

Defra Group Management Consultancy Framework: Project Engagement Letter

Completed forms and any queries should be directed to Defra Group Commercial

Engagement details					
Engagement ref #	DPEL_61539_030				
Extension?	No	DPEL Ref.	NA		
Business Area	DEFRA Core, Water Services				
Programme / Project	Implementation of Schedule 3 to the Flood and Water Management Act 2010				
Senior Responsible Officer					
Supplier	Deloitte LLP ("Deloitte")				
Title	Sustainable Drainage Systems (SuDS)				
Short description	<p>Defra is expected to lay five Statutory Instruments (SIs) in relation to Schedule 3 to the Flood and Water Management Act 2010, with implementation of the new approach expected during 2024.</p> <p>To meet the evidence base requirements for 3 out of 5 elements of the SIs (fees, appeals & enforcement and statutory technical standards), the commissioned work will focus on provisioning:</p> <ol style="list-style-type: none"> 1. Recommendations for updates to the Non-Statutory Technical Standards for SuDS (February 2021) 2. Evaluation of the approach to Schedule 3 currently in use in Wales. 3. Rapid engagement with Welsh and English stakeholders. <p>The ambition is to deliver the evidence base before April 2023, followed by a consultation on SIs between July and August 2023.</p>				
Engagement start / end date	24/01/2023	31/03/2023			
Funding source	RDEL				
Expected costs 22/23	£99,400				
Expected costs 22/23	n/a				
Expected costs 23/24	n/a				
Dept. PO reference	TBC				
Lot #	Lot 1 (Strategic Consultancy)				
Version #	V1.0				

Approval of Project Engagement Letter

By signing and returning this cover note, DEFRA Core, Water Services accepts the contents of this Project Engagement Letter as being the services required and agrees for Deloitte LLP to provide the services in accordance with the agreed Supplier Proposal under the overarching contract (Lot 1 - Ref 28595), with Defra Group and confirms the availability of funding to support recharge for the services.

Signatures

Supplier	Business Area	Defra Group Commercial
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Supplier engages with Business Area to complete. Once agreed, Supplier signs front page and sends to Business Area

Business Area signs front page and sends to DgC

On approval, DgC signs and returns copy to Business Area and Supplier

Supplier contact:

Business Area contact:



1. Background

Sustainable drainage systems (SuDS) are an alternative way of managing surface water compared with the more conventional use of submerged pipes. They use green roofs, green walls, water butts, soakaways, grassed areas and wetlands to reduce the overall amount of water that discharges to receiving streams, rivers and traditional drainage/sewer systems. The use of high-quality SuDS provides multiple benefits including the reduction in storm overflow discharges, protection against surface water and sewer flooding, sustainable land drainage, water harvesting and the enhancement of local biodiversity and amenity.

Schedule 3 to the Floods and Water Management Act 2010 requires construction work with drainage needs to have its drainage systems for managing surface runoff (including rainwater, snow, and other precipitation) approved before construction may begin. A SuDS Approving Body (SAB) will be established in unitary or county authorities to approve and, where appropriate, adopt SuDS.

To implement Schedule 3 work is needed to gain clarity on the following;

1. Fees
2. Appeals and Enforcement
3. Statutory Technical Standards

Schedule 3 has been in force in Wales since January 2019, so it is imperative for the work under this DPEL to draw on the experiences and lessons learned in Wales to support the approach to be taken in England.

Elements 1, 2 and 3 as mentioned above are crucial for the creation of the necessary Statutory Instruments (SIs) for Schedule 3 to be implemented. They will be needed to write policy instructions (intending to be complete by April 2023) to allow sufficient time for the DEFRA legal team to prepare draft SIs which will form part of the evidence base for the subsequent consultation on the SIs (in July/August 2023).

2. Statement of services

Objectives and outcomes to be achieved

The Supplier will provide the services to undertake this project focusing on the evidence for 3 distinct 'Elements' of the Statutory Instruments described below:

Element 1: Fees

Objectives:

1. Understand and evaluate the approach taken in Wales where fees are now in place, and this will be done via interviews with Welsh SABs, Welsh Government, Welsh Local Government Association and industry professionals.
2. Understand the requirements for Fees as written in Schedule 3 to The Flood and Water Management act 2010 to ensure work developed meets regulatory requirements.
3. Gather opinion from the Association of SuDS Authorities, English County Councils, Unitary Authorities, Local Government Association and Lead Local Flood Authorities about the best possible way to complete this element.
4. Draft an England wide fee structure, comprising what fees are payable, how these are calculated and what should be charged for subsequent inspection of the completed SuDS.
5. Suggest if the amount for fees should be set by Government or if SABs can vary these.

