GREATER**LONDON**AUTHORITY

REQUEST FOR DIRECTOR DECISION – DD2514

Title: Enhanced design scrutiny and quality review – Good Growth by Design

Executive Summary:

Approval is sought for expenditure to fund enhanced design scrutiny of both the London Economic Action Partnership (LEAP) funded (Good Growth Fund and Skills for Londoners) projects and an expanded number of Strategic Planning referrals for London Review Panel services. Funds will be used to enhance the capacity and effectiveness of the London Review Panel – the Mayor's design review panel - in the form of consultant, and review panellist (Mayor's Design Advocate) time.

The bulk of the costs will be funded by the Good Growth and Skills for Londoners programme budgets. MD2163 and MD2142, respectively, provided delegations to the Executive Director to approve detailed spending proposals associated with these budgets. LEAP Programme Board endorsed the use of funds for the purposes set out in this decision. The remainder will be funded through income generated by London Review Panel fees for Strategic Planning referrals.

Decision:

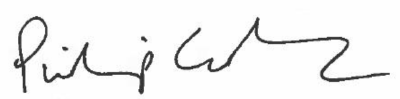
That the Executive Director approves:

1. Expenditure of £94,000 over 2020/21,2021/22to pay for Mayor's Design Advocates and consultant time, funded from the Skills for Londoners (£26,000) and Good Growth Fund (£37,000) budgets, in line with existing delegations and additional design review fees charged to planning applicants (£31,000);
2. Receipt of the above noted design review income; and
3. A related budget transfer from the Skills for Londoners and Good Growth Fund budgets to the Good Growth by Design GGbD revenue budget.

AUTHORISING DIRECTOR

I have reviewed the request and am satisfied it is correct and consistent with the Mayor's plans and priorities.

It has my approval.

Name: Philip Graham	**Position:** Executive Director for Good Growth
Signature: 	**Date:** 21 December 2020

PART I - NON-CONFIDENTIAL FACTS AND ADVICE

Decision required – supporting report

1. Introduction and background

1.1 Good Growth by Design (GGbD) is the Mayor's programme to promote quality, and inclusion in the built environment. Pillar 2 of the GGbD programme ensures effective design review and scrutiny of Mayoral investments and promotes design review more generally. As part of GGbD the London Review Panel (LRP) has been established. This is City Hall's design review panel and is populated by Mayors Design Advocates (MDAs) who have been appointed to assist GLA staff with design and place making matters and, where necessary, other external experts. LRP is primarily focused on providing design scrutiny to projects funded by the Mayor and the LEAP, many of which do not go through a formal planning process. However, LRP is also intended to plug gaps in design review provision across the capital and is providing support to the GLAs Planning service in relation to strategic referrals and call ins.

1.2 50 MDAs have been appointed onto individual frameworks (under DD2105) for a period of up to four years following an open procurement exercise administered by GLA Group Procurement. MDAs arecalled off when required to provide advisory services to specific briefs for a set period on a competitive set day rate. They were chosen based on their skills and experience to help the Mayor support London's growth. They include practitioners, academics, policymakers and those from community-led initiatives, and bring experience from both the public and private sector. 50 per cent of advocates are women, and one in four are from an ethnic minority background.

1.3 The Good Growth Fund (GGF) is an overarching regeneration programme delivered through the London Enterprise Action Partnership (LEAP), the Local Enterprise Partnership for London. It provides funding to a broad range of public, private and third-sector organisations to support their projects to deliver against three strategic themes: Empowering People, Making Better Paces and Growing Prosperity. Since 2017 more than £75 million of grant funding has been awarded to help realise 138 innovative regeneration projects in 30 London boroughs. Through the Good Growth Fund, the GLA has insight into existing projects across London and maintains a reserve list of projects that could be supported subject to additional funding becoming available. In response to government's call for shovel ready projects in June 2020, the GLA reviewed existing GGF projects and reserve projects, to identify those most aligned with the criteria of the Getting Building Fund including ability to deliver within tight timelines. In generating a shortlist, the GLA cross referenced GGF projects with borough priorities to maximise alignment.

1.4 The Skills for Londoners (SfL) programme is investing £82 million into the further education estate in London including equipment and wider area renewal. The aim of this fund is to respond to current and future skills requirements of employers and learners to improve quality of provision and learner satisfaction, progression and success rates. MD1242 approved receipt of Central Government's Growth Deal 3 and spend of a total of £114m with delegation and decision making to the Executive Director Development, Enterprise and Environment, within which £5M revenue is made available to support development of proposals and wider programme support to enable delivery.

