SPELTHORNE
BOROUGH COUNCIL

To:
All members of the
Environment and Sustainability
Committee

Supplementary Agenda

Environment and Sustainability Committee - Tuesday, 23 January 2024

Dear Councillor

I enclose the following items which were marked 'to follow' on the agenda for the Environment and Sustainability Committee meeting to be held on Tuesday, 23 January 2024:

7.   Spelthorne Design Code Project   **3 - 26**

To consider agreement to undertake the procurement process for the appointment of a consultant to support the Council in its development of the Spelthorne Design Code.

Yours sincerely

Christeen Abee
Corporate Governance

To the members of the Environment and Sustainability Committee

Councillors:

M. Beecher (Chair)	J.P. Caplin	J.R. Sexton
K.M. Grant (Vice-Chair)	S.M. Doran	J.A. Turner
M.M. Attewell	N. Islam	H.R.D. Williams
S.N. Beatty	M.J. Lee	P.N. Woodward

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J.R. Boughtflower   L. E. Nichols
T. Burrell   K.E. Rutherford

Substitute Members: Councillors: C. Bateson, H.S. Boparai, J. Button, A. Gale, R.V. Geach, D.L. Geraci, K. Howkins and O. Rybinski

Environment and Sustainability Committee

23 January 2024

Title	Spelthorne Design Code Project
Purpose of the report	To make a decision
Report Author	Laura Richardson, Principal Planning Officer (Strategic Planning)
Ward(s) Affected	All Wards
Exempt	No
Exemption Reason	*n/a*
Corporate Priority	Community Environment Service delivery
Recommendations	**Committee is asked to:** 1. Note that a growth bid for £90,000 to assist with delivering the Spelthorne Design Code project has been submitted (a decision will need to be made by the committee on that agenda report) 2. Agree to undertake the procurement process for the appointment of a Consultant to support the Council in its development of the Spelthorne Design Code (in line with the draft specification as set out in Appendix A) 3. Delegate permission to award the contract to the successful bidder to the Chair of the Environment and Sustainability Committee and the Group Head of Place, Protection and Prosperity and authorise the Group Head of Corporate Governance to enter into a contract with the successful bidder.
Reason for Recommendation	The expedited development and delivery of the Spelthorne Design Code is a priority for Members. An ambitious timetable for the delivery of this project is proposed. In order to meet the timescale proposed, there is a need for the budget to be approved (separate report on this agenda) and the tender process to commence as soon as is practicable.

1.   Summary of the report

What is the situation	Why we want to do something
• The Levelling up and Regeneration Act (2023) requires all Local Authorities to develop an area wide Design Code to support the delivery of high-quality places.	• In addition to regulatory requirement to produce a Design Code, delivering high quality design in development is a matter of particular concern for both our residents and Elected Members
This is what we want to do about it	**These are the next steps**
• Deliver the Spelthorne Design Code as soon as is practicable	• Agree the approach to delivering the Design Code and agree the required budget. • Begin the procurement process to appoint a Consultant to support the Council in the development of its Design Code

1.1   This report sets out the proposed schedule for the development and delivery of the Spelthorne Design Code along with the budgetary implications and proposes that a tender exercise is commenced to appoint a Consultant to support the Council in this endeavour.

1.2   In light of the ambitious timetable proposed this report also seeks permission for the award of contract to the successful bidder be delegated to the Chair of the Environment and Sustainability Committee and the Group Head of Place, Protection and Prosperity and to authorise the Group Head of Corporate Governance to enter into a contract with the successful bidder.

2.   Key issues

2.1   A design code is "A set of illustrated design requirements that provide specific, detailed parameters for the physical development of a site or area. The graphic and written components of the code should build upon a design vision, such as a masterplan or other design and development framework for a site or area". (National Planning Policy Framework, December 2023)

2.2   Paragraph 131 of the National Planning Policy Framework (NPPF), updated in December 2023 states: "The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process."

2.3   The recently enacted Levelling Up and Regeneration Act (2023) (LURA) sets out the legal requirement for Local Authorities (LAs) to develop area wide Design Codes, which will allow Authorities, working with their residents, to set out what good design looks like for their area and their vision for the future. Following the enactment of the LURA the updated NPPF (December 2023) sets out the national policy expectation for the development and delivery of Design Codes in Paragraphs 131 – 134.

2.4   As set out above, the focus on the delivery of high-quality places is expressed in national policy but is also a matter of particular concern for both our residents and Elected Members. While the work to develop the Spelthorne Design Code was originally programmed for after the adoption of a new Local Plan for the Borough, the Group Leaders have expressed a desire for work to begin on the coding process immediately.

2.5   In light of the new focus on the development of the Borough's Design Code, work has begun on developing the programme. This report sets out the expected budgetary requirement and proposed programme of work along with seeking approval to begin the procurement process. The recommendations also seek delegated Authority to appoint the successful bidder, as the constraints of the Committee timetable represent a risk to the project programme as a whole if the final decision to award is brought back to Committee for permission to appoint.

2.6   The LURA requires LA's to develop an area wide Design Code. It is anticipated however, in light of the fact that a significant proportion of new development is likely to be delivered in Staines, the Boroughs most sustainable location, that the initial focus of the coding work is likely to be centred in this area.

2.7   A key element to the success of the Design Code will be to ensure there is full and meaningful involvement with our communities. The Engagement Strategy will be fundamental in ensuring that the coding process is as inclusive as possible. It will include a wide-range of community engagement activities including engaging our Residents' Associations, setting up a Citizens' Panel and using a wide reaching digital engagement tool.   The Citizens' Panel participants will be sought for the recruitment of those from "hard-to-reach" groups, including young people, to ensure full representation is achieved. Development of the Engagement Strategy is a key element within the specification that the consultants will be expected to help deliver.

