

GREATER LONDON AUTHORITY

REQUEST FOR ASSISTANT DIRECTOR DECISION – ADD2590

Title: Consultation Tool Licence Extension – London Plan Guidance

Executive Summary:

To seek agreement to extend our licence to use 'Bang the Table' consultation platform for further 12 months in order to support the continued implementation of the London Plan, and consultation and outreach with a diverse audience on associated London Plan Guidance. An additional year's budget is sought to exercise our second and final contractual option in order to extend our licence to use the 'Bang the Table' pending further discovery and development work to upgrade the functionality of the GLA's own 'Talk London' platform to meet the needs of the Planning service.

Decision:

That the Assistant Director of Planning and Regeneration approves:

1. The exercise of the GLA's second and final contractual option to extend its licence to use the 'Bang the Table' consultation platform for a further 12 months until August 2023
2. Expenditure of up to £21,000 in relation to the exercise of the option set out at decision 1 above.

AUTHORISING ASSISTANT DIRECTOR/HEAD OF UNIT

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: Lucinda Turner

Position: Assistant Director of Planning and Regeneration

Signature:



Date:

1 August 2022

PART I - NON-CONFIDENTIAL FACTS AND ADVICE

Decision required – supporting report

1. Introduction and background

- 1.1. This decision follows on from ADD2456 which sought approval for expenditure of up to £36,000 on a licence for a consultation tool to support consultations to be undertaken on London Plan Guidance over multiple years.
- 1.2. The London Plan was published in March 2021. Since that date consultation has been undertaken on some 12 items of London Plan Guidance. These were all undertaken using the [Bang the Table platform](#). This was procured to enable improved outreach and engagement with a wider, more diverse audience. Our aim is to make it easier for individuals, groups and, in particular, other stakeholders to participate in complex planning matters which can often be difficult for some to engage with, particularly those not familiar with planning. Bang the Table is an off-the-shelf consultation package offering a wide range of both front-end user experience and back-end functionality that can reach a wider audience and enable more sophisticated analysis. Its functionality can also integrate with social media and other GLA online consultation tools such as Talk London. The original licence for the 'Bang the Table' platform was three years; comprising an initial term of 12 months and two further options of 12 months each. This decision requests approval of the exercise of the second 12 month option and the attendant budget of up to £21,000.
- 1.3. At the time of the licence being procured the intention was to continue work with the digital engagement team to build capability and functionality into our own in-house Talk London platform. It was noted that in-house tools such as Talk London:

“provide some functionality similar to some aspects of these third-party tools, however, Talk London is specifically aimed at residents and does not currently cater for all types of stakeholders in a seamless, integrated way”.

It was therefore decided that, as Talk London could not provide the necessary outreach for the London Plan, or its guidance, a licence should be purchased for a third-party platform for up to three years. It was also decided that work to improve the functionality of Talk London should continue during this period, so that at a future date there would be no need for a third-party tool.

- 1.4. The intention was for the London Plan team, the Digital team and Talk London team to explore the potential to integrate additional functionality into Talk London as part of the Talk London upgrade. However, this work has been substantially delayed (by approximately 18 months) due to work on London.gov.uk.

2. Objectives and expected outcomes

- 2.1 The objective of the project remains the same as previously. The proposal is to procure an extension of one additional year to our current licence (which we have held for two years) for the consultation platform to support further consultations on items of London Plan Guidance, as well as other future planning consultations (e.g. around the Planning for London programme). It remains our intention to upgrade our in-house Talk London platform over the course of the next year. This could enable us to embed some of the unique features of the Bang the Table product into the Talk London upgrading programme to create a much more integrated product that could be used across the organisation to meet the requirements of both Londoners and wider stakeholder engagement. If this is not possible, a longer-term option of a third-party solution would need to be sought, with a new decision form to cover this.

- 2.2. The licence also provides opportunity for other teams to use Bang the Table for engagement, if they so wish, to ensure both a seamless user experience and integrated analysis between wider stakeholders and Londoners.
- 2.3 The outcomes outlined in the previous ADD remain relevant. These outcomes, all of which are met by the current provider, dictate that the Bang the Table product should:
- be user friendly and engaging to ensure improved outreach
 - include the ability to use London Plan / Guidance branding
 - be accessible through different media – tablet / phones / desktops
 - include functionality to sit within London.gov.uk webpages and be searchable for search engines
 - include the ability to link to social media such as Facebook, Twitter, etc and integrate with internal GLA products such as Talk London (<https://www.london.gov.uk/talk-london/>)
 - provide flexibility for the organisation and displaying of pages with a wide range of features that are easy to implement with limited training needed
 - offer seamless user registration for all types of stakeholders, including Londoners and wider stakeholders
 - include reporting tools for analysis of all stakeholder responses.

