



City of Westminster

# Council Agenda

Title: **Council Meeting**

Meeting Date: **Wednesday 7th March, 2018**

Time: **7.00 pm**

Venue: **Westminster Council House, 97-113 Marylebone Road,  
London, NW1 5PT**

Members: **All Councillors are hereby summoned to attend the Meeting  
for the transaction of the business set out.**

**Admission to the public gallery is available from 6.30pm.**

**Please telephone if you are attending the meeting in a  
wheelchair or have difficulty walking up steps. There is  
wheelchair access via the Sammy Ofer Centre.**



**An Induction loop operates to enhance sound for anyone  
wearing a hearing aid or using a transmitter. If you require  
any further information, please contact the Committee  
Officer, Mick Steward, Head of Committee and Governance  
Services.**

**Email: [msteward@westminster.gov.uk](mailto:msteward@westminster.gov.uk) Tel: 020 7641 3134  
Corporate Website: [www.westminster.gov.uk](http://www.westminster.gov.uk)**

a)	<b>Lord Mayor's Communications</b>	(Pages 1 - 2)
a)	<b>Report of Cabinet: Paragraph 1 - Annex 1</b>	(Pages 3 - 6)
a)	<b>Report of the General Purposes Committee and Report - Appendix G</b>	(Pages 7 - 34)
<b>13.</b>	<b>PRIORITY ORDER OF BUSINESS</b>	<b>(Pages 35 - 36)</b>

**5 Strand  
London, WC2 5HR  
23 February 2018**

**Chief Executive**

## 3. LORD MAYOR'S COMMUNICATIONS

- i. The Lord Mayor to report that, on Monday 1<sup>st</sup> January, he attended the London New Year's Day Parade.
- ii. The Lord Mayor to report that, on Tuesday 2<sup>nd</sup> January, he attended the London New Year's Day Parade International Choral Festival Grand Finale Concert at Central Hall.
- iii. The Lord Mayor to report that, on Thursday 11<sup>th</sup> January, he attended the London Government Dinner at Mansion House.
- iv. The Lord Mayor to report that, on Monday 22<sup>nd</sup> January, he attended the Mayfair and St James Community Awards at Claridges.
- v. The Lord Mayor to report that, on Thursday 25<sup>th</sup> January, he attended Holocaust Memorial Day Ceremony at Queen Elizabeth II Centre.
- vi. The Lord Mayor to report that, on Monday 29 January, he attended a lunch hosted by the Rotary Club of St Marylebone at the Oriental Club.
- vii. The Lord Mayor to report that, on Monday 29 January, he attended the Westminster Abbey Audit Dinner held in the Jerusalem Chamber, Westminster Abbey.
- viii. The Lord Mayor to report that, on Wednesday 31<sup>st</sup> January, he attended the launch of Centenary Celebrations of Estonia, Lithuania and Latvia at Lancaster House.
- ix. The Lord Mayor to report that, on Thursday 1<sup>st</sup> February, he was interviewed on live radio by Soho Radio.
- x. The Lord Mayor to report that, on Thursday 1<sup>st</sup> February he hosted a charity fund raising quiz night for Opening Doors London.
- xi. The Lord Mayor to report that, on Saturday 3 February, he attended the London Mayors' Association Annual Dinner.
- xii. The Lord Mayor to report that, on Thursday 8<sup>th</sup> February, he attended the Bespoke Tailors' Benevolent Association Annual Festival Dinner, Merchant Taylor's Hall.
- xiii. The Lord Mayor to report that, Friday 9<sup>th</sup> February, he attended the Westminster Children's University Graduation Ceremony at The Regent Street Cinema.

- xiv. The Lord Mayor to report that, on Monday 12<sup>th</sup> February, he attended a 'Music for Life' concert at Buckingham Palace, hosted by HRH Princess Alexandra.
- xv. The Lord Mayor to report that, on Sunday 18 February, he attended the opening ceremony for the Chinese New Year Celebrations 2018.
- xvi. The Lord Mayor to report that, on Friday 23<sup>rd</sup> February, he attended the Lord Mayor of Westminster's Gala Concert at Wigmore Hall.