2.8   The outline programme proposed for the development and delivery of the Spelthorne Design Code is shown in the Gantt chart below. It is acknowledged that the timetable proposed is ambitious and relies on the capacity of the market to provide high quality consultants, the appropriate resources and timely decision making, if it is to be met.

Design Codes

Project start date: 01/11/2023

Milestone description	Category	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24
Project Milestones													
Begin procurement process for external consultants	On Track	■											
Assess availability of milestone data	On Track	■											
Develop communication strategy and launch Design Code project to the community	On Track		■										
Appointment of consultants	On Track			■									
Development of engagement strategy	On Track			■									
Stakeholder and community engagement	High Risk				▦	▦	▦	▦					
Development of Design Code vision	On Track				■	■	■	■					
Development of draft Design Code based on the outcomes of the initial engagement and resulting vision	On Track								■	■			
Consult on draft code	High Risk									▦	▦		
Refine Design Code based on outcomes of second round of formal engagement	On Track										■	■	
Design Code published and adopted through tbc route	High Risk												▦

Upon appointment of a Consultant to support the delivery of the Design Code, the proposed programme will be further developed and contain greater detail. Progress on this will be reported to the Committee on a regular basis.

2.9   Area wide Design Codes are a relatively new planning tool, with the first of the pathfinder authorities now moving towards adoption of their codes. The authorities which received pathfinder funding from the Department for Levelling Up, Housing and Communities (DLUHC) report regularly to the department and some best practice guidance is beginning to emerge[1]. The learning so far indicates that in order to secure the best outcome, Design Code development should be led by the LA, with the support of relevant external expertise if required, as opposed to seeking a consultant to simply deliver a Code with limited input from the Council. This is the approach that it is being suggested councillors take (i.e. a greater degree of control). A project working group of officers from across the Council has already been established. Following a Member Briefing and Training Session on 28 November 2023, a group of Member Design Code Champions have been identified, who will work closely with officers, have active oversite of the project, and be involved at key stages (e.g. attend interviews with potential consultants so members have high confidence in any final 'delegated' appointment). It will also be their responsibility to advise and brief the members of their respective political groups.

2.10   The Council does not currently have sufficient in-house expertise or capacity and requires the support of external Consultant(s) with specific expertise in Urban Design and Urban Design specific Community Engagement to deliver the Spelthorne Design Code. The draft specification for the tender process is included at Appendix A (which has been developed with the support and expertise of Von Bradsky Enterprises and the Corporate Procurement team to ensure that we get the right consultant(s) on board).

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[1] The Design Council worked with pathfinder authorities and evaluated the outcomes of the programme for DLUHC. Further details and information about Design Codes and the coding process can be found on their website: https://www.designcouncil.org.uk/our-work/projects-partnerships/design-codes/#/introduction

2.11   The Council's digital ambition is 'Digital by Default', which supports the 'A community empowered by simple and relevant engagement' objective. Furthermore, it is in keeping with the national drive to modernise the planning system through digitisation. A small number of the pathfinders developed digital codes from the outset, with a good portion of the remainder now exploring the digitisation of their Codes. The learning from the pathfinder authorities indicates there may be additional cost to the above in taking a digital route, but a figure is not known at this time. Officers are exploring options for developing the Spelthorne Design Code in a manner which allows for easy digitisation of the code as a separate project, if the assumption that the current budget sought would not be sufficient is borne out in the procurement process.

3.   Options analysis and proposal

Option 1 - Agree to procure consultant(s) to deliver a Spelthorne Design Code (preferred)

3.1   Officers have taken advice from Pathfinder authorities and assessed the skills necessary to undertake Design Codes. Support will be needed from external consultants in order that the project is completed in a timely fashion and the Spelthorne Design Code is of high quality and gives the best possible outcomes for the borough. The committee are therefore asked to agree the draft specification (attached at Appendix A) to enable the procurement exercise to be undertaken.

3.2   In order to ensure the ambitious timetable for delivery is not unduly delayed, the committee is also asked to agree to delegate permission to award the contract to the successful bidder to the Chair of the Environment and Sustainability Committee and the Group Head of Place, Protection and Prosperity, and to authorise the Group Head of Corporate Governance to enter into a contract .

3.3   The Committee are also requested to note that a growth bid of £90,000 is being put forwards as part of the service planning/2024 – 25 budget agenda item this evening.

3.4   It will be for this committee when they consider *that* report to decide whether they want to agree if this growth bid goes forward, to CPRC and then to Council in February 2024. Members should note that if the growth bid is not agreed, then the project cannot be moved forwards as currently suggested.

3.5   As it currently stands, both financially, and in order to meet the ambitious timescale of the end of 2024 to deliver the Design Codes, this committee is effectively being asked to proceed with the procurement on an 'at risk' basis, subject to the budget being agreed in February and being in place from 1 April 2024.

Option 2 – Agree to undertake delivery of the Design Code 'in house'

3.6   Alternatively, the Design Code work could be undertaken in house by the current team. Whilst one member of the team has some training and has been learning from other Pathfinders about the process, none of the team have any professional qualifications in the specialist fields necessary. Whilst

this is not an absolute barrier, it runs the very high risk that the project timescales will be significantly longer and the limited Urban Design experience of officers and the need for them to 'learn by doing' would result in a lower quality outcome in the longer term.

3.7   Consideration has been given to whether or not an additional permanent member of staff, with the relevant qualifications, is needed. This would increase the prospect that a higher quality product could be delivered (with the support of the wider team) but relying heavily on one individual would be a high risk approach. Unless this member of staff were appointed on a short term fixed term contract the Council would also be liable for any redundancy and pension costs. The cost of such expertise will be determined by market forces, and the need for Councils to deliver Design Codes is very likely to render the cost of this option, even if staff were available, unviable.

3.8   On the basis that staff do not have the necessary qualification and the cost of bringing in an additional team member would in all likelihood be unaffordable, this option has little to recommend it.