1.5 Both the Mayor and the LEAP are clear that these programmes should transform the way the GLA delivers exemplary regeneration by reaching beyond established networks and by ensuring an inclusive and high-quality built environment.

1.6 GGF and SfL programmes are underway. Officers are currently progressing with contracting arrangements with some projects yet to commence. Concurrently Officers are developing the pipeline of projects through development funds. The volume of projects within these programmes is placing a strain on team resources and the capacity to adequately assure the quality of schemes. In light of the significant uplift in project delivery requirements, a detailed review of processes, procedures and delivery capacity has been undertaken to inform delivery arrangements for both programmes moving forward – including enhanced design scrutiny arrangements. LEAP Programme board have subsequently endorsed use of Good Growth and Skills for Londoners funds for the purposes of enhanced design scrutiny as set out in this paper.

1.7 The new London Plan places increased emphasis on the role of design review in planning and decision-making processes. Whilst the first port of call for Planning-related design review provision should be local (borough) design review panels, there are a number of circumstances under which the GLA Planning team call upon the London Review Panel to provide a further independent voice on design and urbanism considerations.

1.8 Where the London Review Panel (LRP) reviews projects funded by SfL and GGF it is proposed that fees from these programmes will cover the costs of doing so. When the Review panel provides scrutiny as part of the pre-planning application discussions it is proposed it will charge applicants a fee for the service, this is standard practice for most design review panels across the country.

2. Objectives and expected outcomes

2.1 Reviews and wider MDA support offers will provide Good Growth Fund project managers with quality assurance to support project managers seeking to drive up quality and deliverability with Boroughs, community groups and charities across the many actions of the programme.

2.2 Reviews and wider MDA support offers will scrutinise Skills for Londoners investment proposals from Further Education (FE) providers and proposed improvements to their estates, either ahead of investment decisions and or as part of scheme development. Reviews examine a mixture of new build and refurbishment schemes and on occasion associated wider enabling development and wider community place making and public realm.

2.3 There is also an increasing role for the London Review Panel to review planning applications referable to the GLA in one or more of the following circumstances. Cases would be assessed for their suitability to be reviewed by the LRP on an individual basis at the discretion of the Assistant Director of Planning:

- certain Stage 3 'call-in' applications;
- when there is no local design review panel, or it does not have sufficient capacity;
- when the planning case spans two or more boroughs and differing views are held;
- when the planning case is on an internationally significant site with exceptional cultural, social or economic value; and
- any other case which, due to its circumstances would benefit from LRP advice, at the discretion of the AD Planning.

2.4 Some of the above criteria may warrant a joint panel session between the London Review Panel and the local design review panel.

2.5 Since the establishment of the London Review Panel there has been steadily increasing demand for reviews to be undertaken by the LRP from LEAP funded programmes and teams across the GLA, most significantly the Planning team. Over 20 reviews have been undertaken in 19/20 to date, with an additional 10 projected for quarter 4 and more than 40 reviews are projected in FY20/21 and 21/22.

2.6 Therefore in May 2020 a 24-month fixed-term dedicated G8 Panel Manager was recruited. This is in addition to the ongoing procurement of consultant support (with the support of GLA Group procurement as necessary) and additional MDA time to support the GGbD programme manager by overseeing the LRP and an expanded number of reviews it undertakes. This will enable enhanced design scrutiny of both the London Economic Action Partnership (LEAP) funded (Good Growth Fund and Skills for Londoners) projects and an expanded number of Strategic Planning referrals. The consultant support will provide the necessary capacity and external advice to ensure the independence and quasi-judicial nature of Planning related reviews is upheld.

2.7 MDAs, through their function in supporting the Good Growth by Design programme, can also provide a wider support offer to GGF and SfL schemes, through developing policy positions related to thematic areas of investment, progress procurement frameworks and protocols to promote the use of high quality design teams for GGF and SfL projects, embed equality, diversity and inclusion and social value principles in projects, and develop recovery responses to issues arisen from COVID to support project delivery.

2.8 This decision form seeks approval for the expenditure of £94,000 over 2020/21, and 2021/22 to fund consultant and review panellist (Mayor's Design Advocate) time. The Panel Manager would be supported with regard to strategic referrals and planning service 'Call ins' by externally procured consultant support.