## Annex 1 - Council Tax Resolution

That the Council be recommended to resolve as follows:

1. It be noted that on the 24th of January 2018, the Council calculated the Council Tax Base for 2018/19:
  - a) For the whole Council area as **128,833.30** [Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the “Act”); and
  - b) For dwellings in the Montpelier Square area as **95.68**
  - c) For dwellings in the Queen’s Park Community Council area as **3,406.61**
2. Calculate that the Council Tax Requirement for the Council’s own purposes for 2018/19 (excluding Special Expenses) is **£53,629,439**
3. That the following amounts be calculated for the year 2018/19 in accordance with Sections 31 to 36 of the Act:
  - a) **£854,521,051** being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it.
  - b) **£800,844,612** being the aggregate amounts which the Council estimates for items set out in Section 31A(3) of the Act.
  - c) **£53,676,439** being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax Requirement for the year (*Item R in the formula in Section 31B of the Act*).
  - d) **£416.63** being the amount at 3(c) above (Item R) all divided by Item T (1(a) above), calculated by the Council in accordance with Section 31B of the Act, as the Basic Amount of its Council Tax for the year (including Special Amounts)
  - e) **£47,000** being the amount of the Montpelier Square Garden Committee special item referred to in Section 34(1) of the Act.
  - f) **£416.27** being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by Item T (1(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of the Council Tax for the year for those dwellings in those parts of the area to which no special item relates.

4. To note that the Greater London Authority have issued a precept to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwelling in the Council's area as indicated in the table below:

Ratio	Band	Greater London Authority
6	A	196.15
7	B	228.85
8	C	261.54
9	D	<b>294.23</b>
11	E	359.61
13	F	425.00
15	G	490.38
18	H	588.46

5. To note that the Queen's Park Community Council have issued a precept to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwelling in the Queen's Park Community Council area as indicated in the table below:

Ratio	Band	Queen's Park Community Council
6	A	30.92
7	B	36.07
8	C	41.23
9	D	<b>46.38</b>
11	E	56.69
13	F	66.99
15	G	77.30
18	H	92.76

6. To note that the Montpelier Square Garden Committee Special Expense for each category of dwelling as indicated in the table below:

Ratio	Band	Montpelier Square Garden Committee
6	A	327.48
7	B	382.06
8	C	436.64
<b>9</b>	<b>D</b>	<b>491.22</b>
11	E	600.38
13	F	709.54
15	G	818.70
18	H	982.44

7. That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992 hereby sets the aggregate amounts shown in the tables below as the amounts of Council Tax for 2018/19 for each part of its area and for each category of dwellings:

Westminster Council Requirement & Special Expenses

Ratio	Band	Queen's Park Community Council	Montpelier Square Garden Committee	All Other Parts of Westminster City Council
6	A	308.43	604.99	277.51
7	B	359.84	705.83	323.77
8	C	411.25	806.66	370.02
<b>9</b>	<b>D</b>	<b>462.65</b>	<b>907.49</b>	<b>416.27</b>
11	E	565.46	1,109.15	508.77
13	F	668.27	1,310.82	601.28
15	G	771.08	1,512.48	693.78
18	H	925.30	1,814.98	832.54

## Westminster Council Requirement, Special Expenses and Precepts

Ratio	Band	Queen's Park Community Council	Montpelier Square Garden Committee	All Other Parts of Westminster City Council
6	A	504.58	801.14	473.66
7	B	588.69	934.68	552.62
8	C	672.79	1,068.20	631.56
9	D	<b>756.88</b>	<b>1,201.72</b>	<b>710.50</b>
11	E	925.07	1,468.76	868.38
13	F	1,093.27	1,735.82	1,026.28
15	G	1,261.46	2,002.86	1,184.16
18	H	1,513.76	2,403.44	1,421.00

8. That the City Treasurer be authorised to collect (and disperse from the relevant accounts) the Council Tax and the National Non-Domestic Rate and that whenever the office of the City Treasurer is vacant or the holder thereof is for any reason unable to act, the Chief Executive or such other authorised post-holder be authorised to act as before said in his stead.
9. That notice of amounts of Council Tax be published.
10. That the Council does not adopt a special instalment scheme for Council tenants.
11. That the Council offers as standard the following patterns for Council Tax and National Non-Domestic Rate: payment by 1, 2, 4, 10 or 12 instalments and that delegated officers have discretion to enter into other agreements that facilitate the collection of Council Tax and National Non-Domestic Rate.
12. That the Council does not offer payment discounts to Council Taxpayers.
13. That the Council resolve to charge owners for Council Tax in all classes of chargeable dwellings prescribed for the purposes of Section 8 of the Act.