Option 3 – Undertake the Design Code work after Local Plan adoption

3.9   The need for area-wide Design Codes is now set out in national legislation and the NPPF so undertaking this work is necessary. Work on this could be kept as per the original programme i.e. once the Local Plan is adopted. This would give time to understand the process in greater detail, and learn from other early adopter Councils about the challenges and benefits (lowering the risk to us of a Design Code that perhaps does not deliver everything we are looking for). It would also allow time for staff to be trained up to a higher level so more of the work to undertake the design coding could be achieved in house with less external resource.

3.10   The significant disadvantage is that as a Council we would be failing demonstrate to our communities and residents the seriousness of our intent to ensure a high-quality, well-designed borough in the future. This option is not recommended.

4.   **Financial management comments**

4.1   The pathfinder authorities received grants of between £120k and £160k to develop their Design Codes (this is no longer available). Discussion with pathfinder authorities and soft market testing indicate that the higher figure is realistic, with some pathfinders spending in excess of £200k. Bearing in mind the need to balance cost against quality, the team have been working on a figure towards the lower end to deliver the Design Codes.

4.2   Late in 2023 we were successful in securing £45k from the Planning Skills Delivery Fund (PSDF) to support the training and engagement element of the project. This has lessened the financial burden that will need to be borne by the Council to undertake this work, but does leave a considerable gap to fill.

4.3   An initial Growth Bid for 2024/25 was submitted had already been requested by the team for £100k to complete the work as part of the annual service planning process (a very conservative estimate having taken advice from the

market and spoken to Pathfinder authorities), and a figure of £90k is being put forwards for consideration as part of service planning/2024/25 budget report on the agenda this evening, which reflects the need for the Council to make savings and balance the budget. Therefore Officers will go out to the market place, working on a figure of £90k.

4.4   As it currently stands, both financially, and in order to meet the ambitious timescale of the end of 2024 to deliver the Design Codes, the committee are effectively being asked to proceed with the procurement on an 'at risk' basis, subject to the budget being agreed in February and being put in the budget from 1 April 2024.

5.   Risk management comments

5.1   No comments have been received from the Audit team at this time.

5.2   In light of the budget for this project, its complexity and cross Council nature, officers from the Projects Team are playing a key role in the officer working group as Project Managers. The project will have an active risk register, which will regularly be reported on and the Design Code Champions will updated. Furthermore, any significant issues will be reported to the Chair and Vice Chair of the Environment and Sustainability Committee at their regular weekly informal briefings.

5.3   As addressed elsewhere in this report, the timetable proposed for the delivery of the Spelthorne Design Code is ambitious. Meeting the proposed timetable will be dependent on a number of factors including the capacity of the market to provide high quality consultants, the appropriate resources and timely decision making. As part of the procurement process the Council's expectation will be set out and bidders will be required to provide detailed information on the timetable for delivery and the resources they have available to meet this. The robust project management and reporting proposed for this project will play a key role in monitoring progress, early identification of possible slippage in the timetable and keeping Members up to date on progress.

6.   Procurement comments

6.1   The Project Board reference number for this project is PP0046.

6.2   The Corporate Procurement team has been working closely with the Strategic Planning team to date to ensure the timely and will continue to provide support to ensure the effective delivery of the procurement of suitable consultants should this procurement proceed.

7.   Legal comments

7.1   The Legal Team will be consulted for advice on the terms and conditions of any contractual agreements and generally on the procurement process where required to ensure compliance with the Contract Standing Order and the Public Contracts Regulations 2015.

7.2   The LURA contains provisions that introduce a new duty for LPAs to prepare local design codes for their area. However, these provisions are not in force

yet and will be subject to further relevant regulations. As such, although currently LPAs are not yet required to prepare design codes or guides, the NPPF, which provides a framework against which LPAs draw up their local plans, already encourages LPAs to prepare design guides and codes as part of their local plans or set them out in supplementary planning documents (SPDs).

7.3 Once adopted, the design code will become a vital part of the formal planning framework and will be material consideration when it comes to deciding on planning applications. Proposed developments will be required to adhere to requirements set out in the design code.

7.4 Should a LPA fail to prepare a design code when required, the LURA provides that the Secretary of State will be able to direct a local planning authority to prepare, adopt or revise their local plan or supplementary plans to include the required area wide design requirement.

8. Other considerations

8.1 With the award by DLUHC of the Planning Skills Delivery Fund grants to 180 local authorities across the country and a second round of the grant expected in the new financial year, combined with the legal duty to develop Design Codes set out in the LURA, there is real concern in the industry about the capacity of suitably experienced and qualified consultants. Any delay in moving forward with the project presents the real risk that we will be unable to appoint a consultant with the capacity to meet our ambitious timescales.

8.2 The Spelthorne Design Code is a separate (although related) document to the emerging Local Plan. The role of the Design Code will be to support the implementation of the design aspirations for the Borough set out in the policies and allocations within the Local Plan and as such the development of the Design Code will not impact on the progression of the Local Plan through Examination and adoption. The Project Team will review the design policies in the draft Local Plan and if it is considered that any minor modifications are required to strengthen the policy 'hook' for the Design Code, a minor modification will be proposed to the Inspector when hearing re-commence. Before the Examination resumes the Inspector will be informed of our current position on the development of the Spelthorne Design Code, so he is fully aware of the progress and status.

9. Equality and Diversity

9.1 The Engagement Strategy is seeking to be as inclusive as possible and includes setting up a Citizens' Panel, based on the RB of Kingston example. The Equalities group have agreed to review the methodology used to select the demographic characteristics proposed for the selection of Citizens' Panel participants and support will be sought for the recruitment of those from "hard-to-reach" groups, including young people, to ensure full representation is achieved.

10. Sustainability/Climate Change Implications

10.1 Delivering sustainable development is the cornerstone of the Planning process and as such all planning policies must contribute to meeting this aim. With specific regard to the Design Codes, the incorporation of the appropriate measures set out in the emerging Climate Change Supplementary Planning Document into the Spelthorne Design Code will be explored.

