

# Richmond Design Review Panel - Terms of Reference

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Planning

*9 April 2019*

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# **RICHMOND DESIGN REVIEW PANEL (RDRP)**

## **Terms of Reference**

Stand: 5 April 2019

### **Introduction**

1. The purpose of the Richmond Design Review Panel (RDRP) is to provide independent and impartial design advice from a Panel of experts that will inform developers and their design teams about their proposals with the overall objective of raising the standard of design quality in the Borough. It fulfills the requirements of paragraph 129 of the NPPF (2018) and is in accordance with the London Quality Review Charter (GLA, 2018).
2. The Panel is an advisory body only and has no formal decision-making powers. It does not replace the design officers in their role of giving pre-application advice or the officers and the Assistant Director in their role of making recommendations to the Planning Applications Committee (PAC).
3. While the role of the Panel is purely advisory, and their advice is independent of the Council, the Panel's comments are a material consideration and will carry substantial weight as they will be referred to in officers' reports to the Planning Applications Committee and where relevant to planning inspectors and any planning enquiry.

### **Criteria for selection of schemes**

4. The Panel will review large scale development schemes within the Borough in accordance with the criteria below:
  - Major applications of 10 or more residential units (C3) (excluding hotels & co-living schemes),
  - Non-residential floorspace of 2,500 sq. m and above, including co-living, hotel, retail, education, industrial, health and leisure
  - All tall building proposals (6 storeys (18 m) and above)
  - Significant public realm schemes
  - Schemes with a significant impact on heritage assets and
  - Other schemes at the discretion of the Chairman of the Environment, Sustainability, Culture & Sports Committee.
5. The Panel will not review schemes that have been presented to other design review panels like the Design Council CABE design review panel.

## **Panel Members**

6. The RDRP shall be an equal, diverse and inclusive forum consisting of a pool of approximately 50 Panel Members. The pool of experts shall include practitioners in architecture, planning, landscape architecture and urban design, ideally of some standing professionally, particularly as some of the high profile schemes will involve architects and professionals of international acclaim.
7. Within the pool of expertise, multi-skilled professionals who are qualified in more than one discipline will be sought as well as professionals who can deal with public realm, heritage, landscape, historic building conservation, transport, engineering and sustainability issues. At least 50% of the Panel shall consist of qualified architects.
8. Panel Members should have a keen interest in the built environment of Richmond and possibly practice or live locally.
9. Internal advisors can include a manager / team leader / senior planner from the Urban Design & Conservation and / or Development Management teams.
10. New Panel Members are selected on the basis of an open submission including a cover letter highlighting their specific skill set, why they are interested in joining the RDRP and what contribution could they make to the Panel. A CV should also be part of the submission.
11. Panel membership continues to be regularly reviewed for quality and balance of skills, and an open invitation to interested parties to apply to become Panel Member is maintained with new members appointed as required.
12. Panel Members are required to sign up to the Terms of Reference and are appointed for a period of three years, after which their membership will be reviewed.

## **Remuneration**

13. A nominal fee will be paid to Panel Members for every review attended. Chairs will receive £250 / review, Panel Members £100 / review.
14. Payments will be processed in a single reimbursement at the end of each financial year. A pro forma will be sent out to each Panel Member after 31 March with the reference code and the list of reviews attended over the past year. Panel Members are then requested to invoice the Council.

### **Chair responsibilities**

15. A pool of around 12 possible Chairs will be established. The Chair of the DRP will co-ordinate the Panel discussion and lead the response.
16. The Chair should ensure that comments and views from Panel Members are expressed in a clear, concise and constructive manner within a positive and collaborative approach. The Chair should mediate complex debates and ensure every Panel Member is given a fair opportunity to express their views.
17. At the end of the design review, the Chair is responsible to summarise key aspects of the feedback. This will provide the headlines for the Panel response drafted by the DRP officers following the review day.
18. After the draft letter has been circulated and amended, the Chair is responsible to authorize the final Panel response. A digital copy of the Chair's signature should be made available to DRP officers to add to the letter once this has been signed off by the Chair.
19. Once a year all Chairs are invited to a 'Chairs Meeting' with officers and Councillors to review the progress and operation of the RDRP over the last year and address issues that might have arisen.

### **Panel Members responsibilities**

20. All Panel Members, including the Chair are responsible to view the material provided upfront in order to get acquainted with the scheme. The Panel briefing prior to the design review offers the opportunity for Panel Members to clarify issues with Richmond officers before the start of the meeting.
21. During the design reviews, Panel Members are requested to express their views honestly and clearly in a concise and courteous manner in order to make a positive and constructive contribution to the discussion.
22. Panel Members should embrace the interests of all significant stakeholders and should be aware of the commercial and practical reality of the delivery of the project.

