

CEO DECISION – CD 156

Title: Design Review management

Executive summary

OPDC's Place Review Group and Community Review Group (the "Panel(s)") were established in 2018 to provide expert and local views and recommendations on planning applications as well as OPDC's own projects through a structured and established process known as Design Review.

The Panels are currently managed by Frame Projects on behalf of OPDC. The contract with Frame Projects expires on 31 December 2021 and OPDC is looking to re-procure the panel manager. This decision seeks approval to procure a new panel manager in order for OPDC to be able to continue to provide Design Review services beyond 31 December 2021.

Decision

That the Chief Executive approves:

- i. Expenditure of up to £80,000 to cover the costs of re-procurement of a panel manager for the Panels, including training for Panels' members and undertaking recruitment of new panel members where required, noting that:
 - the approved expenditure will span a period of four years (FY 21/22 – 25/26)
 - £74,000 of this sum will be funded from the Design Team's budget, and will pay for the services of the new Panels manager over the four-year period
 - £6,000 of this will be funded from the Communication Team's budget and will pay for social media advertising to support the Panels membership recruitment over the four-year period

Chief Executive Officer

I do not have any disclosable interest in the proposed Decision. It is consistent with OPDC's priorities and has my approval.

Signature:



Date: 21 May 2021

PART 1: NON-CONFIDENTIAL FACTS AND ADVICE

1 Background and context

- 1.1 In January 2018 OPDC procured Frame Projects to set up and manage a Place (Planning, Landscape, Architecture, Conservation, Engineering) Review Group (PRG) and Community Review Group (CRG) for a period of 4 years.
- 1.2 PRG was established to provide high-quality, consistent and independent advice to OPDC on the design quality of development and infrastructure proposals across Old Oak and Park Royal, making use of a range of multidisciplinary expertise.
- 1.3 CRG gives local people an opportunity to have their say about the planning and urban design process. CRG ensures that new development considers opportunities to create a better urban environment for the people living and working in the area, both now and in the future. It was the first of its kind in the UK and has since been adopted by several other local authorities across London and the UK.
- 1.4 In November 2020, OPDC's Planning Committee reviewed the Annual Reports and evaluations of the two Panels. Committee members were positive about the contributions both Panels have made to the design and place quality of proposed developments and projects; but stressed the need to improve the diversity of Panels' members.
- 1.5 The contract with Frame Projects runs for four years, ending on 31 December 2021.

2 The proposal and how it will be delivered

- 2.1 It is recommended that OPDC procures a consultant to continue the management of both Panels from 31 December 2021. OPDC does not currently have the capacity to manage both Panels in-house, and external management ensures the independence of the Panels' advice and recommendations.
- 2.2 It is expected the new contract will run for a period of 4 years, ending on 31 December 2025. The consultant will manage the Panels in line with the principles of PLACE¹ set out in the Farrell Review, as well as the best practice principles outlined by the Design Council.
- 2.3 The contract value is estimated to be up to £63,000. An additional contingency of £11,000 is sought for any ad-hoc services that may be required during the four-year contract period. This can include additional design and printing costs, site visits, training and support to Panel members.
- 2.4 OPDC's Communications Team will provide additional resources to promote both Panels and support member recruitments with press and social media coverage.
- 2.5 The total amount of funding sought through this decision is £80,000 to be spent over the course of the four-year contract period. This cost assumption is based on the fees charged by the current panel management consultant Frames Projects. The expenditure breaks down as follows:

¹ See <http://www.farrellreview.co.uk/>

Task	PRG	CRG	Total	Budget
Panel set up and development of governance documents	£10,000	£1,500	£11,500	OPDC Design
Membership recruitment	(included)	£17,000	£17,000	OPDC Design
CRG chair recruitment		£1,500	£1,500	OPDC Design
Annual Review & Planning Committee briefings	£9,000	£12,000	£21,000	OPDC Design
Organisation and delivery of training sessions	£0	£12,000	£12,000	OPDC Design
Contingency	£3,500	£7,500	£11,000	OPDC Design
CONTRACT VALUE	£22,500	£51,500	£74,000	
Communication support	£0	£6,000	£6,000	OPDC Comms
TOTAL	£22,500	£57,500	£80,000	

