorum Borough Council would join the company it was recognised that the Service Level Agreement did not provide clear enough guidance to the shareholder representatives, the board of directors or the managing director of the company to progress such incorporations or to grow or franchise the company. A deed of variation to extend the Service Level Agreement until August 2022 would

create sufficient time for this work to be carried out and agreed with the shareholder representatives.

Legal Implications

- 6.3 The shareholder representative will need to authorise the entering into of a deed of variation to extend the Service Level Agreement to August 2022.

Financial Implications

- 6.4 There are no financial implications associated with this decision. The Council would continue to own a one-eighth share of the company and purchase statutory building control functions from LA1 (Three Rivers District Council).

Risk Implications

- 6.5 There are no risk implications associated with agreeing a deed of variation. The arrangement would continue to operate as it currently does, until August 2020.

Alternative options considered and reasons for their rejection (if any)

- 6.6 The only alternative is that the Council does not agree a deed of variation, in which case there would be no service level agreement between the Council and the company beyond August 2021 and the Council would either have to operate the arrangement within an agreement or would have to put alternative arrangements in place to provide a statutory building control function.

7 BACKGROUND PAPERS USED TO INFORM THE DECISION

- 7.1 Draft Deed of Variation for Service Level Agreement.

8 DETAILS OF ANY MEMBERS OR OFFICERS WHO HAVE DECLARED AN INTEREST IN THIS MATTER AND THE NATURE OF ANY SUCH INTEREST AND ANY DISPENSATIONS GRANTED

- 8.1 N/A

9 ADDITIONAL CONFIDENTIAL OR EXEMPT INFORMATION CONSIDERED

- 9.1 N/A

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