

**APPENDIX 1 to Report
 PROPOSED CHANGES TO MENDIP DISTRICT COUNCIL CONSTITUTION
 ARISING FROM COMMENCEMENT OF SOMERSET BUILDING CONTROL PARTNERSHIP**

PARA/ITEM	ORIGINAL	NEW/PROPOSED CHANGE		
LIST OF APPENDICES PAGE 3	n/a	Insert at end of table <table border="1" data-bbox="1375 568 2024 679"> <tr> <td data-bbox="1375 568 1453 679">U</td> <td data-bbox="1453 568 2024 679">Constitution for Joint Committee responsible for Building Control Partnership</td> </tr> </table>	U	Constitution for Joint Committee responsible for Building Control Partnership
U	Constitution for Joint Committee responsible for Building Control Partnership			
Section 18 RESPONSIBILITY FOR FUNCTIONS Paragraph 18.9	<p>The Council has delegated certain functions to joint committees of local authorities established under S.101 of the Local Government Act 1972 and other enabling powers as follows:</p> <p>(a) Functions relating to internal audit matters have been delegated to a joint committee known as the South West Audit Partnership</p> <p>(b) Functions relating to Waste collection, waste disposal and waste management have been delegated to a joint committee known as the Somerset Waste Board</p> <p>Full details of these arrangements are set out in Schedule 8 of this Section</p>	<p>The Council has delegated certain functions to joint committees of local authorities established under S.101 of the Local Government Act 1972 and other enabling powers as follows:</p> <p>(a) Functions relating to internal audit matters have been delegated to a joint committee known as the South west Audit Partnership</p> <p>(b) Functions relating to waste collection, waste disposal and waste management have been delegated to a joint committee known as the Somerset Waste Board</p> <p><u>(c) Functions relating to building control have been delegated to a joint committee known as the Somerset Building Control Partnership</u></p> <p>Full details of these arrangements are set out in Schedule 89 of this Section</p>		

<p>Section 18 RESPONSIBILITY FOR FUNCTIONS PART A – SCHEME OF DELEGATION TO OFFICERS SECTION B – GENERAL DELEGATIONS TO CORPORATE MANAGERS (B) Corporate Manager – Built Environment</p>	<p>Building Control</p> <ul style="list-style-type: none"> • Functions under the Building Control Act 1984 and associated Building Regulations • Functions under the Party Wall Act 1996 • Emergency action in relation to dangerous structures 	<p>Delete</p>
<p>Section 18 RESPONSIBILITY FOR FUNCTIONS PART A – SCHEME OF DELEGATION TO OFFICERS SECTION C – SPECIFIC DELEGATIONS TO CHIEF EXECUTIVE, STATUTORY OFFICERS, LEGAL ADVISOR and CORPORATE MANAGER BUILT ENVIRONMENT 3. Monitoring Officer and Legal Adviser</p>	<p>n/a</p>	<p>Insert new paragraph 3.13</p> <p><u>To carry out the following functions in relation to building control functions as exercised in the area of Sedgemoor District Council pursuant to the Somerset Building Control Partnership:</u></p> <ul style="list-style-type: none"> • <u>To institute conduct and settle legal proceedings in any court of law tribunal or other body including all administrative and ancillary acts incidental thereto subject to being satisfied as to the evidence</u> • <u>To authorize officers to appear on behalf of Sedgemoor District Council in proceedings before the courts and/or tribunals</u> • <u>To obtain the opinion of Counsel in connection with any such matter</u> • <u>To instruct solicitors and/or experts to provide advice or representation in connection with any such matter</u>

**Section 18
RESPONSIBILITY FOR FUNCTIONS
SCHEDULE 9 – FUNCTIONS DELEGATED TO
JOINT COMMITTEES**

n/a

Insert new text at end of existing

**(3) Somerset Building Control Partnership
By an Agreement dated 11 March 2016 between
Sedgemoor District Council, Mendip District Council,
Taunton Deane Borough Council and West Somerset
Council, the Council agreed to participate in a joint
committee of these Councils to be known as the
Somerset Building Control Partnership("SBCP").**

**SBCP has been empowered by the participating
Councils to discharge their various building control
functions as set out in the agreement. The
governance and administrative arrangements
applying to SBCP are as set out in its Constitution as
adopted by the participating Councils (see Appendix
U). In the event of any conflict between these
arrangements and those set out in this Constitution,
those referred to in the SBCP Constitution will prevail
but only in relation to proceedings of SBCP.**

**In addition, the meetings of the SBCP joint committee
will be administered by the Council, and will be
conducted in accordance with the provisions as set
out in this Constitution with regard to the conduct of
meetings.**

**Each of the participating Councils annually appoints
two members of its executive or cabinet as members
of the SBCP joint committee.**

APPENDICES	n/a	Insert new Appendix U – Constitution of Somerset Building Control Partnership [*]

[*] – see main report Appendix 2 for content