



To:
All members of the
Environment and Sustainability
Committee

Please reply to:
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Date: 14 June 2024

Supplementary Agenda

Environment and Sustainability Committee - Tuesday, 18 June 2024

Dear Councillor

I enclose the following item which was marked 'to follow' on the agenda for the Environment and Sustainability Committee meeting to be held on Tuesday, 18 June 2024:

- 11. Update to Design Code Task Group** **3 - 10**
To consider changes to the Design Code Task Group.

Yours sincerely

Christeen Abee
Corporate Governance

To the members of the Environment and Sustainability Committee

Councillors:

M. Beecher (Chair)	J.P. Caplin	O. Rybinski
K.M. Grant (Vice-Chair)	S.M. Doran	J.R. Sexton
S.N. Beatty	N. Islam	J.A. Turner
L.H. Brennan	A. Mathur	H.R.D. Williams
T. Burrell	L. E. Nichols	P.N. Woodward

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Substitute Members: Councillors: M. Arnold, C. Bateson, H.S. Boparai, D.C. Clarke,
J.T.F. Doran, A. Gale, R.V. Geach and K. Howkins

Environment and Sustainability Committee



18 June 2024

Title	Spelthorne Design Code Decision Making and Design Code Task Group Terms of Reference
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	<i>n/a</i>
Corporate Priority	Community Environment Service Delivery
Recommendations	<p>Committee is asked to:</p> <ol style="list-style-type: none"> 1. Delegate authority to make decisions at 'gateway' points to the Group Head for Place, Protection and Prosperity in consultation with the Chair of the Environment and Sustainability Committee 2. To agree the amended version of the Design Code Task Group Terms of Reference
Reason for Recommendation	<p>The Committee is asked to agree the delegation of decision making at designated 'gateway' points in the project. This will enable the project to move forward in line with the project programme and achieve the ambitious delivery deadline.</p> <p>The amended Terms of Reference for the Task Group would enable a change of membership if required.</p>

1. Summary of the report

What is the situation	Why we want to do something
<ul style="list-style-type: none"> • Work on the Design Code project is now underway and more detailed information on the delivery of the programme is available. In order to deliver the project in line with the agreed timetable, 'gateway' decision points have been identified. 	<ul style="list-style-type: none"> • The timetable for the project is ambitious and in order to meet the deadline, there are 'gateway' points where a decision is required before the project can move forward. Taking each of these decisions to Committee for a decision would

<ul style="list-style-type: none"> With the project underway it is apparent there may be times where a change to the Membership of the Design Code Task Group is necessary. 	<p>result in significant delay in delivering the project.</p> <ul style="list-style-type: none"> Key decisions, on the draft and final Design Code will remain with the Committee. Member Engagement in the project is crucial to its success; this may necessitate a change in Membership in some situations. A revised Terms of Reference would enable these changes if required.
<p>This is what we want to do about it</p>	<p>These are the next steps</p>
<ul style="list-style-type: none"> Delegate decision making to the Group Head for Place, Prosperity and Protection in consultation with the Chair of the Environment and Sustainability Committee, for identified 'gateway' point set out in the report. Amend the Terms of Reference for the Design Code Task Group. 	<ul style="list-style-type: none"> Agree the Delegation of decision making at 'gateway' points to the Group Head for Place, Prosperity and Protection in consultation with the Chair of the Environment and Sustainability Committee Agree the revised Terms of Reference for the Design Code Task Group.

1.1 This report sets out the rationale for the proposed delegation of decision making at 'gateway' points to the Group Head for Place, Prosperity and Protection in consultation with the Chair of the Environment and Sustainability Committee, to facilitate the delivery of the Spelthorne Design code in line with the agreed timetable.

1.2 Fundamental to the successful development of the Design Code is effective and ongoing engagement with the stakeholders, including Elected Members as a Key Stakeholder group. As such the Committee agreed the establishment of a Member Task Group for the project at the Environment and Sustainability Committee on 27 February 2024. The Task Group sit on the Project Board, along with lead Officers and the appointed Consultants (David Lock Associates and Feria Urbanism) and are fully briefed on and engaged with the project. The Design Code Task Group sits underneath the Environment and Sustainability Committee.