## Report of the General Purposes Committee held on 28 February 2018

**Present:** Councillors Tim Mitchell (Chairman), Robert Davis, MBE, DL (Vice-Chairman), David Boothroyd and Melvyn Caplan

### 1. Members Allowances Scheme 2018-2019

- (a) We have considered the Members Allowances Scheme for 2018-2019 to come into effect from 1 April 2018. As in previous years we have had regard to the report of the Independent Panel and have been able to consider their most recent report published in January 2018. This report is attached to the report we considered which is appended to this report (Appendix G).
- (b) We noted that some amendments to the Scheme may be required as a result of changes introduced during the next municipal year. At this stage we are recommending that the scheme remain unchanged. A full review will be completed following the local elections.

**We recommend:** That the Members Allowances Scheme attached to the report (Appendix G) be approved with effect from 1 April 2018, pending a full review following the local elections.

Tim Mitchell, Chairman

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## Local Government Act 1972 – Background Papers

Report/Minutes – General Purposes Committee (28.2.2018)

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<b>Date:</b>	<b>28 February 2018</b>
<b>Classification:</b>	<b>For General Release</b>
<b>Title:</b>	<b>Members' Allowance Scheme 2018-2019</b>
<b>Report of:</b>	<b>Head of Committee and Governance Services</b>
<b>Wards Involved:</b>	<b>None</b>
<b>Policy Context:</b>	<b>Management of the Council</b>
<b>Financial Summary:</b>	<b>There are no additional financial impacts arising from the proposals set out in this report</b>
<b>Report Author and Contact Details:</b>	<b>Mick Steward</b> <b>Tel: 020 7641 3134</b> <b>Email: <a href="mailto:msteward@westminster.gov.uk">msteward@westminster.gov.uk</a></b>

## **1. Executive Summary**

- 1.1 The Council is required, if it wishes to pay such allowances, to adopt a Members' Allowances Scheme on an annual basis with effect from 1 April each year. Such a scheme can be amended in year.
- 1.2 In drawing up the revised Members' Allowances Scheme regard has been given to the recommendations of the London-wide Independent Remuneration Panel convened by London Councils whose most recent report (2018) is listed with the relevant statutory guidance as background documents are attached (Appendix B).
- 1.3 Each year an assessment is undertaken to ensure that existing budget levels are sufficient. However, as set in paragraph 3.10 of the report a 2% increase is proposed.

## **2. Recommendation**

- 2.1 That the Council be recommended to approve the Members' Allowances Scheme attached as Annex A for 2018-2019 with effect from 1 April 2018.
- 2.2 That the City Treasurer be directed to include provision to reflect inflation in the Members Allowances Budget in 2018/19 and future years at the same level as that set aside for the salary increase for officers.

### **3. Background**

- 3.1 There is a requirement for local authorities if they wish to adopt a Members' Allowance Scheme on an annual basis, with effect from 1 April each year. Schemes can be amended at any time during the year.
- 3.2 When considering a new scheme, or amending an existing scheme, local authorities must have regard to the report of the London Councils' Independent Panel on the Remuneration of Councillors and relevant guidance from the Secretary of State. The Committee and the Council are required to have regard to the Panel's report in considering its own scheme. The Council's overall budget for Members Allowances remains towards the bottom of all London Boroughs. The Council asked the following matters of the Panel:
1. Previously the Panel have recommended that SRAs should be paid to a maximum of only 50% of the whole Council membership. At WCC we pay an SRA also to members of panels which meet fairly frequently, in particular day time, as well as Cabinet Members, Committee Chairmen etc. Does the Panel consider this as a reasonable exception to its 50% "rule"?
  2. The Panel's view is WCC pays more than one SRA to the same member and indeed in some but rarely up to 3 or 4 in a few cases. The logic is that if Members are doing the task they should be paid the SRA. These are generally at the lower end of the SRAs payable, but does the Panel have a view, please?
  3. The Council does not pay travel expenses for travel within the Greater London Authority area, saying that such costs should be met from the allowances paid. It does provide all Members with a parking permit for use only when undertaking approved duties. In cases where there is a medical justification it will reimburse taxi fares. The Council does not pay other allowances – for example dependent care allowances. Any views?.

