

REPORT OF THE DIRECTOR OF BUILDING CONSULTANCY ACIVICO BUILDING CONSULTANCY LTD

To: Planning Committee

Date: 28th August 2025

Subject: Acivico Building Consultancy Ltd – Annual Performance Overview

Period: Financial Year (1st April 2024-31st March 2025 inclusive)

Background

Acivico (Building Consultancy) Ltd was established as a wholly owned company by Birmingham City Council in April 2012. This report focusses on Building Consultancy performance for the previous financial year April 2024 to March 2025 (inclusive).

Contractual obligations between the Council and Building Consultancy require that performance is monitored and reported on a quarterly basis to an independent Performance Management and Monitoring Board (PMMB). This is chaired by the Council's Statutory Functions Officer (CSFO) with support from the Contract Management and Performance Team (CMaP). A key outcome from these meetings is to ensure that this performance is shared with the Planning Committee on an annual basis.

It should be noted that the previous contractual arrangement expired in March 2023 and a further deed of variation was signed at the end of 2025 to extend the contract period to 31st March 2026.

The key performance indicators reported to the end on 2024/25 have been based upon those established by the contract between Birmingham City Council and Acivico Building Consultancy. The contract expired on 31st March 2023; however, a deed of variation was signed, and this has extended the existing contract until 31st March 2026. The extended contract now refers to the national standard operating procedures and key reportable data required by the Building Safety Regulator.

Future KPI reporting will include the key reportable data required by the Regulator and the existing KPIs which relate to statutory functions other than the Building Regulations.

The Government has appointed an independent panel to review the future of the building control system, and they have been charged with considering how commercial interests can be removed from service providers and whether a single national building control body may be more appropriate.

The Government have also announced that the Building Safety Regulator will move from the Health and Safety Executive to become part of MHCLG, facilitating a single regulator.

A full announcement on the proposals is expected by the end of 2025.

Performance during 2024/25 has broadly been similar to previous years, due in part to automation withing the application database preventing time periods being exceeded.

All KPIs have achieved the target with the exception of responses to complaints where a delay in a small number of responses as a consequence of protracted investigations has produced a lower average figure due to the low level of complaint.

Future reporting will be based upon quarterly returns provided to the Building Safety Regulator.

Performance Context

The services provided by Building Consultancy are statutory and therefore delivered on behalf of the City Council. One consequence of this is that any formal notices issued during the execution of functions must be in the Council's name and duly authorised by a nominated officer (CSFO).

Acivico Building Consultancy has a longstanding reputation for the provision of high-quality public facing services and contractual measures are therefore in place to ensure that its Customer Service Excellence (CSE) and ISO9001:2015 certifications are maintained. Both are widely regarded as national benchmarks and are independently assessed by licensed external bodies on an annual basis.

The Customer Service Excellence re-assessment was completed in December 2024 and in keeping with previous years confirmed full compliance along with a number of aspects of compliance plus (service excellence). The ISO9001:2015 re-assessment was completed in April 2024, and also concluded that the service's operational and management systems were fully compliant with its exacting requirements.

Key Performance Indicators (KPIs)

KPIs are agreed on an annual basis in conjunction with the Performance Monitoring and Management Board and are subject to robust challenge/review with any subsequent adjustments reflected in the contract. For the year in review (2023-2024) four primary measures were agreed to enable a targeted focus of the most critical functions.

The new Building Safety Regulator has introduced new Operational Standard Rules for all Building Control Bodies and these include new reportable data / KPIs. These new standards came into effect in April 2024, and will be reported upon from Q1 2025.

From April 2024 the Building safety Regulator will have the power to audit the performance of any Building Control provider, including Local Authorities and impose sanctions where appropriate.

The Building Safety Regulator has been conducting a programme of audits of building control bodies throughout 2024/25 and this will continue in 2025/26. Audits may identify areas for improvement of areas of non-compliance with the Operating Standard Rules.

No Audit of Birmingham City Council and Acivico has yet been carried out, however we have previously been advised that a key area of focus will be the way in which Birmingham City Council discharges its responsibilities and this will include any contractual arrangements.

All staff carrying out "restricted activities" including plan assessment, site inspection and recommendations in respect of decisions and certification are required to have undergone an assessment of competence and be registered on a new National Register of Building Inspectors. All technical staff have achieved appropriate registration.