### **Operation of the Panel**

23. The Panel shall meet on regular occasions during the year to review schemes. Panel Members will be expected to attend all meetings that they have indicated that they will attend.

24. The quorum for a first-time Design Review will be the Chair and 4 or 5 Panel Members chosen according to the particularity of the scheme. For a Follow-Up Review, Desktop Review or Design Workshop it will be the Chair and at least 1 or 2 Panel Members.
25. It is envisaged that the same Panel should attend a Follow-Up Review to keep consistency with previous advice. Where the same Panel Members are not available, the newly appointed should be made aware of previous comments.
26. Around one week in advance of the design review the Panel officers will email to Panel Members the agenda and a 'briefing pack' setting out enough information to enable them to understand the context of a project, its design rationale and intent as well as background information, such as Council policy, and about any relevant pre-application discussions (including formal responses from GLA and TFL).
27. Information shared in the design review is confidential and meetings will not be open to the public because of the need to comply with strict confidentiality on pre-application proposals at all times.
28. Operations of the RDRP will be overseen by the Panel staff. They will engage with Applicants and officers to establish the right time to present a scheme to the Panel, find a suitable date and the right skills set and expertise needed to assess the scheme and run conflict of interest checks. They will also ensure that a fair and equal rota of Panel Members is maintained.

### **Panel meetings**

29. The design review will commence with a site visit (for schemes reviewed for the first time) and a briefing of the scheme by the Council's case officer. The Panel briefing will happen in absence of the Applicant's Team to give the Panel Members the opportunity to discuss issues with the Chair and officers.
30. Each scheme will then be allocated an hour to hour and a half slot with a 15-30 minute presentation by the architect or designer. Guidelines for those presenting to the Panel will be produced and circulated to the Applicant's Team in advance of the meeting. The proposal may be presented by A1 boards and power point and / or models.
31. The Panel Members will then have the opportunity to ask questions for about 10-15 minutes in order to clarify outstanding issues and be able to form better views on the proposal.

32. Following the presentation and question and answer sessions the Panel discussion (design review) will take place. This will be carried out in open session with the Applicant's Team present to hear the Panel's comments and impressions first hand. At the end of the meeting, the Chair will provide a summary of the feedback.
33. Council officers and RDRP staff will be on hand to clarify any issues and take notes.
34. Ward Councilors and the Chairman of the Environment, Sustainability, Culture & Sports Committee will be invited to observe design reviews, and occasionally representatives from other organisations, such as Historic England, may be invited to observe certain schemes. They will be able to listen to but not contribute to the presentations or debates.
35. All observers are made known to the Panel Members and Applicant before the meeting begins. The public is excluded from the Panel meetings and no third party representations can be made but all DRP reports will be made available once a planning application has been submitted.
36. Timetable might vary, however typically each design review session is structured as follows:

10.00	Meeting and Introductions
10.00 – 11.00	Site visit
11.00 – 11.20	Panel briefing (Case officer only)
11.20 – 11.40	Presentation by the Development Team
11.40 – 12.00	Questions from Panel Members
12.00 – 12.45	Design Review
12.45 – 13.00	Summary from Panel Chair
13.00	Close

### **Post Panel meeting procedure & Panel response**

37. The Panel officers will draft a Panel response that will be circulated to Panel Members for comments within 7 working days of the date of a design review. The content of the letter will be based on the Chair's summary and the Panel's views expressed in open discussion only. Private thoughts or issues raised prior or after the meeting amongst Panel Members or officers will not be included in the response.
38. Any comments will need to be approved by the Chair prior to incorporating them into the final letter. The Chair will then approve and sign off the final Panel response. If there has been significant or conflicting comments, a second draft may be sent to the Chair as arbiter for final sign off.

39. The Panel letter will then be sent to the Applicant Team and circulated to the Council Leader, the Chairman of the Planning Application Committee, and officers involved usually within two weeks of the date of the presentation to the Panel.
40. The Panel response remains confidential until the scheme has been submitted for planning application, thereafter it will be added to the suite of documents on the Council's website as part of the submission and therefore publicly accessible.
41. The Panel response will be referred to within the subsequent committee report dealing with the application.
42. Panel Members shall also receive a copy of the letter for their records and will be made aware once a proposal has been submitted.