11. Timetable for implementation

11.1 The timetable proposed for the project is ambitious and relies on the capacity of the market to provide high quality consultants, the appropriate resources and timely decision making, if it is to be met. Furthermore, the key decision points for Committee sign off have not yet been discussed and agreed with Members and will need to be incorporated into the timetable. As part of the procurement process the Council's expectation will be set out and bidders will be required to provide detailed information on the timetable for delivery and the resources they have available to meet this.

11.2 Upon the appointment of the successful bidder the initial Project Board meetings will address this and the timetable more fully developed in discussion with Members. The robust project management and reporting proposed for this project will play a key role in monitoring progress, early identification of possible slippage in the timetable and keeping Members up to date on progress.

11.3

Date	Task
Nov / Dec 2023	• Begin procurement process for external consultants • Assess availability of baseline data
Feb 2024	•Develop Communication Strategy and launch Design Code project to the community
March 2024	• Appointment of Consultants • Development of Engagement Strategy
April – July 2024	• Stakeholder and community engagement • Development of Design Code Vision
July – Aug 2024	• Development of draft Design Code based on the outcomes of the initial engagement and resulting vision
Sept – Oct 2024	• Consult on draft Code
Oct – Nov 2024	• Refine Design Code based on outcomes of second round of formal engagement
Dec 2024	• Design Code published – adoption route tbc

12. Contact

12.1 Laura Richardson l.richardson@spelthorne.gov.uk

Background papers: There are none.

Appendices:

Appendix A – Draft Spelthorne Design Code Tender Specification

Appendix A – Draft Spelthorne Design Code Project Tender Specification

Please note that this is a draft specification and the final version may be subject to amendments.

1   Background to Spelthorne and this Project

1.1.   The Borough of Spelthorne has a population of approximately 103,000 residents and lies on the River Thames between Windsor and Hampton Court.

1.2.   Spelthorne is a non-metropolitan borough in Surrey, England. It covers an area of approximately 52 sq km. Its principal town is Staines-upon-Thames; other settlements in the area include Ashford, Sunbury-on-Thames, Shepperton, Stanwell and Laleham. Responsibility for some designated services is with Surrey County Council, including social services and transport.

1.3.   The borough has 3 sq km, including, from Shepperton upstream, the Thames Path. Its sixteen main parks with recreational/sports facilities are supplemented by small greens and linear parks, such as those by the River Thames. The largest parks have woodland and flowering meadow. It includes a number of conservation areas and heritage assets. It has high quality natural environment and good access to areas of natural beauty and blue infrastructure including the River. Spelthorne's riverside areas are some of the most attractive spots in Surrey and they attract visitors from a wide area.

1.4.   Spelthorne borders the London Boroughs of Hillingdon, Hounslow and Richmond upon Thames to the north and east, the boroughs of Elmbridge and Runnymede in Surrey to the south, and the unitary authorities of Windsor and Maidenhead and Slough in Berkshire to the west. There are good transport networks and easy access to central London through rail and road commuter networks and is in close proximity to Heathrow Airport in neighbouring London Borough of Hillingdon. Demand for housing is strong. Development is characterised by dense development in urban areas such as Staines and infill development elsewhere.

1.5.   The Council is working on an emerging Local Plan which contains the overall vision and framework for future development in the area, addressing needs and opportunities in relation to housing, the economy, community facilities and infrastructure - as well as providing a basis for conserving and enhancing the natural and historic environment, mitigating and adapting to climate change, and achieving well designed places. The inclusion of a clear policy statement on design quality is included and it has been agreed to develop a Design Code that is developed with and supported by local residents to underpin the policy.

1.6.   Development in the borough has been concentrated within brownfield land in line with Government policy and specifically on land within the control of the council within Staines in particular. The Staines Town Centre Development Framework produced by David Lock Associates in 2022 guides the location and principles of development in a defined area.

1.7. Prior to the pandemic and hostile events in Europe, Spelthorne has enjoyed a buoyant economy, with a wide range of businesses attracted by the Borough's close proximity to London and Heathrow Airport and the excellent transport links to the M25, M3 and M4 motorways. BP, Wood Group, Shepperton Studios and dnata are just a few of the global businesses which can be found here.

Spelthorne has an excellent location immediately to the south of Heathrow and adjacent to the River Thames in the economically buoyant area to the west of London. The Borough has exceptional communication links, supporting a strong economy and many successful international businesses.

12 miles River Thames frontage

65% of Spelthorne is Green Belt

17% of the Borough is water

42,870 homes, 72.5% owned and 26% rented

99,800 population in 2021, up from 95,598 in 2011

5,127 new homes built from 2000 - 2021

20.1% expected population percentage of over 65s in 2026

£348,769 average property price (2019-20)

20 parks in the Borough

£12.179m net budget set by the Council

7,627 businesses including BP, Pinewood (Shepperton Studios), dnata, Wood Group Ltd.

39 councillors represents the Council with 435 staff

1.8. Spelthorne Borough Council (the " Council") is the administrative body for the area, providing a wide and varied range of local services to residents and businesses, from community buildings, planning and housing support through licencing, permits and food safety to parks and car parking. The Council's main administrative office is at Knowle Green, Staines-upon-Thames, TW18 1XB.

Corporate Priorities and Corporate Values

1.9. The Council's Corporate Plan 2021-23 sets out five Corporate Priorities and seven Corporate Values as shown below:

Community

To put our communities at the heart of everything we do, building strong relationships with our residents and businesses, and helping to forge links within those communities, so that they feel empowered, included, supported, safe and healthy.

Affordable housing

To deliver housing which meets the needs of all sections of our communities, building new homes, helping people to stay in their existing accommodation and ensuring that none of our residents are homeless.

