



DEFA Delegation No. 2021/18

GOVERNMENT DEPARTMENTS ACT 1987

DEPARTMENT OF ENVIRONMENT, FOOD AND AGRICULTURE

Delegation of Functions relating to

BUILDING CONTROL

In exercise of the powers conferred by section 3(2) of the Government Departments Act 1987¹, I authorise

Mr Richard Baker, Head of Building Control and Standards

in the **Department of Environment, Food and Agriculture** until further notice to exercise the functions of the Department relating to Building Control specified in the Schedule to this authorisation subject to any standing orders made by the Department under section 3(4) of that Act.

Nothing in the Schedule shall be taken to impinge on the authority of the Chief Executive to manage the staff of the Department, nor to execute his responsibilities as Departmental Accounting Officer.

Delegation 2019/02 is hereby revoked.

Made: *18th October 2021.*

Redacted

**Hon. C Barber, MHK
Minister for Environment, Food and Agriculture**

¹ 1987 c.13

Schedule

FUNCTIONS OF THE DEPARTMENT RELATING TO BUILDING CONTROL

- (1) The functions of the Department, whether created by statute or otherwise, in connection with Building Control including the powers, duties and responsibilities of the Department arising from those functions.
- (2) Those functions include the functions of the Department under the following Acts —
Mechanical Contrivances Regulation Act 1923
Building Control Act 1991 (except in respect of the functions under sections 22 – 25)
- (3) Those functions also include —
 - (a) power to determine applications submitted under the Building Control Act 1991;
 - (b) power to sign building regulation approval or refusal notices and building regulation completion certificates; and
 - (c) exercise such management functions as provided for under the following Civil Service Regulations or analogous thereto, to the extent set out below:

Civil Servants	Authority
Disciplinary Procedure	<ul style="list-style-type: none">• Up to Final Written Warning• Appeals up to Final Written Warning
Capability Procedure	<ul style="list-style-type: none">• Submission of an Adverse Report• Up to Final Warning
Grievance Procedure	<ul style="list-style-type: none">• Up to Stage 3

Exceptions

- (4) The Head of Building Control and Standards must not determine an application for which authorisation would otherwise be given by this instrument –
 - (a) in which the Head of Building Control and Standards has a personal interest (whether or not a pecuniary interest);
 - (b) in which a member of the immediate family of the Head of Building Control and Standards is the applicant; or
 - (c) in which any member or officer of Planning and Building Control or a member of the immediate family of such a member or officer, is involved.