### **Conflict / Declaration of Interest and Code of Conduct**

43. All pre-application proposals are confidential. Panel Members must act in the public interest and adhere to the seven Nolan Principles of Public Life (Appendix to these Terms of Reference). Any conflict of interest that might arise from schemes to be considered must be revealed and this will apply equally to any post application schemes considered.
44. Panel Members who in the preceding 12 months have been personally or professionally involved with a particular proposal under discussion, or who may otherwise be considered to have a conflict of interest are required to notify the Panel staff in respect of the scheme concerned. The information about the projects to be reviewed will be provided up to two weeks prior to the meeting and Panel Members will be expected at this stage to declare any direct or indirect interests in the project.
45. In the case of a Panel Member failing to notify a direct interest upfront, the Panel Member leaves the room during the Panel's discussion of the project and takes no part in the forming of the Panel's views. Conflicts of interest will be recorded in the Panel response.
46. Panel Members are asked to inform the Panel staff if he/she is approached by the scheme architects or agents regarding 'live' proposals or Panel discussions outside of the Panel meeting.
47. Panel Members are reminded of and expected to abide by their Institute's professional Code of Conduct. Members who are found to be in breach of their professional conduct will be dismissed from the Panel and the information passed to the RIBA or their professional body.

48. As part of the partnering with Design Council CABI and the Greater London Authority the RDRP has adopted the Principles of Design Review and London Quality Review Charter (Design Review: Principles and Practice. Design Council CABI / Landscape Institute / RTPI / RIBA, 2013). <https://www.london.gov.uk/what-we-do/regeneration/advice-and-guidance/about-good-growth-design/london-quality-review-charter>. These are set out in the Memorandum of Understanding as part of CABI Design Review and The London Quality Review Charter and included below.

### **General Data Protection Regulation (GDPR)**

49. The General Data Protection Regulation (GDPR) is a new set of European Union (EU) regulations which came into force on 25 May 2018. The Council is committed to ensuring that personal data of all Members of the RDRP is processed in line with the new GDPR data protection principles including keeping data secure, and that it will not be shared with any other organisation. The Council's Privacy Notice is published on the webpage [https://www.richmond.gov.uk/council/open\\_richmond/data\\_protection](https://www.richmond.gov.uk/council/open_richmond/data_protection)



## Principles of Design Reviews

**Independent:** It is conducted by people who are unconnected with the scheme's promoters and decision makers, and it ensures that conflicts of interest do not arise.

**Accountable:** The review Panel and its advice must be clearly seen to work for the benefit of the public. This should be ingrained within the Panel's terms of reference.

**Expert:** It is carried out by suitably trained people who are experienced in design and know how to criticise constructively. Review is usually most respected where it is carried out by professional peers of the project designers, because their standing and expertise will be acknowledged.

**Advisory:** A design review Panel does not make decisions, but it offers impartial advice for the people who do.

**Accessible:** Its findings and advice are clearly expressed in terms that design teams, decision makers and clients can all understand and make use of.

**Proportionate:** It is used on projects whose significance, either at local or national level, warrants the investment needed to provide the service.

**Timely:** It takes place as early as possible in the design process, because this can avoid a great deal of wasted time. It also costs less to make changes at an early stage.

**Objective:** It appraises schemes according to reasoned, objective criteria rather than the stylistic tastes of individual Panel Members.

**Multidisciplinary:** It combines the different perspectives of architects, urban designers, urban and rural planners, landscape architects, engineers and other specialist experts to provide a complete, rounded assessment.

**Transparent:** The Panel's remit, membership, governance processes and funding should always be in the public domain.

## **Breach of Code of Conduct**

1. Any breach of this Code of Conduct will be followed by an initial verbal warning from the Chair on behalf of the Panel.
2. Ongoing failure to comply with the Code of Conduct will be followed by a written warning from the Chair on behalf of the Panel.
3. If a Panel Member still fails to comply with the Code of Conduct and/ or cannot offer a satisfactory explanation for his/her behaviour a motion will be put to the Panel to suspend the person from the Panel. Future participation by that person will be dependent on a commitment being given in writing to the Chair that such behaviour will not recur.
4. Any Panel Member can- and should- alert the rest of the Panel to a breach in the Code of Conduct by raising this issue with the Chair and/or the Panel staff/Council officer either at the time or immediately after a meeting. A breach of this Code of Conduct is understood as follows:
5. A breach of any of the rules outlined above as judged by a majority of the Panel Members.

## **Undertaking**

6. I accept and agree to abide by the rules set out in this Terms of Reference and Code of Conduct and understand that if I breach any of these rules, I may be asked to leave the Richmond Design Review Panel.

Name \_\_\_\_\_

Signature \_\_\_\_\_

Date\_\_\_\_\_

## **Appendix**

### **THE SEVEN NOLAN PRINCIPLES OF PUBLIC LIFE**

These principles apply to all aspects of public life

#### **SELFLESSNESS**

Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

#### **INTEGRITY**

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

#### **OBJECTIVITY**

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

#### **ACCOUNTABILITY**

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

#### **OPENNESS**

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

#### **HONESTY**

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

#### **LEADERSHIP**

Holders of public office should promote and support these principles by leadership and example.