Recovery

To provide support and guidance to our residential and business communities to enable them to recover from the significant effects of the COVID-19 pandemic.

Environment

To work with our communities and partners to minimise our effects on the environment, play our part in tackling the threat of climate change and to maintain a clean, green and attractive Borough, which recognises and protects biodiversity.

Service delivery

To deliver efficient and effective services which meet the changing needs of our communities, adapting to meet new challenges, new ways of working and different ways of interacting with our communities.

Please note that a new Corporate Plan is in development and will be launched early in 2024.

About the Project

1.10. The Council is seeking to appoint a Consultant / consortium of Consultants to support the Council in the development of a Design Code for the Borough.

1.11. Given the two very specific themes of work within the Scope of this requirement (i.e. the requirement for Engagement and Training specialists and for Urban Design specialists), in the view of the Project team (who have assessed the market, and consulted with other authorities undertaking similar work), it may be the case that a consortium approach, of consultants working together, would be better placed to deliver the requirement as a whole. The Council is open to proposals from single providers and / or consortia, providing all requirements of the Specification can be delivered. The Consultant or consortium is hereafter referred to as the Consultant.

1.12. The Spelthorne Design Code (SDC) will set out the expectations for development in the Borough, in line with the legislation set out in the Levelling Up and Regenerations Act 2023 (LURA). The SDC will support the delivery of high-quality development in the Borough, line with the emerging Spelthorne Local Plan.

1.13. The Consultant will assist the Council in developing the SDC as an area wide design code, which will include further analysis of local character across the borough, a Vision for areas of change based on community engagement, identifying design priorities, developing a Coding Plan with particular emphasis on future development sites that have been identified, and code wide guidance to complete the SDC in readiness for adoption.

1.14. Upon adoption the SDC will set out clear expectations for design quality, beauty and sustainability. It is a set of illustrated design requirements that provide specific, detailed parameters for the physical development of a site or area. The visual and written components of the code will build upon a design vision for an area, developed though engagement and collaboration with our communities and stakeholders. Its content should be informed by 10 characteristics of well-designed places set out in the National Design Guide (NDG) and the National Model Design Code (NMDC).

1.15. The Council is seeking to appoint a Consultant to work alongside its Officers, in the development of the SDC. The Consultant will work in a collaborative way with the Council's Project Team in the supporting role of subject matter expert and trusted advisor, providing opinions 'through an alternative lens' as required, and in the manner set out in the Detailed Specification (Section 3).

1.16. Taking a collaborative approach to the development of the SDC is favoured to support the effective transfer of design skills to both Council officers and elected Members, for the long-term benefit of the Borough. The Specification is written in this spirit, and with this fundamental intent.

Project Team

1.17. The Council has set up a Project Team for the delivery of the SDC. The structure of the Project Team can be found at Appendix A. The Officer in the role of Project Lead, a full-time member of the Strategic Planning Team, will contribute 30 hours per week to the SDC Project. The contribution of other SBC members of the Team will vary according to the stage of the project.

1.18. As part of the extensive community engagement required for the project the Council will recruit a Citizens Panel, with representation from across all sections of the community. The Citizens Panel will be formed by the Council to support the development of the Design Code, alongside active engagement with communities to help assess the character of the area, determine priorities for change and develop a vision for their areas and be one of a number of Key Stakeholders in the project.

1.19. Included in the details provided at Appendix B is a provisional high-level list of external stakeholders. This, together with the full details of the Consultant Team will be developed in greater detail upon appointment of the successful bidder and through the development of the Engagement Strategy.

2   Scope of the Contract

2.1. The Consultant shall be required to collaborate with the Council throughout the Design Code process in line with the details set out in detail below.

2.2. The budget for this project is estimated to be between £100,000 - £130,000. Consultants bidding for this piece of work will be required to demonstrate value for money in all aspects of their proposal. In submitting their pricing schedule, all costs will be transparent and justified in line with the required outcomes and deliverables for the project.

Progress to Date

2.3. The Project's stages will follow the guidance set out in the National Model Design Code ("NMDC" Part 1 – The Process).

2.4. In the preparation stages for the Design Code project, work has commenced on a number of aspects as follows:

- Establishment of SBC Project Team
- Appointment of a Client Advisor to assist Officers in early scoping of the SDC project and specification drafting, to the stage of appointment of the Consultant
- Initial identification of baseline data
- Initial member briefing on Design Coding
- Successful Planning Skills Delivery Fund (Year 1) bid (PSDF)
- Development of initial Timeline for the delivery of the SDC
- Appointment of Commonplace as the online engagement platform for the SDC project
- Development of methodology for the recruitment of Citizens Panel members
- Design Code Champions (Elected Members) appointed
- Identification of Key Stakeholders
- Bid submitted to the PropTech Innovation Fund Round 4 (Citizen Engagement)

Aims of the Spelthorne Design Code

2.5. When adopted, the SDC will enable the Council to ensure its decision-making responsibilities support the national and local agenda, putting design quality and place making at the heart of the decision-making process. The adoption route for the SDC, be that as a Supplementary Planning Document (SPD) or as a Supplementary Plan is not yet decided, as emerging secondary legislation relating to Supplementary Plans is not yet available, however, this is not expected to delay the development of SDC in line with Council's ambitious timetable.

2.6. We expect the approach to coding to define area types and focus on those which are most relevant for Spelthorne, taking into account the allocations in the emerging Spelthorne Local Plan and the most prevalent types of development in the Borough. While the initial Analysis and Visioning phases of SDC work will inform these area types, it is important to note that Staines-upon-Thames, as the Borough's main town and most sustainable location, will see a significant proportion of the growth expected in the plan period and as such is likely to be an area of initial focus.

2.7. Design coding will apply in Green Belt areas where allocations may be identified through the emerging Local Plan. Consideration should be given to the opportunity presented by specific coding for these areas, to secure maximum benefit for the community from these developments.