3. Equality comments

- 3.1. The Public Sector Equality Duty (PSED) set out at Section 149 of the Equality Act 2010 requires the GLA, when exercising its functions, to have 'due regard' to the need to:
- eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act
 - advance equality of opportunity between people who share a protected characteristic and those who do not
 - foster good relations between people who share a protected characteristic and those who do not.
- 3.2. The three aims of the duty must be fulfilled on a continuing basis by the GLA when exercising its functions. In addition, public bodies must take steps to take account of a person's disability and make reasonable adjustments to remove barriers for disabled people. This duty is 'anticipatory'.
- 3.3. All the London Plan Guidance is subject to an equality impact assessment which will specifically draw out any equalities issues that may affect or be affected by the individual pieces of guidance. This will also be used to help inform what discretionary consultation above the standard baseline might be appropriate for each piece of new guidance - i.e. what groups should be targeted to increase their levels of engagement.
- 3.4. This decision however is related to the procurement of an extension to a licence for our current consultation tool. This is to support the consultation of the London Plan Guidance and, potentially, consultation on future London Plans.
- 3.5. The consultation tool procured adheres to the following equality principles:
- the layout and content of the pages for consultation is designed to be easily navigable and accessible for screen readers

- there is an option to download the whole document in a printer friendly format for people who do not have access to a computer
- all pages comply with WCAG 2.1 AA accessibility standards and the Public Sector Bodies (Websites and Mobile Applications) Accessibility Regulations 2018
- colour contrast has a ratio of 4.5:1 to meet the AA standard
- web-links are clear and front-loaded, and tell the user if they open in a new tab; PDF and Word documents have a clear name and include the file size.

3.6 It should be noted that the GLA uses a range of engagement methods to overcome issues of digital exclusion such as in person events.

4. Other considerations

Key risks and issues

- 4.1. This ADD is for an extension to an existing licence. There is a considerable risk that if the licence is allowed to expire on 11th August 2022 there will be disruption to consultation activity, including analysis of responses of recent consultations (such as the Fire Safety London Plan Guidance (LPG). This is due to both the impact on end users who have registered with the platform, as well as access to data that has been captured as a result of recent consultations. It would also likely delay planned consultation activity in the Autumn while an alternative solution is procured. It is therefore considered crucial to secure an uninterrupted extension to the existing licence.
- 4.2 The contract will be managed in line with standard GLA risk management procedures by the GLA London Plan team.
- 4.3 No one involved in the drafting or clearance of this decision has any potential or perceived conflicts.
- 4.4. The proposed approach to procurement is to use TfL's 'reseller route' to ensure that competitive bids are sought for the licence extension. This is the standard approach to extensions to such licences, although it may add an additional 1 - 3 per cent.

Links to Mayoral strategies and priorities

- 4.5. The London Plan Guidance supports the implementation of the London Plan and Mayoral priorities contained in the other statutory strategies. It is considered important to maintain the current approach to consultation to ensure continuity, and to avoid delaying future consultations or analysis of recent consultations. The tool also enables compliance with the Public Sector Accessibility Regulations 2018; an extension of the licence thus avoids possible legal challenge relating to consultations not being undertaken in accordance with due process.

Consultations and impact assessments

- 4.6. As described in paragraph 3.3, the guidance itself will be subject to an equality impact assessment, and the webpages are designed to adhere to the specifications as set in paragraph 3.5.
- 4.7 The consultation tool also allows for interactions with social media such as Twitter and Facebook as well as the potential to integrate features between internal tools such as Talk London.

5. Financial comments

- 5.1 Approval is sought for the expenditure of up to £21,000 to fund the extension of the GLA's licence for the Bang the Table consultation platform for an additional year.

- 5.2 The original procurement of this tool was approved for £32,000 covering up to three years. However, as the supplier chosen was from the high end of the market, this budget approval only covered two years of licence costs.
- 5.3 The £21,000 cost of this licence extension will be funded from the London Plan programme budget, held within the Planning & Regeneration unit as approved as part of the 2022-23 GLA budget setting process.
- 5.4 As detailed within this report, the GLA will be exploring in-house solutions via possible integration into the Talk London upgrade. However, if the in-house solutions are not viable, officers will potentially seek further extensions of the license agreement or undertake a new procurement process. This would be subject to further approval via the Authority's decision-making process.
- 5.5 All appropriate budget adjustments will be made.

6. Legal comments

- 6.1. The decision requested of the Assistant Director concerns the exercise of the GLA's general powers, falling within the GLA's statutory powers to do such things considered to further or which are facilitative of, conducive or incidental to the promotion of economic development and wealth creation, social development or the promotion of 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:
- pay due regard to the principle that there should be equality of opportunity for all people
 - consider how the proposals will promote the improvement of health of persons, health inequalities between persons and to contribute towards the achievement of sustainable development in the United Kingdom; and
 - consult with appropriate bodies.
- 6.2. The Authority also has a subsidiary power pursuant to Section 34 of the Act to do anything which is calculated to facilitate or, is conducive or incidental to the exercise of any of the statutory functions of the Authority. In this case this piece of work is incidental to its section 30 powers defined above as well as its powers under 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. In this case, the decision to carry out this piece of work may reasonably be regarded as facilitating, being conducive or incidental to, the exercise of the Mayor's power detailed above.
- 6.4. In taking the decisions requested, the Assistant Director must have due regard to the PSED - 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 (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation) and persons who do not share it (section 149 of the Equality Act 2010). Throughout the process outline above in particular paragraph 3, due regard will need to be had to the legislation outlined above and equality impact considerations and mitigations.

7. Planned delivery approach and next steps

Activity	Timeline
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Procurement of contract [for externally delivered projects]	July 2022
Delivery Start Date [for project proposals]	August 2022
Delivery End Date [for project proposals]	August 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? YES

If YES, for what reason: to avoid publishing the budget ahead of provision of quotes to ensure best value for money.

Until what date: 31 October 2022

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:

Nina Miles has drafted this report in accordance with GLA procedures and confirms the following:

✓

Corporate Investment Board

A summary of this decision was reviewed by the Corporate Investment Board on 1 August 2022

ASSISTANT DIRECTOR OF FINANCIAL SERVICES: I confirm that financial and legal implications have been appropriately considered in the preparation of this report.

Signature

Date



1 August 2022