Element 2: Appeals & Enforcement

Objectives:

1. Understand and evaluate the approach taken in Wales via interviews with Welsh SABs, Welsh Government, Welsh Local Government Association and industry professionals and take this into consideration in development of this element
2. Understand the requirements for Appeals and Enforcement as written in Schedule 3 to The Flood and Water Management act 2010 to ensure work developed meets regulatory requirements
3. Understand the impacts on the planning and SuDS applications when an application is refused and the other approved.
4. Gather opinion from the Association of SuDS Authorities, English County Councils, Unitary Authorities and Lead Local Flood Authorities about the best possible way forward in England.
5. Suggest who the appeal body should be and its composition.
6. Draft a high-level appeals process; and
7. Draft a high-level enforcement process.

Element 3: Statutory Technical Standards

Objectives:

1. To undertake a review of the 'Recommendations to Update Non-Statutory Technical Standards for Sustainable Drainage Systems (SuDS)' and the Welsh statutory standards with an aim to assessing their continued applicability via engagement with relevant stakeholders.
2. To test any changes to the standards and understand the impacts (both financial and non financial) of these changes on regulators, developers, and local authorities, among others.
3. To guide and engage with groups who will be affected by the implementation of Schedule 3, comprising Risk Management Authorities; Association of SuDS Authorities; Lead Local Flood Authorities (LLFAs); Local Planning Authorities; the developer community (e.g., Home Builders Federation); The Chartered Institution for Water and Environmental Management's SuDS Policy Leadership Group, CIRIA (Construction Industry Research and Information Association), and Department for Levelling Up, Housing and Communities (DLUHC), who will apply and use the standards, to incorporate sustainable drainage approaches within new developments.

Scope

General

Defra is expected to lay five Statutory Instruments (SIs) in relation to Schedule 3 to the Flood and Water Management Act 2010, and to meet the evidence based required to draft the legislative instruments. The Supplier will provide the Services to undertake this project focusing on the evidence for 3 distinct 'Elements' of the Statutory Instruments described below:

Element 1: Fees

Objective ref	Approach
1.1	<ul style="list-style-type: none"> Review Welsh fee structure. Develop fee-related questions for interview in consultation with Defra. Maximum of 7 x 45 minute interviews with following stakeholders: <ul style="list-style-type: none"> Welsh Government (1) Welsh SABs (3) Welsh Local Govt Assn (1) Industry professionals (2) Produce short summary of each interview (15 minutes to write up each interview) Undertake online research to identify existing published papers which have reviewed the implementation of the SAB in Wales. Summarise evaluation of Welsh approach in deliverable.
1.2	<ul style="list-style-type: none"> Review FWMA2010 Schedule 3 Section 13.
1.3	<ul style="list-style-type: none"> Prepare questionnaire questions and format in consultation with Defra including introductory email. Defra to issue questionnaire consultation using standard consultation software (Survey monkey, Microsoft Forms) Issue questionnaire to ASA, English County Councils, Unitary Authorities, LGA and LLFAs. Evaluate questionnaire responses and summarise in deliverable.
1.4	<ul style="list-style-type: none"> Fee structure and documentation will take the form of the Welsh approach, with amendments based on the evaluation of the questionnaire.
1.5	<ul style="list-style-type: none"> Ensure questionnaire under scope objective 3 covers this objective. Defra team to engage internally to obtain government opinion. Evaluate responses and make suggestion within deliverable.

Element 2: Appeals & Enforcement

Objective ref	Approach
2.1	<ul style="list-style-type: none"> Review Welsh appeals and enforcement processes. Develop appeals and enforcement related questions for interview. Maximum of 7 x 45 minute interviews with following stakeholders: <ul style="list-style-type: none"> Welsh Government (1) Welsh SABs (3) Welsh Local Govt Assn (1) Industry professionals (2) Produce short summary of each interview (15 minutes to write up each interview) Undertake online research to identify existing published papers which have reviewed the implementation of the SAB in Wales. Summarise evaluation of Welsh approach in deliverable
2.2	<ul style="list-style-type: none"> Review FWMA2010 Schedule 3 Section 13.
2.3	<ul style="list-style-type: none"> Develop questions under scope of objective 1 to cover impacts on refusals. Review Welsh appeals and enforcement processes and the original documentation to support these. Reflect on the reported experience to date in Wales and any shared lessons learnt. Utilise AECOM's development management staff experience to identify potential impacts. Engage with the RTPI to seek its views on the potential impacts.
2.4	<ul style="list-style-type: none"> Prepare questionnaire questions and format in consultation with Defra including introductory email. Defra to issue questionnaire consultation using standard consultation software (Survey monkey, Microsoft Forms)