2.8. A significant quantity of development within Spelthorne is delivered through householder extensions and small sites. Subject to analysis and engagement outcomes, it may be determined that coding and guidance which secures high quality design at this scale may be appropriate.

2.9. To support the delivery of the design policies of the new Local Plan, the SDC will provide additional detail and clarification on design related matters. These should relate to the ten characteristics set out in the NDG/NMDC, based on the assumption that the predominant form of development will be located in urban and suburban areas and require design parameters appropriate to scale and likely built form. The characteristics which are most relevant to Spelthorne will be determined through the Analysis and Visioning stages of the project, in consultation with Members, Officers, Key Stakeholders and the wider community.

2.10.   The Council is moving towards the adoption of a Climate Change SPD (expected adoption date – April 2024). It will be for the project Team to consider how the requirements of this SPD overlap with the SDC and whether there is a need to transfer some elements of the SPD into the SDC.

2.11.   As a two-tier council with responsibility for transport and highways issues at County level, it will be important to engage with Surrey CC, particularly in respect of the Healthy Streets for Surrey Design Code.

2.12.   The SDC will provide clear design direction for all new developments that is supported by residents and other stakeholders. Whilst the SDC should contain specific and detailed parameters, it will need to allow for a level of flexibility and is expected to clearly illustrate which elements of the code are requirement and which are guidance.

2.13.   Its format shall be easy to update should this become necessary in future. The final document needs to be legible and easy to follow by non-professionals. It shall be concise, predominantly contain clear illustrations, and be measurable where appropriate with supporting text limited to a minimum where possible.

2.14.   The Council's digital ambition is 'Digital by Default', which supports the 'A community empowered by simple and relevant engagement' objective. While it is the Council's intention that the SDC will be digital in format, it is recognised that the budget for this project may not be sufficient for the production of a digital code in the first instance. However, the Project Team and their Consultants will be expected to consider at all stages of the development of the SDC that a digital outcome is the aim of the Council. As such the data collected and code produced must be organised and formatted with a digital outcome in mind and in a way that would support the digitisation of the code in a separate project.

Project Timetable

2.15.   The Council's proposed project timetable is set out in the table below. More detailed information on the procurement process timetable is set out at point xxx.

Date	Task
Feb 2024	• Develop Communication Strategy and launch Design Code project to the community
Feb – Mar 2024	• Tender process and Contact Award
Mar 2024	• Contract commencement • Development of Engagement Strategy
April – July 2024	• Stakeholder and community engagement • Development of Design Code Vision
July – Aug 2024	• Development of draft Design Code based on the outcomes of the initial engagement and resulting vision
Sept – Oct 2024	• Consult on draft Design Code
Oct – Nov 2024	• Refine Design Code based on outcomes of consultation
Dec 2024	• Design Code published – adoption route tbc

2.16. The timetable proposed for the project is ambitious. Furthermore, the key decision points for Committee sign off have not yet been discussed and agreed with Members and will need to be incorporated into the timetable. As part of the procurement process, bidders will be required to provide detailed information on the timetable for delivery along with the resources and capacity they have available to meet this.

2.17. Upon the appointment of the successful bidder the initial Project Board meetings will address this and the timetable will be more fully developed in discussion with Members. The robust project management and reporting proposed for this project will play a key role in monitoring progress, early identification of possible slippage in the timetable and keeping Members up to date on progress

3 Detailed Specification

3.1. In the early preparation work for the design code project the Council has identified two distinct but intrinsically interlinked streams of work that must be undertaken. These are the Engagement and Training element of the contract and the Urban Design element. As such, the detailed specification has been broken down into these two elements.

3.2. Where there are multiple consultants working collaboratively, the Consultant will nominate a named Project Manager, co-ordinating on behalf of other consultants and representing them on the Project Board, in line with the Project Team structure set out in Appendix A.

3.3. The Consultant will be responsible for reviewing the brief for the Service and make any recommendations on process, approach to coding and outputs based on their experience of producing design codes.

3.4. As part of the preparation for this project the Council has appointed Commonplace as the provider of our online engagement platform. The Consultant will work with the Project Team to ensure that the data that is collected via Commonplace is fully integrated into the project. The Council intends that Commonplace will act not only as a means or gathering data, but also as a hub for the project as a whole, where our residents and other stakeholders can keep up today on the progress of the project, learn about Design Codes and have their say. The Consultant will work with the Project Team in the creation of a bespoke SDC webpage using the Commonplace platform featuring tailored elements, including but not limited to infographics, questions, drawings and interactive story map/s.

Engagement and Training Element

3.5. Effective and ongoing Engagement is fundamental to the successful development and implementation of a Design Code and it is the Council's intention to take a co-design approach to the development of the SDC. It is intended that in taking this approach the development of the SDC will not only deliver the Design Code but build Urban Design skills and capacity within the Council, increase understanding of good design within our community and secure the buy in of all stakeholders.

3.6.   In December 2023 the council was successful in securing funding from the PSDF. This funding was secured for the training of Officers, Elected Members and participants of the Citizens Panel, as well as working with the Citizens Panel to gain valuable input from our communities on the direction of the SDC. The Consultant will work with the Project Team to develop and deliver a comprehensive programme of Urban Design training, tailored to the requirements of each of the identified groups. As part of their submission, bidders must set out their proposed training programme for the identified groups, their experience in delivering Urban Design training

3.7.   Development of a detailed Engagement Strategy at the outset of the project will be a key early-stage task for the Consultant, in collaboration with the Project Team. Engagement strategy will set out the stakeholders for the project, their level of involvement and detail the engagement activities that will be undertaken at each stage in the development of the SDC. A list of the stakeholders identified to date can be found in Appendix B. This is not an exhaustive list, but rather a starting point for the Project Team to build on. The Engagement Strategy will also set out the frequency and means of feedback to stakeholders. The Consultant will work with the Project Team on the content, preparation and coordination of the consultation materials, questionnaires and similar.