Building Regulation Applications

Almost all construction projects from a residential kitchen extension to a multi-storey mixed-use commercial building require a Building Regulations input to ensure that they meet the minimum technical standards for construction. This is most commonly discharged through two linked processes, firstly initial assessment of design stage plans/details followed by on-going site verification inspections during the construction phase.

Key Performance Indicators

Decision Speed

There is a statutory requirement to issue a decision on a Building Regulation application (design stage appraisal) within twenty-eight days of submission. An extended period of eight weeks can be used subject to agreement from all parties. Legislation has changed to allow longer determination times by agreement.

Target KPI – 100% of applications determined within statutory period

Actual performance – 100%

Trend over the previous 5 years

2019/20	2020/21	2021/22	2022/23	2023/24
100%	98%	100%	100%	100%

N.B. The minor decline in performance for the year 2020-2021 was a direct consequence of COVID19 upon resources and operational systems.

Decisions Approval Rate

Building Consultancy has a performance objective to ensure that an appropriate percentage of decisions are either approved or conditionally approved first time. The certainty that this generates is something that is valued by regular volume submitters. However, the capacity to 'approve' is dependent upon the technical quality of submitted plans along with a number of associated legislative constraints including input from third parties consultees such as West Midlands Fire Service.

Target KPI –100%

Actual performance – 100%

Trend over the previous 5 years

2019/12	2020/221	2021/22	2022/23	2023/24
96%	96%	95%	100%	98%

Dangerous Structures (Response Times)

Dangerous structures are reported from a variety of sources including, councillors, officers, emergency services and the public. Incidents are assessed for their severity from the information available to determine a target level of deployment for an officer. There are three contractual levels of response (working hours) are as follows;

Category A (immediate danger) – arrival on site **within 2 hours**

Category B (moderate danger) – arrival on site within 6 hours

Category C (low risk) – arrival on site by the close of the next working day.

Building Consultancy also support the Council's resilience team through a 24/7 365 day a year response service via the corporate emergency contact centre. Due to their nature requests through this channel are automatically categorised as category A incidents

Total number of Category A incidents during 2024/25 – 40

It should be noted that the responsibility in respect of dangerous structures is to assess the danger and take steps to reduce risk, whilst ensuring resultant costs to the Council and property owners are minimised. Typically measures may be taken to ensure safety, such as restricting access and temporary support. The responsibility to ultimately make premises safe remains with the building owner.

Target KPI – 100% responded to within required timescale.

Actual Performance – 100%

Trend over the previous 5 years

2019/20	2020/21	2021/22	2022/23	2023/24
100%	100%	100%	100%	100%

Complaint Response Times

Building Consultancy mirrors the Council's corporate complaints process and as such ensure expressions of dissatisfaction are appropriately investigated and responded to within fifteen working days. This also forms an integral element of both the CSE and ISO9001:2015 standards.

Given the large number of projects handled by the team the number of complaints remains very low and as a consequence a failure to address one or two complaints within the timescale can effect the KPI. In many cases investigation of works on site is necessary and this can cause delays in concluding matters.

Target KPI – 100% investigated and responded to
Actual Performance 89%

Reform of Building Control System

The Building Safety Regulator has been appointed to take responsibility for Building Regulations and from October 2023 all new High Risk Residential Building are dealt with directly by the Regulator and not by Local Authorities of Approved Inspectors (now Registered Building Control Approvers). Although this effectively removes such buildings from Local Authority Control the Regulator has insufficient resource to deal with this work and Acivico Building Consultancy have contributed the Regulator's Multi-Disciplinary Teams to assess these projects within Birmingham..

Additional enforcement powers have been introduced to enable Contravention and Stop Notices to be issued during the construction process. IN a significant change to procedures commercial projects will not be able to commence on site until Building Regulation Approval has been given.

Several of the current key performance indicators have remained consistently achieved for a significant period with little scope for improvement, and it is recommended that the KPIs reported upon in the future align with those set by the national Operational Standard Rules and Reportable Data established by the Building Safety Regulator to enable the Authority to not only assess performance but to be aware of how the service is being delivered in terms of compliance with the Regulators requirements.

Recommendation

That this report be noted

Contact: Mr Kevin Blunden – Director of Acivico Building Consultancy Ltd
Tel No. 07467 890219
Email: Kevin.Blunden@acivicogroup.co.uk