	<ul style="list-style-type: none"> Issue questionnaire to ASA, English County Councils, Unitary Authorities, LGA and LLFAs. Evaluate questionnaire responses and summarise in deliverable. 	
2.5	<ul style="list-style-type: none"> Determine the Welsh appeal body and consider differences in stakeholders between England and Wales. Consult with Defra to understand likely landscape / requirements for an appeals body. 	
2.6 & 2.7	<ul style="list-style-type: none"> Evaluate the Welsh appeals and enforcement processes (see scope of Objective 1 above). Produce a suggested English process for each (appeals and enforcement) based on the Welsh processes, feedback from Welsh and English stakeholders. 	
Element 3: Statutory Technical Standards		
Objective ref	Approach	
3.1	<ul style="list-style-type: none"> Review the Recommendations to Update Non-Statutory Technical Standards (NSTS) for Sustainable Drainage Systems. Review Welsh statutory standards and include related questions within the interviews with Welsh stakeholders. Engage with stakeholders as objective 3 below. Identify broad areas where the NSTS need to be updated. Collate into a summary document for Defra review and comment. 	
3.2	<ul style="list-style-type: none"> Collate a list of proposed changes to the Non-Statutory Technical Standards and Welsh Statutory Standards. Determine the organisational bodies to be assessed in consultation with Defra – Supplier propose regulators, developers, local authorities and up to three additional stakeholders agreed with Defra. Determine up to 10 impact areas to be considered (financial and non-financial) and agree with Defra, for example labour resource demand, development viability, climate resilience... Assess the qualitative impact of each change, compared to the Welsh Technical Standards, on each organisational body on a 5-point scale from very low to very high. Present in a Multi Criteria Analysis style deliverable. 	
3.3	<ul style="list-style-type: none"> Work with Defra to determine what is required from the engagement and prepare the workshop session accordingly. Hold a single all-day workshop encompassing all stakeholder groups identified to achieve the required engagement. Share the findings from the engagement activities to date across all elements (questionnaire responses, interviews) and collate thoughts / feedback from attendees on the proposed statutory standards (linked to objective 1 above). Attendance at workshop by two senior members of AECOM team and two junior members for facilitation and note-taking. Write up engagement notes to capture key messages from the workshop. 	

Assumptions and dependencies

- Supplier will be responsible for managing and overseeing input (academic and industrial) from their wider delivery team (consisting of a pre-agreed teaming from AECOM);
- The Supplier, including wider delivery team, have both the required expertise and the means to resource this project within the short timescales agreed;
- Defra will ensure that the necessary resources are made available to the Supplier in a timely manner and will provide all reasonable input and guidance as required;
- Defra project leads will provide the Supplier with access to Other Environmental Regulators and third-party stakeholders (e.g., academics, industry specialists) as deemed appropriate for involvement in the agreed scope of work (e.g., attending some of the working sessions)
- Defra will issue questionnaire consultation using standard consultation software (Survey monkey, Microsoft Forms)
- The work will be conducted remotely. If this changes and expenses to travel outside London are incurred, they will be agreed in advance and within Defra's travel policy where they are additional to the stated cost.
- The Supplier does not assure that stakeholder views beyond the agreed project end date will be incorporated into the deliverables.

Additional assumptions underpinning the approach are provided in the appendix

Deliverables

During the course of this DPEL, Supplier will provide the following Deliverables:

Initiation

- Agreed scope / work-plan / ways of working that is presented during regular project management calls
- Finalised key individuals list to steer & input

Element 1 Report: Fees

The Deliverables for Element 1 will constitute a concise report with the following structure:

- Introduction
- Summary of Consultation
- Evaluation of Welsh approach to fees
- FWMA2010 legislative requirements
- Proposed English fee structure

Element 2 Report: Appeals & Enforcement

The Deliverables for Element 2 will constitute a short report with the following structure:

- Introduction
- Summary of Consultation
- Evaluation of Welsh approach to appeals and enforcement
- FWMA2010 legislative requirements
- Suggested high level appeals process – flow chart
- Suggested high level enforcement process for England – flow chart
- Suggested composition of appeals body

Element 3 Report: Statutory Technical Standards

The Deliverables for Element 3 are as follows:

- Technical note summarising the likely required changes to the Non-Statutory Technical Standards (NSTS) for Defra review and comment
- Multi Criteria Analysis of the impacts of each change to the NSTS on a range of stakeholder groups
- Workshop engagement notes

Indicative work plan with key milestones and activities (Note: Please consider the below work plan as indicative only and not an accurate reflection of the phases of work and milestones associated with the project)

Week commencing >	23-Jan	30-Jan	06-Feb	13-Feb	20-Feb	27-Feb	06-Mar	13-Mar	20-Mar	27-Mar	03-Apr	10-Apr	17-Apr	24-Apr
	Week 1	Week 2	Week 3	Week 4	Week 5	Week 6	Week 7	Week 8	Week 9	Week 10	Week 11	Week 12	Week 13	Week 14
Milestones														
Stakeholder engagement: interviews and workshop sessions														
Element 1 phase (Fees) & Element 2 (Appeals and Enforcement) Phase														
- Review of Draft deliverable report Element 1 & 2														
- Wrap up FINAL deliverable report Element 1 & 2, after review														
Element 3 phase - Statutory Technical Standards														
- Review deliverable Element 3 (Impact Assessment / workshop notes only, 1 iteration only)														