- 2.6 The majority of the spending (£74,000) will be funded from the Design Team budget, covering the fees of the panel manager. Costs relating to communications support (£6,000) will be funded from the Comms Team budget, covering fees for design, print and social media advertising.
- 2.7 OPDC will seek to reduce the cost set out under 2.5 where possible through the competitive procurement process. A benchmark is currently being developed based on the financial models for Design Review from different Local Authorities across London. In particular:
- Costs related to panel and governance setup, which will only be required in case the current Panel Member makes an unsuccessful tender submission;
 - Costs related to Annual Reviews and Planning Committee briefings should be funded from the review fees charged to applicants;
 - OPDC will seek to secure a benefit premium from the applicant fees, to be used by OPDC for reviews of internal projects and strategies, training of panel members, and to cross-fund Community Review Group costs.
 - OPDC will investigate the feasibility of raising the fees for CRG reviews, potentially introducing a tiered fee based on size of the scheme. It will then look to fund training for CRG members through the increased fees.
- 2.8 The requirements to be included in the tendering documents will draw on recommendations from both Panels' Annual Reports of the past four years, as well as steers from OPDC's Planning Committee. OPDC will, as part of the procurement process, test the approach prospective contract managers would have to ensuring Panel membership reflects the diversity of London and of the local area in particular. It will also seek alignment with best practices as detailed by the Design Council, and recommendations published by Public Practice.

3 Objectives and expected outcomes

- 3.1 The objective of the tender process is the appointment of a consultant by open tender to manage and coordinate the PRG and CRG for a period of four years.
- 3.2 The consultant will refresh the existing PRG panel or appoint a group of leading expert professionals – and from those a chair and vice-chair – in the fields of planning, urban design, architecture, landscape architecture, accessibility, conservation, development, transport and sustainability, including a chair and a vice-chair.
- 3.3 The consultant team will manage and coordinate meetings of PRG and CRG to provide high-quality, consistent and independent advice to OPDC in reviewing:
- master planning work
 - proposals and projects
 - development and infrastructure proposals (both at pre-application stage and once lodged)
 - OPDC (or other public-sector partner) policy, supplementary planning guidance, strategies and any other relevant documentation or proposals

4 Strategic fit

- 4.1 Both Panels support the implementation of OPDC policies and deliver strategic outcomes including:
- policy D1 of OPDC's Local Plan, aimed at securing high quality design
 - the Engagement Strategy's aim of 'ensuring people can influence strategies and policies to make the development area a better place'. A specific priority is 'utilising and valuing local expertise and nurturing a two-way relationship, to co-create sustainable, integrated and interesting places and spaces'.
- 4.2 Both Panels help implement Mayor of London policies and strategies:
- London Plan policy D4, aiming at delivering good design
 - pillar 2 of the Good Growth by Design programme, which aims to deliver a design review function to help development best serve its aims, considering where it is situated and the wider community
 - the Social Integration Strategy, by 'supporting residents to be active in their communities and to play a part in the decisions that affect them. Reducing barriers and inequalities, so that Londoners can relate to each other as equals'.
- 4.3 Both Panels implement key policies of the Government's National Planning Policy Framework, in particular paragraphs 124, 128 and 129 aiming at achieving well-designed places.
- 4.4 OPDC's Design Team will ensure that both Panels will build on the Design Council's well-established principles and recommendations for improving the quality of design in the built environment.

