

**Report to:** Cabinet  
**Date of Meeting:** 10<sup>th</sup> July 2019  
**Public Document:** Yes  
**Exemption:** None



**Review date for release** None

**Agenda item:** To be completed by Democratic Services.

**Subject:** **Presenting a Construction (Design and Management) Regulations 2015 Policy for consideration for adoption by the Council.**

**Purpose of report:** At present the Council has guidance notes on the requirements of these Regulations, but no formal policy on how these matters are managed within the Council.  
This report is going to the Cabinet for formal approval, but as much of the content applies to work of the Housing Service, it has been referred to the Housing Review Board.

**Recommendation:** **1. That Members adopt the proposed Policy**  
**2. That Members approve the further work required to implement the Policy throughout the Councils operations.**

**Reason for recommendation:** To ensure all areas of the Councils operations comply with the requirements of the Regulations and staff are clear on their duties and responsibilities.

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**Financial implications:** No specific financial implications

**Legal implications:** To be completed by Legal.

**Equalities impact:** Low Impact

**Risk:** Low Risk

**Links to background information:**

- Click here to enter links to background information; appendices online; and previous reports. These must link to an electronic document. Do not include any confidential or exempt information.

**Link to Council Plan:** Continuously improving to be an outstanding council.

## **1. Compliance with construction, design and management standards**

- 1.1. These Regulations were introduced in 1994 and have been updated in 2007 and 2015. There are significant acts and responsibilities required to integrate health and safety into the management of construction projects and to encourage all parties involved to work together.
- 1.2. The definition of “Construction work” is very wide and includes construction; alteration; conversion; fitting out; commissioning; renovation; repair; upkeep; redecoration; other maintenance; decommissioning, demolition and site clearance.
- 1.3. The Council has for some time had guidance notes on the requirements of the Construction (Design & Management) Regulations 2015 for staff who are planning to carry out construction work on behalf of the Council. Following requests for additional training and discussion of issues that have arisen following various projects that have been undertaken, it became obvious that the guidance notes were not sufficient.
- 1.4. Over the past two years a working group including Property Services, Housing, StreetScene Engineering and Corporate Safety have been developing a more formal policy to provide greater support and guidance for staff in this area.
- 1.5. It was identified that there are a number of services across the council which commission works which can fall under the requirements of the CDM Regulations. Not only Property Services, StreetScene and Housing, but Countryside, Regeneration and Car Parks can all require works that fall under the regulations. Many of the staff who come across these situations are not aware of the legislation and need more specific instruction to be clear at which point they need to ask for additional support.
- 1.6. The intention of the overarching policy (in annex 1) is to provide a framework under which each service can develop working procedures that will comply with the regulations, and know at what point staff need to refer to a competent person for more specific advice.
- 1.7. Housing have already developed considerable procedures for the works they oversee. The StreetScene Engineering and Property Services Surveying staff have the necessary expertise due to the larger scales works they commission.
- 1.8. Staff who commission work will be directed to appropriately competent officers who can assist them in understanding the requirements and ensure they receive the correct advice to know what their responsibilities are.
- 1.9. Smaller scale works carried out for the Council, mainly maintenance and repair type works such as carried out by some StreetScene and Property Services staff, requires capturing and more formal work instruction will need to be developed for these tasks.
- 1.10. If we do not improve our procedures on this topic we risk being liable for enforcement action in the event of an accident during construction works for allowing works to be commissioned or carried out without complying with the regulations.