2.9 The bulk of the costs will be funded by the Good Growth and Skills for Londoners programme budgets (as set out below). MD2163 and MD2142, respectively, provide delegations to the Executive Director to approve detailed spending proposals associated with these budgets. The remainder will be funded through pre-application advice charges, charged in addition to the pre-application fees currently charged in line with MD 2281 - Planning Unit fees and charges. Whist income and expenditure has been calculated on a per annum basis it will take place over three consecutive financial years.

2.10 The Panel Manager would oversee the briefing and development of MDAs and other panel members to ensure they can best assist the delivery of GLA and LEAP programmes and support the review of referable planning applications.

Cost per annum	**SfL**	**GGF**	**Additional Pre-App Fee Income**	**Total**
MDA / other consultant time / on costs	26,000	37,000	31,000	94,000

2.11 Consultancy support and expenditure on MDA time can be established at a cost of up to £94,000. as set out above and would be funded by drawing on respective programme and service area budgets along with additional fees charged for the service.

2.12 London Review Panel charges range between £3,000 and £7,500 dependent on the nature of the review, size of panel and degree of external consultant support. These charges have been generated following a market testing exercise. Income generated by Programme review and from planning reviews is projected at £75,000 and £36,000 pa respectively.

2.13 Whilst the programme charges will be fixed the planning related income is uncertain. The estimated income from this stream is conservative and a quarterly review will take place to eliminate the risk of overspend in the unlikely event that fewer Planning reviews take place and planning related income is lower than expected the amount of bought in consultant time and MDA resource will be reduced to eliminate the chances of an overspend.

3. Equality comments

3.1 Under section 149 of the Equality Act 2010, the GLA is subject to a public-sector equality duty ("the Duty") and must have 'due regard' to the need to (i) eliminate unlawful discrimination, harassment and victimisation; (ii) advance equality of opportunity between people who share a relevant protected characteristic and those who do not; and (iii) foster good relations between people who share a relevant protected characteristic and those who do not. Protected characteristics under section 149 of the Equality Act are age, disability, gender re-assignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage or civil partnership status.

3.2 Throughout the process relating to the approvals sought in this paper, due regard has been had to the legislation outlined above. Through the Good Growth Fund and Skills for Londoners programme and the selection of project proposals and development of these, the GLA will require applicants to evaluate the potential impacts regarding protected characteristic groups. Any project must minimise disadvantages to all protected characteristic groups within society.

3.3 Specifically applicants are asked to outline the impact their projects will have on the proposed beneficiaries, and how, if applicable, they propose to minimise disadvantages suffered by people due to their protected characteristics and take steps to meet the needs of people from protected groups where these are different from the needs of other people. These responses will be captured in individual grant agreements as part of an agreed Equalities, Diversity and Inclusion approach for each individual project.

3.4 As a condition of funding agreements, projects awarded funding will be required to meet the Public Sector Equality Duty and demonstrate this through regular reporting of progress.

3.5 It is recognised by the GLA that London's diversity is not always reflected across the built environment sector. As such efforts have been made to reflect London's diversity via MDA appointments, by for instance facilitating applications from all sections of the community, particularly, those underrepresented in the sector, in terms of age, gender, ethnicity, sexual orientation, faith or disability.

3.6 As part of the 'Building Capacity' pillar GLA staff will work across the professional institutes and with industry more generally to support existing activities and where necessary develop further activities to promote a more representative built environment workforce.

4. Other considerations

4.1 This proposal has been developed to support the London Plan based on the principles of 'good growth' to deliver development that is socially, and economically inclusive and environmentally sustainable.

4.2 The GGBD programme will be reviewed on an annual basis, with an annual report being provided to the Mayor via the Deputy Mayor for Planning, Regeneration and Skills.

5. Financial comments

5.1 This decision requests approval for the expenditure of £94,000, with costs profiled into two financial years from 2020-21 and 2021-22 as detailed below.

	2020-21	2021-22	Total
Expenditure	**£**	**£**	**£**
MDA / Consultancy Costs	50,000	44,000	94,000
Funding			
Skills for Londoners	15,000	11,000	26,000
Good Growth Fund	20,000	17,000	37,000
Additional Pre-App Fee Income	15,000	16,000	31,000
Total funding	**50,000**	**44,000**	**94,000**

5.2 The costs of this proposal will be funded via a combination of growth deal funding via the Skills for Londoners and Good Growth Fund revenue budgets as approved by MD2142 and MD2163 respectively, with the balance being sourced via Planning income via fees charged to planning applicants for the use of the panel (as detailed above).