5 Project governance and assurance

- 5.1 Both Panels will be managed by one single panel manager. The contract and day-to-day management of relations with the Panel's manager will be overseen by the Design Team.
- 5.2 OPDC's Principal Urban Designer, Director of Planning and Head of Development Management will meet regularly with the Panel manager to discuss the review schedules and any issues or challenges that both parties may experience in regard to management, functioning and delivery.
- 5.3 Annual governance meetings will assess the impact and continued merit of each Panel separately and make recommendations where necessary. The annual governance meetings will involve the members of each Panel, as well as representatives from OPDC's Design Team, Planning Team and Comms & Engagement Team.

Risks and issues

- 5.4 No significant risks and issues have been identified for the PRG. The following risks and issues have been identified for the CRG:

Risk description	Inherent score	Mitigations	Current score
Reluctance of developers to request review sessions, in particular for smaller schemes	Likelihood: 3 Impact: 3 Total: 9	CRG review fees are kept considerably lower than Place Review Panel fees. During the 18-month pilot, no applicant has refused to go through Community Review	Likelihood: 2 Impact: 3 Total: 6
Inability to reach consensus between CRG members on recommendations	Likelihood: 4 Impact: 2 Total: 8	The Group will continue to be facilitated by an external Chair. Group members take an annual vote on keeping or changing the Chair	Likelihood: 2 Impact: 1 Total: 2
Risk of personal interests of CRG members interfering in the review process	Likelihood: 4 Impact: 4 Total: 16	Group members have to declare any conflicts of interests ahead of each meeting. So far, this has only occurred once, and the Group has acted in a professional and responsible manner	Likelihood: 4 Impact: 1 Total: 4
Risk that OPDC is unable to attract a diverse range of community members to sit on the CRG	Likelihood: 4 Impact: 5 Total: 20	Each recruitment builds on lessons-learned from previous recruitment runs and uses an updated diversity baseline. Dedicated comms use targeted social media advertising to reach out harder to reach applicants	Likelihood: 2 Impact: 5 Total: 10

6 Equality comments

- 6.1 OPDC must have 'due regard' to the need to eliminate unlawful discrimination, harassment and victimisation as well as to the need to advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not.²
- 6.2 The PRG and CRG are intended to be mechanisms to ensure any developments within the OPDC area are exemplary, and their accessibility to all members of the community is fully in line with OPDC's policies and ambitions, as well as those of the Mayor of London's as set out in the 'Diversity and Inclusion Vision'. Therefore, the PRG will include members with specific expertise on accessibility and inclusive design to provide detailed advice in relation to how the design of the proposals being reviewed are addressing some of the barriers that specific groups, including disabled and older Londoners face. The CRG is set up to include members that reflect the makeup of the wider population, capable of assessing how design proposals impact their own accessibility, as well as those of the wider community.
- 6.3 OPDC development also plays an important role more broadly in delivering the Mayor of London's objectives for supporting social integration through connectivity, enabling physical connections that knit together existing and new communities. Through planning briefings at the beginning of each review, PRG and CRG members will be provided with the wider context to enable them to assess these aspects and proposals.
- 6.4 The members of the PRG and CRG will be recruited on an inclusive and transparent basis. OPDC and the appointed panel management consultants will strive to ensure both panels reflect London's diversity at all levels, and that of the wider OPDC area in particular. To that end, OPDC will establish a diversity baseline and implement diversity monitoring for each recruitment of new panel members.
- 6.5 The tender specification and evaluation will meet the need of the service users and reflect the quality and diversity requirements of the service. The successful contractor will be monitored against these requirements.

7 Other considerations

Communications and engagement

- 7.1 OPDC's Communications Team will provide support to ensure each CRG recruitment is advertised within the wider OPDC area and reaches hard-to-reach members of the community by making use of targeted social media campaigns and other bespoke outreach opportunities.