2. Key issues

Delegation of Decision Making

2.1 To aid the timely delivery of the project, the Project Team have identified a series of 'gateways' (outputs) through the programme, where signoff by the Group Head for Place, Prosperity and Protection in consultation with the Chair of the Environment and Sustainability Committee would ensure progress can be made on a common and agreed basis. Taking the approach of building in

‘gateway’ decisions ensures that, once a decision is reached at each of the identified points, the project can move forward with certainty. This is fundamental if the project programme and agreed timetable are to be successfully adhered to. The table below sets out an overview of the project timetable and the decisions that it is proposed are delegated are set out in the ‘Signoff Items’ column.

Stage	Month	Engagement	Urban Design	Signoff Items
Baseline / LISTEN	May	Planning for events	Baseline analysis	<ul style="list-style-type: none"> • Definition of Design Code • Project Programme • Training Strategy • Area Type Identification • Development Priorities Identification
	Jun	Series of community events learning about Spelthorne	Technical stakeholder engagement	
	Jul		Area characterisation	
Baseline Complete				<ul style="list-style-type: none"> • Baseline Report (Aug)
Draft Code / TRANSLATE	Aug	Combined team working towards September vision/translate event(s)		<ul style="list-style-type: none"> • Area Visions
	Sep	Vision Event(s)	Draft Code Preparation	
	Oct	Planning for Testing events		
Draft Code Complete				<ul style="list-style-type: none"> • Draft Code (Nov) • Submission to E&S Committee (Dec meeting)
Final Code / TEST	Nov	Community events to test the draft code	Testing code with technical stakeholders	
			Peer Review of draft code	
	Dec	-	Revisions to code	
	Jan	-		
Final Code Complete				<ul style="list-style-type: none"> • Final Code (Feb) • Submission to E&S Committee (March meeting)
Signoff	Feb	-	Project Board signoff	
	Mar	-	E&S Committee Signoff	

2.2 The programme was developed with regard to the Committee timetable and it is anticipated that the Draft Code would be brought to the December Environment and Sustainability Committee, giving the Committee the opportunity to feedback on the Draft Code as part of the ‘Test’ phase of the project and before the final revisions are made. It is anticipated the Final Code would then be brought to the March Committee for approval.

2.3 Given the ambitious timescale of the project, it is critical that these decisions are made in a timely manner. Given the constraints of the Committee timetable and the upcoming summer break, the delegation of decision making as set out above would allow the project to proceed in line with the agreed

timescales. The alternative approach, where each 'gateway' decision is brought to the Committee would result in significant delay in the delivery of the final Spelthorne Design Code.

Amendments to Task Group Terms of Reference (ToR)

- 2.4 This report sets out at Appendix A the proposed amendments to ToR for the Design Code Task Group along with the proposed method for appointment of Members of the Task Group. The details of the role of the task group are included in the draft amended ToR. As was intended at establishment the Task Group has cross party membership, though there is no requirement for political proportionality. The Chair of the Task Group is Councillor Tony Burrell.
- 2.5 With the project underway and the Task Group fully engaged with and involved in the Design Code Project it is acknowledged that there may be situations where a change of membership is necessary. In order to ensure that the project progresses in accordance with the timetable while keeping Members fully involved in the process, it is proposed that the ToR of the Task Group are amended to allow for this situation, without the need to revert to the Committee.

3. Options analysis and proposal

Delegation of Decision Making

Option 1 – Agree the proposed delegation of decision making and the proposed amendments to the ToR of the Design Code Task Group

- 3.1 Recommended option. In order for Design Code project to proceed in line with the agreed timetable, it is recommended that the Committee agree the proposed delegation of decision making, as set out in the report.

Option 2 – Agree that all the 'gateway' decisions are brought to the Committee for agreement

- 3.2 Not recommended. If the decision is made that the Committee wish to make the decisions at 'gateway' points, there will be significant delay in the delivery of the Spelthorne Design Code.

Amendments to Task Group Terms of Reference (ToR)

Option 1 – Agree the proposed amendments to the Design Code Task Group ToR

- 3.3 Recommended option. In order to enable a change in membership of the Task Group if necessary without the need to return to Committee, this option is recommended. This would ensure that if the need arose to change the Membership of the group, there would not be a delay as a result of the Committee timetable.

