1994 No. 497

LOCAL GOVERNMENT

Local Government (Employment of Group Building Control Staff) Order (Northern Ireland) 1994

Made . . . . . 22nd December 1994

Coming into operation . . 1st April 1995

WHEREAS the Department of the Environment has consulted with district councils concerned with the employment of building control staff on the matter of the employment of such staff:

AND WHEREAS the Department of the Environment after that consultation is satisfied that it is expedient that an Order should be made providing for the employment of building control staff by certain councils on behalf of groups of councils:

NOW, THEREFORE, the Department of the Environment in exercise of the powers conferred on it by section 41(8), (8A) and (8B) of the Local Government Act (Northern Ireland) 1972 and now vested in it(**a**) and of every other power enabling it in that behalf, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Local Government (Employment of Group Building Control Staff) Order (Northern Ireland) 1994 and shall come into operation on 1st April 1995.

Interpretation

2. In this Order—

"district building control plan" means an annual plan prepared by a council and specifying the level of the building control service to be provided by the council and identifying the associated resources;

"Department" means the Department of the Environment;

"employer council" means a council responsible for the employment of group building control staff;

"group" means councils on behalf of which group building control staff are employed by an employer council;

"group building control staff" means an officer designated by the employer council as responsible for building control and such other officers employed by the employer council to assist the group in carrying out its building control functions;

(**a**) 1972 c. 9 (N.I.); relevant amending instrument is Article 35(2) of S.I. 1992/810 (N.I. 6). *See also* S.R. & O. (N.I.) 1973 No. 504 Article 7 and S.I. 1976/424 (N.I. 6) Article 3

"group committee" means a committee established for the purpose of consultation in accordance with Article 10; and

"trading accounts" means accounts which show the charges for services carried out and the rates agreed, together with the cost of providing those services.

Groups

3. The councils named in column 2 of the following Table shall be divided into the 5 groups shown in that column and such groups shall be known by the respective designations indicated in column 1 of that Table:

TABLE

Groups

(Column 1) *Designation*	(Column 2) *Constituent Councils*
Northern Group	Ballymoney, Coleraine, Limavady, Derry and Moyle
North-Eastern Group	Antrim, Ballymena, Carrickfergus, Larne, Magherafelt and Newtownabbey
Southern Group	Armagh, Banbridge, Craigavon and Newry and Mourne
South-Eastern Group	Ards, Castlereagh, Down, Lisburn and North Down
Western Group	Cookstown, Dungannon, Fermanagh, Omagh and Strabane

Employer councils

4. For the purpose of the employment of group building control staff the councils named in column 2 of the following Table shall be the employer councils for the respective groups named in column 1 of that Table:

TABLE

(Column 1) *Group*	(Column 2) *Employer Council*
Northern	Derry
North-Eastern	Ballymena
Southern	Craigavon
South-Eastern	Down
Western	Omagh

Appointment of group building control staff

5.—(1) Before appointing group building control staff, the employer council shall consult all the councils in the group by means of a group committee.

(2) Subject to paragraph (1), the employer council for each group shall appoint an officer to be responsible for building control and such other staff as the group committee may recommend.

(3) Notwithstanding that he is employed by the employer council, any officer employed for the purposes of the group shall undertake, at the request and authorisation of a council in the group and with the approval of the group committee, any building control function exercisable by an officer of that council and in so doing he shall be responsible to that council.

Responsibilities of the Officer responsible for building control

6. The Officer responsible for building control shall—

(*a*) be responsible to the group committee for advising it on the matters referred to in Article 11 and for the day to day administration of those functions;

(*b*) be responsible to the employer council for the supervision of group building control staff;

(*c*) at least once a year report to each council within the group and the group committee on the services given by group building control staff to councils;

(*d*) be responsible for the preparation of annual trading accounts and annual estimates in relation to the services provided by group building control staff to councils;

(*e*) be responsible for monitoring, advising and reporting annually to councils and the group committee on the production of district building control plans;

(*f*) furnish such reports to the councils and the group committee as may from time to time be required by the group committee or as he may consider necessary;

(*g*) liaise with building control staff within the areas of the councils of the group and other officers responsible for building control to ensure consistency of interpretation, application and enforcement of regulations;

(*h*) be required to report to the group committee on services provided by group building control staff to the councils, government departments and other public bodies; and

(*i*) furnish to the Department, if requested by it, a copy of reports mentioned in sub-paragraphs (*c*), (*e*), (*f*) and (*h*) and such other reports as the Department considers appropriate.

Transfer of staff

7.—(1) This Article applies to any officer of an employer council who immediately before the date of the coming into operation of this Order, is