3.8.   In addition to online engagement with our communities, it is also intended that there will be in person opportunities for participation in the development of the SDC. The Consultant will be involved in the engagement with stakeholders that will comprise face-to-face events (area walkabouts, design review panels/forums and/or drop in events), as well as virtual events and engagement through social media.
The number and nature of these in-person events will be firmly established through the development of the Engagement Strategy. Bidders are required to indicate in their submissions an outline of the number and nature of events they believe will be required each stage of the project. As part of the engagement element of the project the Consultant will be expected to provide reports which set out the findings of in person engagement events.

3.9.   As part of the development of the SDC the Council will set up a Citizens Panel. It is intended that the panel will convene on three separate occasions through the life of the project, which will align with the coding process as set in the NMDC. The Consultant will play a key role in engagement with the Citizens Panel, delivering training on Urban Design, acting as facilitators and recording the feedback received. Successful bidders will be able to clearly demonstrate and evidence previous experience in delivering this type of community engagement event. It is intended that the members of the Citizens Panel will have been recruited by the time the Contract commences, to mitigate the risk that the recruitment process could negatively impact on the project timeline as a whole.

3.10.   In line with the coding process as set out in the NMDC, the Consultant will work with the Project Team to set the Vision for the SDC following the initial round of engagement. Following the initial development of the SDC, it is an expected that there will be a further round of engagement and updating of the code, prior to adoption.

3.11.   The Council has submitted a bid to the PropTech Innovation Fund Round 4 (Citizen Engagement). If this bid is successful part of the funding will contribute to a project dedicated to youth engagement in the design code process through the use of

gamification. In this case the Consultant will be required to work with the Council on the analysis and incorporation of this element of citizen engagement into the engagement outcomes. A decision on the awarding of grants from this fund is expected prior to the commencement of this Contract. As part of this bid funding has also been sought for graphic design, specifically to develop graphics and info graphics that will offer inform and engage residents in the coding process in a clear and accessible format.

Urban Design Element

3.12.   The successful bidder will be a multidisciplinary consultancy with experience in creating design codes and guides, urban design, architecture, landscape, public realm, heritage and transport and experience of use and development of digital tools for consultation and visualisation including GIS data. The successful bidder will have demonstrable experience of developing design Codes in line with the process set out in the NMDC.

3.13.   As required, the Consultant will bring to the Project professionals from the associated fields, who are the members of their multidisciplinary team to provide specialist expertise that, supports the delivery of the Project.

3.14.   The Consultant, working together with the Project Team will review the existing baseline data and establish areas where further the data is required. The Consultant will then be responsible for gathering and collating any further baseline data necessary to develop the SDC.

3.15.   Together with the Project Team the Consultant will evaluate the feedback from the engagement work, the review of existing evidence and any additional baseline analysis undertaken and draw design conclusions for specific 'area types'. The Consultant will define the 'area types' and their geographic boundaries across the borough in a Coding Plan. Together with the Project Team the design aims for the SDC will be identified. The Consultant will draft the code and supporting guidance that will form the SDC (text and illustrations) to be reviewed by the Team.

3.16.   Review and testing at key milestones is essential to the delivery of a successful Design Code. The Consultant will be expected to identify key milestones for Peer Review by a suitably qualified panel of experts as part of their submission, and allow for this within the cost.
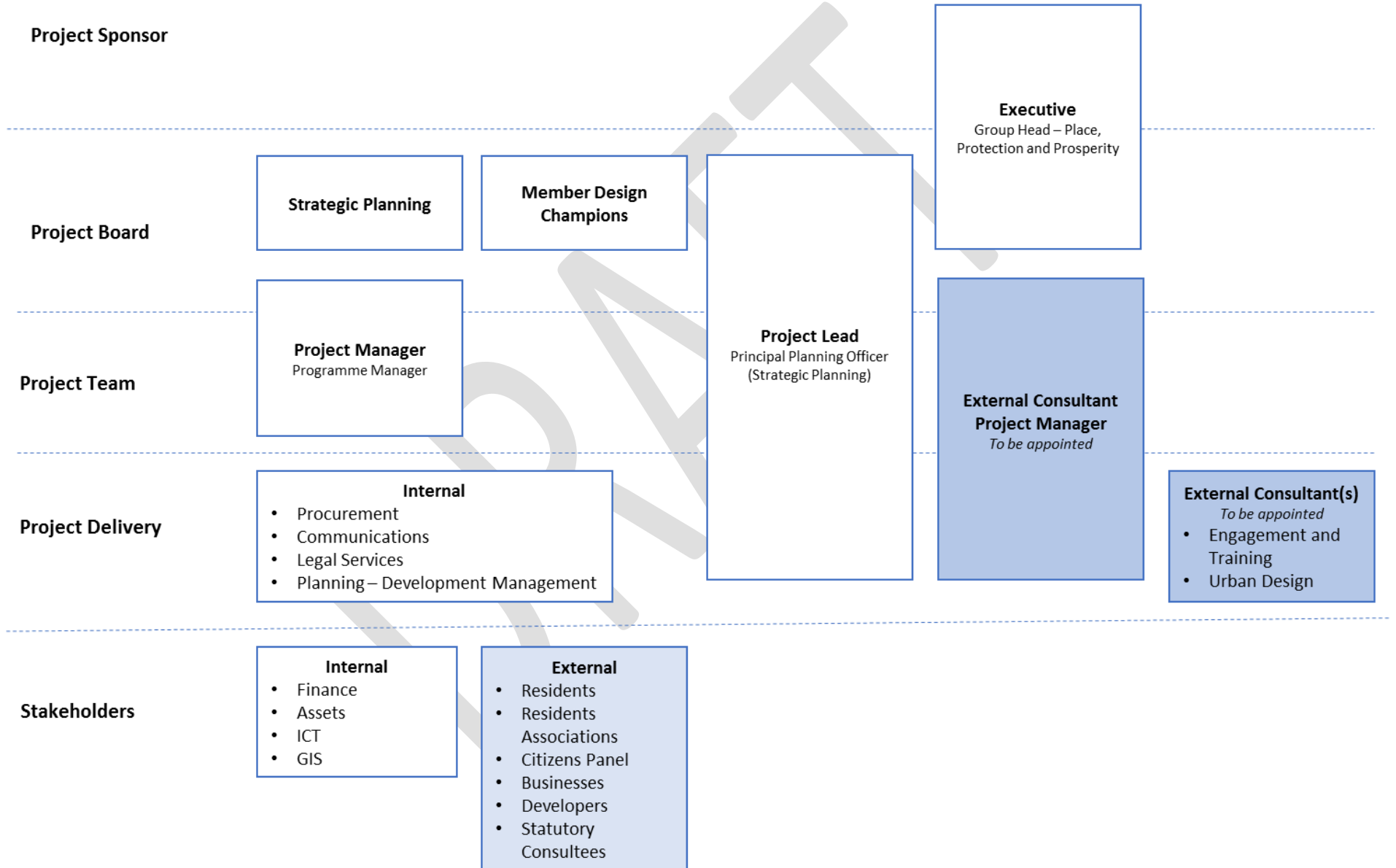
Provisional Items