Option 2 – Do not agree the proposed amendments to the Design Code Task Group ToR

3.4 Not recommended. This option this will not impact on the engagement with Members in the project, nor will it impact on project reporting to keep Members up to date on progress. However, the development of a Design Code is a complex process and the Task Group offers the opportunity for greater involvement of Members on an ongoing basis. A delay in a change of Membership, if this becomes necessary would necessitate a return to Committee and a delay in getting any new Task Group member fully up to speed on the project.

4. Financial management comments

4.1 Not applicable.

5. Risk management comments

5.1 The primary risk identified is that of a significant delay in the delivery of the Spelthorne Design Code as set out above. In order to mitigate this risk the option to delegate decision making at the 'gateways' set out is the recommended option.

6. Procurement comments

6.1 Not applicable.

7. Legal comments

7.1 Legal Services has had input into development of the terms of reference of this Task Group which will report to the Environment and Sustainability Group as appropriate.

8. Other considerations

8.1 Not applicable.

9. Equality and Diversity

9.1 Not applicable.

10. Sustainability/Climate Change Implications

10.1 Not applicable.

11. Timetable for implementation

11.1 If agreed, the delegation of decision making and the amended ToR would take immediate effect.

12. Contact

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

Background papers: There are none.

Appendices:

Appendix A - Proposed Amendments to Design Code Task Group Terms of Reference

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Spelthorne Design Code Task Group Terms of Reference

1 The purpose of the Design Code Task Group (“the Task Group”) is to:

- 1.1. The purpose of the Task Group is to assist in the development of new Design Codes for Spelthorne Borough Council in accordance with National Design Guide and the National Model Design Code guidance. The Task Group’s recommendations will be considered in the first instance by the Environment and Sustainability Committee.

2 The role of the Group is to:

- 2.1. The role of the Task Group is to assist in the development of new Design Codes for Spelthorne Borough Council in accordance with National Design Guide and the National Model Design Code guidance. The Task Group will make recommendations to the Environment and Sustainability Committee.
- 2.2. Act in an advisory and consultative capacity for discussion of all Design Code matters.
- 2.3. Meet on a monthly basis with the Project Board to review and consider project progress. Task Group meetings will be held during business hours and be no longer than an hour.
- 2.4. Attend specific briefings with the Project Board before relevant committee meetings so that Group Members are able to champion the report/answer questions.
- 2.5. To be Involved in tender/interviews of potential consultants (exact role to be confirmed but likely to be including attending shortlist interviews and providing informal feedback. Members will not be involved in the technical scoring). Procurement will be in accordance with the Council’s Contract Standing Orders.
- 2.6. To champion the Design Code project with other Elected Members, residents groups and communities. This may include participating in a promotional material for the Project.

3 Membership

- 3.1. The Design Code Task Group is to be a cross party task group, formed of at least four Members, but not more than 8, who do not necessarily need to be drawn from the E&S committee.
- 3.2. Political proportionality does not apply.
- 3.3. There will be a quorum of two Members at any meeting.

3.4. The Design Code Task Group will run for the length of the Spelthorne Design Code Project. When nominated or invited to join, Members of the Task Group will be encouraged to commit for the duration of the Project. This commitment ensures continuity, consistency and an audit trail of agreed recommendations . If a situation arises that means a Member of the Task Group can no longer fulfil their role, a change can be approved by the Chief Executive in consultation with the Chair and Vice Chair of the Environment and Sustainability Committee.

4 Chair

4.1. The Chair of the Group will be Councillor Tony Burrell.

5. Meetings

5.1. The meetings of the Task Group will be internal and confidential to the Council. At the discretion of the Chair of the Task Group, some of the meetings will be open to all members of the Council to attend, particularly those meetings to which outside speakers have been invited, to ensure wide engagement across the organisation.

6. Decisions

7.1. The Task Group has no executive decision-making powers over any matters. Decisions are made by the Environment and Sustainability Committee/Council as appropriate.

7.2. The Task Group should aim to deliver a consensual view to Environment and Sustainability Committee. Where this is not possible it should aim to report fairly on the divergent views of the group. Voting is not considered appropriate or necessary.

5 Confidentiality

8.1. Meetings are not open to the public and papers are confidential to enable free and open discussions on confidential matters before making recommendations.