Deliverable	Success Criteria	Milestone / Date	Owner (who in the delivery team?)
Project Initiation			
Project plan and agreed ways of working document	<ul style="list-style-type: none"> Agreed scope and work-plan Agreed ways of working and project governance 	Week ending 27/01/23	
Element 1: Fees			
Element 1 report write-up	Consolidate findings and produce report including: <ul style="list-style-type: none"> Evaluation of Welsh approach to fees FWMA2010 legislative requirements Proposed English fee structure 	Draft week commencing 13/03/23 Final week commencing 27/03/23	
Element 2: Appeals & Enforcement			
Element 2 report write-up	Consolidate findings and produce report including: <ul style="list-style-type: none"> Evaluation of Welsh approach to appeals and enforcement FWMA2010 legislative requirements Suggested high level appeals process – flow chart Suggested high level enforcement process for England – flow chart Suggested composition of appeals body 	Draft week commencing 13/03/23 Final week commencing 27/03/23	
Element 3: Statutory Technical Standards			
Element 3 report write-up	<ul style="list-style-type: none"> Technical note summarising the likely required changes to the Non-Statutory Technical Standards (NSTS) for Defra review and comment Multi Criteria Analysis of the impacts of each change to the NSTS on a range of stakeholder groups 	Week commencing 27/03/23	

Deliverable	Success Criteria	Milestone / Date	Owner (who in the delivery team?)
	<ul style="list-style-type: none"> Workshop engagement notes 		
Internal Capability Development Outcomes			
N/A	<ul style="list-style-type: none"> N/A 	N/A	N/A
Social Value Outcomes			
n/a for this project due to scope and timescales			

Limitations on scope and change control

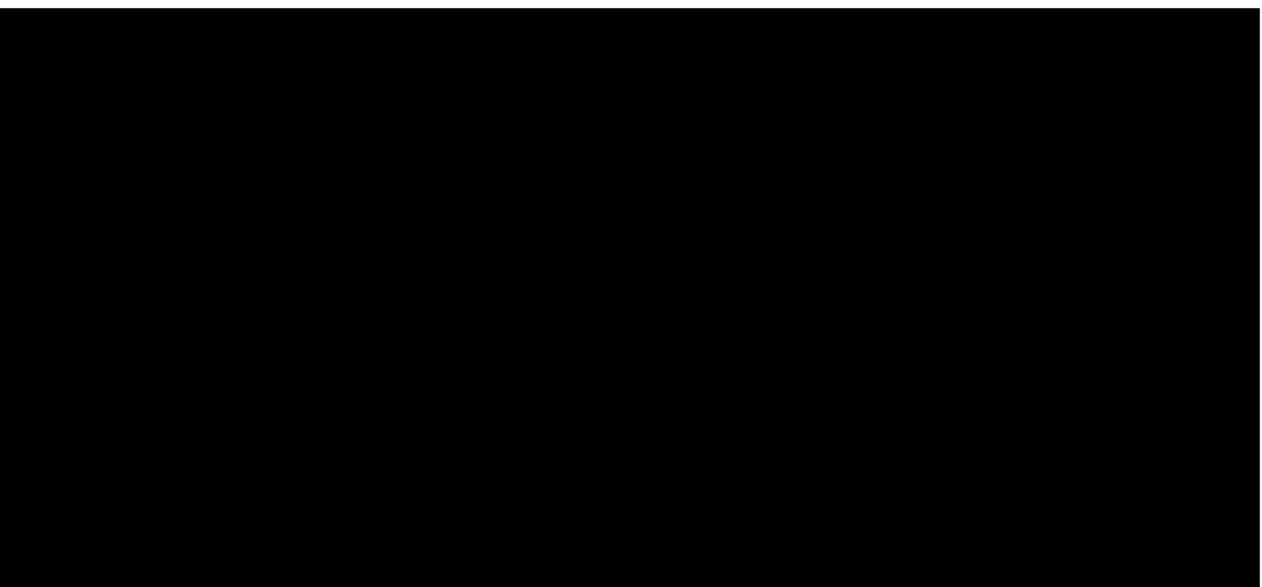
Unless instructions to the Supplier are later amended in writing, the work undertaken will be restricted to that set out above. In providing the services detailed above, the Supplier will be acting in reliance on information provided by the Business Area.

The Project Engagement Letter is the agreed contract of work between the Defra Group Business Area and the Supplier and can be varied under the change control process. Any changes to timescales, scope and costs will require approval by DgC.

3. Delivery team

Provide details of the agreed team members including their roles and responsibilities during the project.

Name	Role (link to stage/s resource will work on)	Grade	Daily rate	# of days	Cost
Total £99,400					



RESEARCHER'S COMMENTS:

Provide costs for any particular stages to the engagement.

Grand total		£99,400	
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Defra Group overarching contract rates include expenses for any travel to/from any UK location defined by the Business Area as the base office for the work. Only expenses for travel at the Business Area's request from this base can be charged. If appropriate, define permissible expenses to be charged.