3.17.   As set out above, the preferred adoption route for the SDC is not yet agreed, however if the Supplementary Plan route is identified as the preferred option and in line with the emerging contents of the LURA, it is likely that the Design Code will need to go through independent examination to be adopted as a Supplementary Plan. Therefore, it is possible if any public hearings are required, that the Council may wish the Consultant to attend the examination to assist with answering the Inspector's questions. Furthermore, following the receipt of the Inspector's report on the proposed Design Code, a further round of public consultation may be required to consult on any proposed modifications recommended by the Inspector. Further advice from the Consultancy may therefore be required during this period. To that end, the

Council requests that all consultants tendering for this contract provide details of the hourly and daily rates of the staff that would be involved in the project, in the relevant part of the Pricing Schedule.

3.18. As set out in point 2.14 above intention of the council is that the SDC will be a digital Design Code. From the information gathered in the preparation of this tender document, it is not clear if the budget available for the development of the SDC is sufficient to deliver a digital code. As such, bidders will be expected to clearly set out the cost of digitising the SDC in the relevant part of the Pricing Schedule. Regardless of whether the output of this project is delivered in a digital format, it is the expectation of the council that the SDC will be formatted and organised in a way that allows for straightforward conversion to a digital format as a separate project.

Appendix A – Project Team Structure

Project Sponsor

Executive
Group Head – Place,
Protection and Prosperity

Project Board

Strategic Planning

Member Design Champions

Project Team

Project Manager
Programme Manager

Project Lead
Principal Planning Officer
(Strategic Planning)

External Consultant Project Manager
To be appointed

Project Delivery

Internal
- Procurement
- Communications
- Legal Services
- Planning – Development Management

External Consultant(s)
To be appointed
- Engagement and Training
- Urban Design

Stakeholders

Internal
- Finance
- Assets
- ICT
- GIS

External
- Residents
- Residents Associations
- Citizens Panel
- Businesses
- Developers
- Statutory Consultees

The development of an effective design code is reliant on extensive consultation with a wide range of stakeholders. The diagram below sets out a benchmark consultation matrix for a Design Code project. Upon appointment of the Consultant for the project this will evolve in line with the Engagement Strategy. The table below focuses on the Key Stakeholders identified so far in the planning stage of the project but is not definitive and will evolve as the project progresses.

Figure 1- Design Code Consultation Matrix

	Stakeholder Group	Notes/Comments
Key Stakeholder Groups: Non-Statutory	Residents Associations	Spelthorne has a number of well-established and engaged Residents Associations' who represent the views of communities across the Borough and as such will be an important stakeholder group in the Design Code project.
	Citizens Panel	A Citizens Panel, of between 40 – 50 members of the public will be established for the Design Code project. Residents will be invited to apply for the panel and participants blind selected, based on demographic data. This group will, so far as reasonably possible represent the demographic make-up of the Spelthorne Population as a whole, based on the latest census data and will play a key role in establishing the views of the whole community. The Citizens Panel is a separate stakeholder group, distinct from the Residents Associations', although members of any RA will of course welcome to apply to be a participant in the Citizens Panel, through the selection process.

	Local Businesses	The SBC Economic Development Team offer the opportunity for engagement with local businesses through established communication channels.
	Developers	Surrey Development Forum may offer an opportunity for engagement with Developers
	Youth Engagement	Local schools and youth groups. Subject to successful funding bid, a project to build youth engagement through the use of gamification is proposed.
	Interest Groups	Colne Valley Regional Park – Green Belt Matters Surrey Wildlife Trust – Biodiversity and Nature Heathrow Strategic Planning Group – Matters relating to Heathrow.
Statutory Consultees – Specific Interest in DC	Surrey County Council - Highways	Highways matters. As well as in their role as Highway Authority, SCC have recently published their own Healthy Streets for Surrey Design Code, which will form part of the baseline evidence and inform the Spelthorne Design Code.
	Neighbouring Authorities	Elmbridge Borough Council, Runnymede Borough Council, Royal Borough of Windsor and Maidenhead, Slough Borough Council, London Borough of Hounslow
	Historic England	Design Code matters relating to Heritage
	Natural England	Biodiversity and Nature
	Surrey Police	Design Against Crime and Community Safety.
	Environment Agency	Flooding
	Primary Care Trust	Healthy places, community wellbeing
	Statutory Consultees without a specifically identified role/interest in the Design Code project will be formally consulted at the appropriate stages and as legally required, depending upon the adoption route agreed upon.	

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