The protected characteristics and groups are age, disability, gender reassignment, pregnancy and maternity, race, gender, religion or belief, sexual orientation and marriage/ civil partnership status. Fulfilling this duty involves having due regard to: the need to remove or minimise any disadvantage suffered by those who share a protected characteristic or one that is connected to that characteristic; taking steps to meet the different needs of such people; and encouraging them to participate in public life or in any other activity where their participation is disproportionately low. Compliance with the Equality Act may involve treating people with a protected characteristic more favourably than those without the characteristic. The duty must be exercised with an open mind and at the time a Decision is taken in the exercise of the OPDC's functions.

Sustainability

- 7.2 The PRG will include experts in the field of sustainable development to ensure development proposals respond to the highest standards of sustainable design and the circular economy.

8 Conflicts of interest

- 8.1 No one involved in the preparation or clearance of this Form, or its substantive proposal, has any conflict of interest.

9 Financial comments

- 9.1 Expenditure of up to £74,000 on management of panels can be contained within the existing Design budget.
- 9.2 Expenditure of up to £6,000 on advertising can be contained within the existing Communication's budget.

10 Legal comments

- 10.1 The report above indicates that the decision requested of the director falls within OPDC's objective of securing the regeneration of the Old Oak and Park Royal area and its powers to do anything it considers appropriate for the purpose of its objects or purposes incidental to those purposes, as set out in the Localism Act 2011.
- 10.2 In taking the decisions requested, the director must have due regard to the Public Sector Equality Duty; namely the need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Equality Act 2010 and to advance equality of opportunity and foster good relations between persons who share a relevant protected characteristic (race, disability, gender, age, sexual orientation, religion or belief, pregnancy and maternity and gender reassignment) and persons who do not share it (section 149 of the Equality Act 2010). To this end, the director should have particular regard to section 6 (above) of this report.
- 10.3 The officers indicated that the proposed expenditure is for the provision of services. Section 4.1 of the OPDC Contracts and Funding Code (the 'Code') requires the OPDC to seek a call-off from a suitable framework, where possible, or if not, undertake a formal tender process which will be managed by TfL in respect of the services.
- 10.4 Officers must also ensure that appropriate contract documentation is put in place with and executed by OPDC and the successful bidder before the commencement of the required services.

11 Summary timeline

Activity	Date
Eol published	June 2021
ITT published	July 2021

Procurement of contract /Grant award	October 2021
Announcement	October 2021
Delivery start date	1 January 2022
Delivery end date	31 December 2025

Appendices

- None

Other supporting papers

- None

PUBLIC ACCESS TO INFORMATION

Information in this Form (Part 1) is subject to the Freedom of Information Act 2000 (FoIA). OPDC aims to publish the Form within three working day of approval.

If immediate publication risks compromising the implementation of the Decision (for example, impacting a procurement process), it can be deferred until a specific date (when it will be published). Deferral periods are kept to the shortest length strictly necessary.

Part 1 – Deferral

Publication of this Part 1 is to be deferred: **No**

The deferral is until: N/A

This is because: N/A

Part 2 – Confidential information

Only the facts or advice that would be exempt from disclosure under FoIA should be included in or attached to any separate Part 2 Form, together with the rationale for withholding the information at this time.

There is a separate and confidential Part 2 Form: **No**

DECLARATIONS

Drafting officer: Jan Ackenhausen has drafted this Form in accordance with OPDC procedures, including for handling conflicts of interests, and confirm that:



Advice: The Finance and Legal teams have commented on the proposal.



CONFIRMATIONS

Section 106 funding: N/A

SMT review: This Decision was circulated to the **Senior Management Team** for review on [Friday 23 April 2021](#).

Chief Finance Officer

Financial and legal implications have been appropriately considered in the preparation of this Form.

Signature:

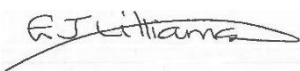


Date: 18/05/21

Director of Planning

I do not have any disclosable interest in the proposed Decision. It is consistent with OPDC's priorities and can be referred to the CEO for final approval.

Signature:



Date: 21/05/21