The Supplier should invoice fees monthly in arrears. Defra Group will reimburse fees monthly on confirmation of approval of work delivered by the Business Area. The Supplier will keep an accurate record of time spent by staff in providing the services and provide this information and supporting narrative, if requested.

Defra Project Engagement Letter V 1.2



Governance: Given the relatively small scale and short timeframe for completing this work, parties have established light touch governance to manage delivery. A project working group has been established which includes members of the Supplier 'Delivery Team' and Client 'Business Area's team'. It is planned for this group to meet once a week with the purpose of reviewing progress and providing project assurance against agreed outcomes and outputs. This group will be coordinated and chaired by the Supplier, with support from the Defra project manager.

Internal reporting: The piece of work is being delivered for [REDACTED]

Overall responsibility for management of this work will be undertaken by Deloitte LLP. Support will be provided by technical and expert staff within by AECOM as set out in section 3. As part of the Call-Off Contract, the Supplier and Business Area agree to provide reporting on the following:

- Completion of the time tracker on a monthly basis, to track days worked by our consultants;
- Weekly progress update against the agreed activities and Deliverables

Key Performance Indicators

Business Area and Supplier to agree any specific key performance indicators related to this specific project engagement.

Feedback and satisfaction

A project working group has been established which includes members of the supplier 'Delivery Team' and client 'Business Area's team' and which is planned to meet once a week. This working group will provide the required reporting intervals to support delivery of this project and project assurance. (See section 5).



Defra Group reserves the right to hold review meetings during the assignment, discussing what went well, opportunities for improvement on future assignments and similar. This will incorporate any 'Show and Tell' documentation or transferable products that have been produced.

A post-engagement quality review of the engagement will be arranged where the Business Area rates the services provided.

Non-disclosure agreements

It is not expected that there will be a need for any additional NDA's for this project. The overarching MCF2 framework include NDAs.

6. Exit management

The agreed actions and deliverables by the Supplier for when the contract ends are as follows:

It is expected that a short review will be undertaken between the Business Area's Team, Supplier and associated delivery partners nearing completion of this work to review the report/write-up of final outputs.

Following this review and agreement of final outputs a project sign-off will be given. See above for the project's KPIs