5.3 It should be noted, while the outlook for planning income is favourable, there is a risk that the levels anticipated do not materialise and as a result the Planning Team will underwrite up to £31,000 of planning income from their available revenue resources to ensure an over-spend on the proposal does not materialise.

5.4 It should also be noted, that the 2021-22 budget will be approved in March 2021 and therefore should there be any budget pressures that prevents sufficient funding to be allocated to this proposal, officers will reduce the scope of this project to ensure costs are containable within the budget envelope that is approved.

6. Legal comments

6.1 The sections above indicate that the decision requested of the Director falls within the Mayor's statutory powers under section 30 of the Greater London Authority 1999 (as amended) ("the Act"), acting on behalf of the Authority, to do anything he considers will promote the improvement of the environment in Greater London; and in formulating the proposals in respect of which a decision is sought officers have complied with the Authority's related statutory duties to:

(a) pay due regard to the principle that there should be equality of opportunity for all people;

(b) consider how the proposals will affect:

i. the health of persons in Greater London,

ii. the health inequalities between persons living in Greater London;

iii. the achievement of sustainable development in the United Kingdom; and

iv. climate change, and the consequences of climate change; and

(c) consult with appropriate bodies.

6.2 The Mayor also has a subsidiary power pursuant to Section 34 of the Act to do anything which is calculated to facilitate or, is conductive or incidental to the exercise of any of the statutory functions. In this case this piece of work is incidental to the section 30 powers defined above as well as section 334 and 339 of the Act.

6.3 Section 334 of the Act requires the Mayor to prepare and publish a spatial development strategy (known as the London Plan). Section 339 of the Act requires the Mayor to keep the London Plan under review, especially matters which may be expected to affect the development of Greater

London or the planning of its development. The decisions in this case, may reasonably be regarded as facilitating, being conductive or incidental to, the exercise of the Mayor's power detailed above.

6.4 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 between persons who share a relevant protected characteristic (race, disability, gender, age, sexual orientation, religion) and foster good relations between persons who share a relevant protected characteristic 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 3 (above) of this report.

6.5 The consultancy services required must be procured by Transport for London Procurement who will determine the detail of the procurement strategy to be adopted in accordance with the GLA's Contracts and Funding Code.

6.6 Officers must ensure that appropriate contract documentation is put in place and executed by the successful bidder(s) and the GLA before the commencement of the consultancy services.

6.7 Officers have indicated in paragraph 1.2 of this report that the:

- framework under which it is proposed the MDA services required are to be "called-off in accordance with relevant procurement law; and
- the MDA services required have been procured fully in accordance with the requirements of that framework.

6.8 Officers must ensure that appropriate "call-off" documentation is put in place and executed by the successful bidder(s) and the GLA before the commencement of the services.

7. Planned delivery approach and next steps

7.1. The next steps following consideration by the Committee are summarised below:

Activity	**Timeline**
GLA HOPS Submission	July 2019
Ongoing reviews	Monthly
Annual review	Annual
Completion on fixed term period	May 2022

Appendices and supporting papers:
None.

Public access to information

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FoIA) and will be made available on the GLA website within one working day of approval.

If immediate publication risks compromising the implementation of the decision (for example, to complete a procurement process), it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary. **Note**: This form (Part 1) will either be published within one working day after it has been approved or on the defer date.

Part 1 - Deferral

Is the publication of Part 1 of this approval to be deferred? NO

If YES, for what reason:

Until what date: (a date is required if deferring)

Part 2 – Sensitive information

Only the facts or advice that would be exempt from disclosure under FoIA should be included in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a part 2 form – NO

ORIGINATING OFFICER DECLARATION:	Drafting officer to confirm the following (✓)
Drafting officer: Sarah Considine has drafted this report in accordance with GLA procedures and confirms the following:	✓
Assistant Director/Head of Service: Patrick Dubeck has reviewed the documentation and is satisfied for it to be referred to the Sponsoring Director for approval.	✓
Financial and Legal advice: The Finance and Legal teams have commented on this proposal, and this decision reflects their comments.	✓
Corporate Investment Board This decision was agreed by the Corporate Investment Board on 21 December 2020.	

EXECUTIVE DIRECTOR, RESOURCES:

I confirm that financial and legal implications have been appropriately considered in the preparation of this report.

Signature	**Date**
	22 December 2020