

**Date:** Wednesday 14 November 2001  
**Time:** 2.00 to 4.30 pm  
**Venue:** Committee Room 3, National Assembly Building

## **ESTABLISHMENT OF THE DESIGN COMMISSION FOR WALES**

1. This paper provides briefing on the establishment of a Design Commission for Wales which the Assembly agreed to at a Plenary Session on 18 October.

### **Background**

2. Last year the National Assembly for Wales Design Initiative was launched and a Design Steering Group established which contains representatives of bodies in Wales with an interest in design and the built environment who are able to contribute to the Initiative.

3. From this group arose a consensus that Wales should have some form of Commission on Design to promote long-term commitment to good design. Earlier this year the National Assembly allocated funding (£100k for each of the next 3 years) for the establishment and running of a Design Commission.

4. Following consultations to consider the aims, objectives and structure of such a Commission, detailed proposals are as follows:

### **Objectives of Design Commission**

5. The main objectives of the Commission, as approved by Plenary on 18<sup>th</sup> October are:

- To champion high standards of design and architecture to the public and private sector in Wales through promoting wider understanding of design issues and the importance of good standards in enhancing the built environment across all sectors.
- To promote design practice that is compatible with the National Assembly Sustainable Development Scheme, promoting best practice in energy efficiency, waste disposal and access to public transport.'
- 'To promote design practice compatible with the highest standards in relation to equality of opportunity and promoting social inclusion.'
- Shall give due regard to promoting excellence in day to day developments, like housing estates and industrial units, as well as promoting excellence in prestige projects.'

6. More detailed tasks and projects will be agreed between the Assembly and the Board of Directors in a Business Plan once the directors have been appointed. An immediate priority will be to provide training and guidance on design procurement.

### **Structure of Design Commission**

7. The proposed structure of the Design Commission is, as an Assembly owned not-for-profit company limited by guarantee. It would be a registered company, with a board of Directors responsible for the day to day management of the company.

8. The main features of this structure are:

- The company will be a company limited by guarantee so any legal liability of the member (i.e. the Assembly) is limited to the amount of that guarantee (the nominal sum of £1) because the company is a legal person in its own right and any debts owned by the company are the responsibility of the company and not of its members.
- The directors will be given the powers of management to run the company, but the Assembly will retain overall control of its affairs. The Assembly can determine the extent to which it is necessary to exercise its powers of overall control as the company develops.
- The Chair and Board members will be appointed by the Assembly for a 3 year term by means of an open recruitment exercise, which will also be held to appoint their replacements. The existing Board Members will be able to apply for a second term.
- There will be a minimum number of 6 directors including the chair, with the precise number being determined by the Assembly and being subject to change according to operational requirements. (This should provide a balance of interests in the management of the company.)
- The Assembly can remove a director before the expiry of his / her normal term either for cause or without the need to state a reason.
- The member (National Assembly) can select and change the Chair of the Board.
- The registered office is to be in Wales.
- The articles require for annual general meetings between the Board and the Member to be open to the public, for Assembly Members to be given notice and to have the right to speak (eg to ask questions) but not to vote. The Board will be required to consult the Assembly as to the location of the annual general meeting so that you will be able to use

your influence to ensure that it is accessible to AMs and the public and takes place, when appropriate, at locations outside Cardiff.

- The Company will be registered in the name "DCFW Ltd" but will usually be known as "Design Commission for Wales or Comisiwn Dylunio Cymru . This can easily be changed at a future date if necessary.

## **Next Steps**

9. The recruitment of the Chair and Board Members will shortly be underway, and will be advertised in the press. I will provide members of the Committee with details.

10. I will aim to ensure that a range of expertise, including planning, business and landscape architecture is available to the Commission.

## **Enclosures**

11. Enclosed are copies of the **draft Articles (annex A)** and **Memorandum of the Association (Annex B)** which are required to establish the company.

## **Attendance of Design Steering Group Representative**

12. Jonathan Adams is an architect who represents the Institute of Welsh Affairs on the Design Steering Group. He has kindly agreed to attend this meeting and provide his perspective on the Design Commission.

**Sue Essex**

**Minister for Environment**

Contact: Kay Powell, Head of Planning Division