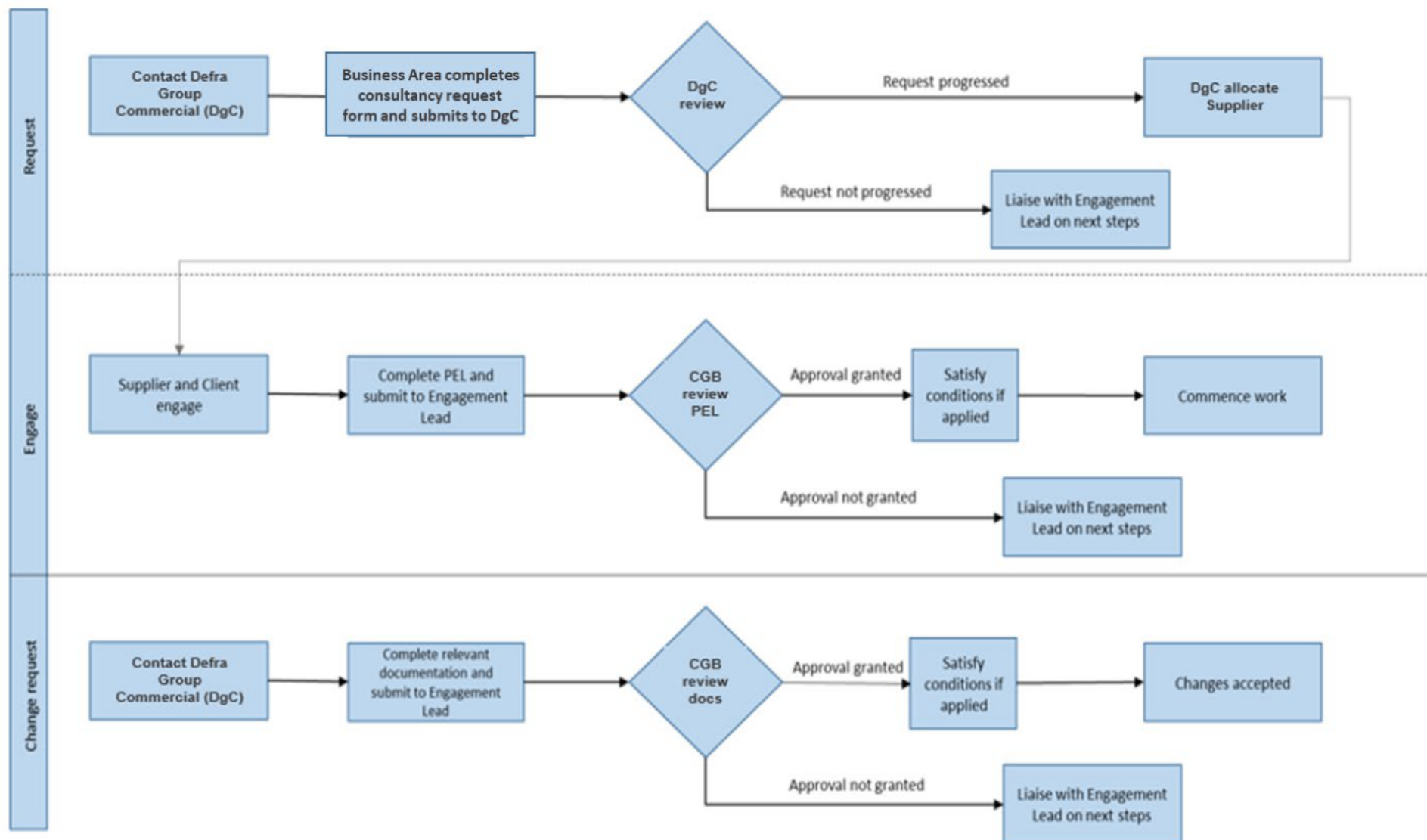
Notice period

The nature of these engagements require that Defra Group have the ability to terminate an engagement with notice. Defra Group's termination rights for this engagement are marked below.

The minimum notice period for termination is 5 working days regardless of engagement duration.

1. Business Area identifies a potential need for delivery support, initiates a conversation with DgC, confirms which approvals are required for an engagement to occur, e.g. Consultancy Governance Board if over £100k or DgC Corporate Services Delivery Board if under £100k.
2. Request Form completed by Business Area and submitted to DgC at:
[REDACTED]
3. The form is reviewed by the DgC team around which resource route is most appropriate (e.g. Lots 1/2/3) and may request additional information/edits from the Business Area if required.
4. Lot / Supplier is selected and briefed on the request by DgC, then introduced to the requesting Business Area for further discussion and confirmation of work to be delivered
5. A Project Engagement Letter is completed by the Business Area with input from the Supplier (with supporting proposals as appropriate) and then finally agreed between the two parties, including evidence of all required approvals either being in place or being progressed (e.g. PO) and forwarded to the DgC for review by the Consultancy Governance Board (CGB). Approval states are:

Approval state	Definition	Permissions
Full approval	<ul style="list-style-type: none"> ▪ DPEL agreed ▪ DPEL signed: Supplier, Dept and CO ▪ Purchase Order number 	<ul style="list-style-type: none"> ▪ Work can start ▪ Supplier can invoice for work



APPENDIX: Assumptions against specific objectives and approach

Element 1 – Fees

Scope & Approach

Scope Objectives	Approach	Assumptions / Risks / Mitigations
1. Understand and evaluate the approach taken in Wales where fees are now in place, and this will be done via interviews with Welsh SABs, Welsh Government, Welsh Local Government Association and industry professionals.	<ul style="list-style-type: none"> Review Welsh fee structure. Develop fee-related questions for interview in consultation with Defra. Maximum of 7 x 45 minute interviews with following stakeholders: <ul style="list-style-type: none"> Welsh Government (1) Welsh SABs (3) Welsh Local Govt Assn (1) Industry professionals (2) Produce short summary of each interview (15 minutes to write up each interview) Undertake rapid online research to identify existing published papers which have reviewed the implementation of the SAB in Wales. Summarise evaluation of Welsh approach in deliverable. 	<ul style="list-style-type: none"> The Welsh evidence base that supports the Welsh fee structure must be provided for review. All consultation must be complete by end of February to achieve deliverables by the end of March. Certain stakeholders may be unavailable within the timeframe, carrying a risk that important information is missed due to programme constraints. Potential for Defra to set up interviews in advance to reduce lead in time and mitigate risk of non-representation. Interviews conducted will cover Element 1 scope item 1 and Element 2 scope items 1, 3 and 5 – i.e. a single 45 minute interview with each stakeholder, with a 15 minute period to write up the an interview summary. Assumes the interviewee can answer questions on all three aspects. AECOM will provide two members of staff to conduct each interview – a Director or Subject Matter Expert to conduct questions and a Senior grade team member to take notes and summarise.
2. Understand the requirements for Fees as written in Schedule 3 to The Flood and Water Management act 2010 to ensure work developed meets regulatory requirements.	<ul style="list-style-type: none"> Review FWMA2010 Schedule 3 Section 13. 	
3. Gather opinion from the Association of SuDS Authorities, English County Councils, Unitary Authorities, Local Government Association and Lead Local Flood Authorities about the best way to complete this element.	<ul style="list-style-type: none"> Prepare questionnaire questions and format in consultation with Defra including introductory email. Defra to issue questionnaire consultation using standard consultation software (Survey monkey, Microsoft Forms) Issue questionnaire to ensure ASA, English County Councils, Unitary Authorities, LGA and LLFAs. Evaluate questionnaire responses and summarise in deliverable. 	<ul style="list-style-type: none"> Rapid turnaround of questionnaire responses required to achieve programme. Likely 2 week response timeframe. See risks identified under scope item 1. The questionnaire will cover Element 1 scope item 3 and Element 2 scope items 4 and 5. Wherever possible, closed questions will be used to facilitate a rapid evaluation of responses and gauge stakeholder buy-in.

4. Draft an England wide fee structure, including what fees are payable, how these are calculated and what should be charged for subsequent inspection of the completed SuDS.	<ul style="list-style-type: none"> Fee structure and documentation will take the form of the Welsh approach, with amendments based on the evaluation of the questionnaire. 	<ul style="list-style-type: none"> 'Inspection of completed SuDS' is assumed to mean checking that the SuDS has been built in line with approved plans, and not infer reference to the adopted SuDS for the purposes of maintenance.
5. Suggest if the amount for fees should be set by Government or if SABs can vary these.	<ul style="list-style-type: none"> Ensure questionnaire under scope objective 3 covers this objective. Defra team to engage internally to obtain government opinion. Evaluate responses and make suggestion within deliverable. 	<ul style="list-style-type: none"> Questionnaire engagement group is biased towards representation from English local government, who are highly likely to prefer control over fees. Defra may be able to provide government opinion, but no allowance is made for engaging with other government departments.

Deliverables:

The deliverables for Element 1 will constitute a concise report with the following structure:

- Introduction
- Summary of Consultation
- Evaluation of Welsh approach to fees
- FWMA2010 legislative requirements
- Proposed English fee structure

Supplier will issue one draft report and a final version incorporating one round of consolidated Defra comments.

Element 2 – Appeals & Enforcement

Scope & Approach

Scope Objectives	Proposed approach	Assumptions / Risks / Mitigations
1. Understand and evaluate the approach taken in Wales via interviews with Welsh SABs, Welsh Government, Welsh Local Government Association and industry professionals	<ul style="list-style-type: none"> Review Welsh appeals and enforcement processes. Develop appeals and enforcement related questions for interview. Maximum of 7 x 45 minute interviews with following stakeholders: <ul style="list-style-type: none"> – Welsh Government (1) – Welsh SABs (3) 	<ul style="list-style-type: none"> The Welsh documentation supporting the Welsh appeals and enforcement process must be provided for review. There may be very limited experience of enforcement to date. All consultation must be complete by end of February to achieve deliverables by the end of March.

and take this into consideration in development of this element	<ul style="list-style-type: none"> – Welsh Local Govt Assn (1) – Industry professionals (2) • Produce short summary of each interview (15 minutes to write up each interview) • Undertake rapid online research to identify existing published papers which have reviewed the implementation of the SAB in Wales. • Summarise evaluation of Welsh approach in deliverable 	<ul style="list-style-type: none"> • Certain stakeholders may be unavailable within timeframe, carrying a risk that important information is missed due to programme constraints. • Potential for Defra to set up interviews in advance to reduce lead in time and mitigate risk of non-representation. • Interviews conducted will cover Element 1 scope item 1 and Element 2 scope items 1, 3 and 5 – i.e. a single 45 minute interview with each stakeholder, with a 15 minute period to write up the an interview summary. Assumes the interviewee can answer questions on all three aspects. • AECOM will provide two members of staff to conduct each interview – one to conduct questions and one to take notes and summarise.
2. Understand the requirements for Appeals and Enforcement as written in Schedule 3 to The Flood and Water Management act 2010 to ensure work developed meets regulatory requirements	<ul style="list-style-type: none"> • Review FWMA2010 Schedule 3 Section 13. 	
3. Understand the impacts on the planning and SuDS applications when an application is refused and the other approved.	<ul style="list-style-type: none"> • Develop questions under scope of objective 1 to cover impacts on refusals. • Review Welsh appeals and enforcement processes and the original documentation to support these. • Reflect on the reported experience to date in Wales and any shared lessons learnt. • Utilise AECOM's development management staff experience to identify potential impacts. • Engage with the RTPI to seek its views on the potential impacts. 	<ul style="list-style-type: none"> • See scope objective 1 above.
4. Gather opinion from the Association of SuDS Authorities, English County Councils, Unitary Authorities and Lead Local Flood Authorities about the best way forward in England.	<ul style="list-style-type: none"> • Prepare questionnaire questions and format in consultation with Defra including introductory email. • Defra to issue questionnaire consultation using standard consultation software (Survey monkey, Microsoft Forms) • Issue questionnaire to ensure ASA, English County Councils, Unitary Authorities, LGA and LLFAs. • Evaluate questionnaire responses and summarise in deliverable. 	<ul style="list-style-type: none"> • Rapid turnaround of questionnaire responses required to achieve programme. Likely 2 week response timeframe. • See notes under scope item 1 above. • The questionnaire will cover Element 1 scope objective 3 and Element 2 scope objective 4 and 5.
5. Suggest who the appeal body should be and its composition.	<ul style="list-style-type: none"> • Determine the Welsh appeal body and consider differences in stakeholders between England and Wales. • Consult with Defra to understand likely landscape / requirements for an appeals body. 	<ul style="list-style-type: none"> • Welsh approach involves Welsh Ministers and the Planning Inspectorate. Different political landscape will require different process and stakeholders.
6. Draft a high-level appeals process; and	<ul style="list-style-type: none"> • Evaluate the Welsh appeals and enforcement processes (see scope of Objective 1 above). 	

7. Draft a high-level enforcement process.	<ul style="list-style-type: none"> Produce a suggested English process for each (appeals and enforcement) based on the Welsh processes, feedback from Welsh and English stakeholders. 	<ul style="list-style-type: none"> Legal drafting of an appeals / enforcement processes is excluded. No legal advice will be provided in the production of the suggested approach. Deliverable consists of a suggested flow chart process.
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Deliverables:

The deliverables for Element 2 will constitute a short report with the following structure:

- Introduction
- Summary of Consultation
- Evaluation of Welsh approach to appeals and enforcement
- FWMA2010 legislative requirements
- Suggested high level appeals process – flow chart
- Suggested high level enforcement process for England – flow chart
- Suggested composition of appeals body

Supplier will issue one draft report and a final version incorporating one round of Defra comments.

Element 3 – Statutory Technical Standards

Scope & Approach

Scope Objectives	Proposed approach	Assumptions / Risks / Mitigations
1. To undertake a review of the 'Recommendations to Update Non-Statutory Technical Standards for Sustainable Drainage Systems (SuDS)' and the Welsh statutory standards with an aim to assessing their continued applicability via engagement with relevant stakeholders.	<ul style="list-style-type: none"> Review the Recommendations to Update Non-Statutory Technical Standards (NSTS) for Sustainable Drainage Systems. Review Welsh statutory standards and include related questions within the interviews with Welsh stakeholders. Engage with stakeholders as objective 3 below. Identify broad areas where the NSTS need to be updated. Collate into a summary document for Defra review and comment. 	<ul style="list-style-type: none"> There may be conflicting views from different stakeholder groups regarding the continued applicability of the NSTS. Conflicts will be escalated to Defra for the final decision on what change is appropriate for the Statutory Standards.

<p>2. To test any changes to the standards and understand the impacts (both financial and non financial) of these changes on regulators, developers, and local authorities, among others.</p>	<ul style="list-style-type: none"> • Collate a list of proposed changes to the Non-Statutory Technical Standards and Welsh Statutory Standards. • Determine the organisational bodies to be assessed in consultation with Defra – we propose regulators, developers, local authorities and up to three additional stakeholders agreed with Defra. • Determine up to 10 impact areas to be considered (financial and non-financial) and agree with Defra, for example labour resource demand, development viability, climate resilience... • Assess the qualitative impact of each change, compared to the Welsh Technical Standards, on each organisational body on a 5-point scale from very low to very high. • Present in a Multi Criteria Analysis style deliverable. 	<ul style="list-style-type: none"> • No stakeholder engagement is proposed for this specific task, although the workshop under scope objective 3 may be used to support this activity. • The analysis may therefore be subjective. However, the outputs will allow Defra to understand the main areas of concern.
<p>3. To guide and engage with groups who will be affected by the implementation of Schedule 3, including Risk Management Authorities; Association of SuDS Authorities; Lead Local Flood Authorities (LLFAs); Local Planning Authorities; the developer community (e.g., Home Builders Federation); The Chartered Institution for Water and Environmental Management's SuDS Policy Leadership Group, CIRIA (Construction Industry Research and Information Association), and Department for Levelling Up, Housing and Communities (DLUHC), who will apply and use the standards, to incorporate sustainable drainage approaches within new developments.</p>	<ul style="list-style-type: none"> • Work with Defra to determine what is required from the engagement and prepare the workshop session accordingly. • Hold a single all-day workshop encompassing all stakeholder groups identified to achieve the required engagement. • Share the findings from the engagement activities to date across all elements (questionnaire responses, interviews) and collate thoughts / feedback from attendees on the proposed statutory standards (linked to objective 1 above). • Attendance at workshop by two senior members of AECOM team and two junior members for facilitation and note-taking. • Write up engagement notes to capture key messages from the workshop. 	<ul style="list-style-type: none"> • All consultation must be complete by end of February to achieve deliverables by the end of March. • Certain stakeholders may be unavailable within timeframe, carrying a risk that important information is missed due to programme constraints. • Potential for Defra to set up workshop in advance to reduce lead in time and mitigate risk of non-representation.

Deliverables:

The deliverables for Element 3 are as follows:

- Technical note summarising the likely required changes to the Non-Statutory Technical Standards (NSTS) for Defra review and comment
- Multi Criteria Analysis of the impacts of each change to the NSTS on a range of stakeholder groups
- Workshop engagement notes