All Members were given the opportunity to put issues to the Panel.

#### **Members' Allowances**

- 3.3 The current Members' Allowances Scheme was adopted by the Council on 2 March 2017. The Scheme for the 2018/19 municipal year requires the approval of the full Council, upon recommendation from the General Purposes Committee. As in previous year's regard has been given to the findings and recommendations detailed in the Panel's most recent report published in January 2018.
- 3.4 An annual review is undertaken to assess the financial commitments and evaluate if a finance pressure will materialise. If it transpires then, budgets are uplifted to offset inflationary pressures or mitigating initiatives are adopted.

The Members Allowance budget is deemed sufficient to meet the financial commitments for 2018-19.

- 3.5 The Chief Whip of the Majority Party has, as in previous years, been consulted on the proposals. The Chief Whip of the Minority Party was also invited to give views on matters to be considered.
- 3.6 The City Council elections on 3 May 2018 could lead to changes in the Council's committee structures. It is therefore anticipated that a further report seeking approval to some amendments to the scheme will be submitted at some point after the forthcoming local elections.

### **Basic Allowance**

- 3.7 It is proposed to maintain the level of Basic Allowance payable to all Members at £9,000 per annum.

### **Special Responsibility Allowance (SRA)**

- 3.8 Significant adjustments were made to the scheme in 2010 which intended, within the constraints of the existing budget provision, to ensure the scheme rewarded more fully the duties and tasks undertaken by Members. The changes to the Scheme proposed in this report continue the trend commenced previously to visit the SRAs to tasks undertaken in particular day time duties.
- 3.9 The Scheme continues to reflect and reward the levels of duties undertaken by Members in formal posts, including those bodies which have a particularly frequent schedule of meetings.
- 3.10 As reflected in the Independent Panel's report it is proposed that the budget be increased by the amount of the proposed Local Government Pay Award. This could be circa 2% uplift in allowance which would be funded from central finance. However, this will not be applied until after a full review to take place following the local elections.

### **ICT Allowance**

- 3.11 As part of the Members Allowances Scheme approved at the time of the City Council elections in 2006, provision for the payment of a one off allowance of £1,000 upon election was made to allow for the purchase of ICT equipment. This is paid as an enhancement to the Basic Allowance. This was paid in 2010 and again in 2014. This is next due this year. The Chief Information Officer has confirmed that the value of the IT allowance continues to be acceptable given that the cost of IT commodity computing kit has been stable or reducing over recent years. The IT requirements of Members and the associated governance requirements are being reviewed and are to be the subject of a separate report to the Cabinet Member for Finance, Property and Corporate Services. The IT allowance is to cover cost of IT equipment including all related kit and supplies.

## **Travel and Subsistence Allowance**

- 3.14 The Council's scheme continues to be more restrictive than the Panel's recommendations and only allows for travel claims for approved duties outside of the Greater London area (travel to other London Boroughs is not reclaimable). No change to this part of the scheme is proposed. Reference is included in the scheme to the availability of all zone permits for Members, for use when undertaking official duties.

## **4. Legal Implications**

- 4.1 There is a requirement that councils must make a scheme if it wishes to have one for the following year to commence on 1 April. Schemes can be amended at any time but new schemes can be introduced only from the start of each year commencing on 1 April. The approval of the full Council is necessary for any amendments to existing schemes or the adoption of new schemes.
- 4.2 Regulations relating to Members' Allowances require the publication of the report of the Independent Remuneration Panel, the scheme of allowances and details of the total sums paid to each Member under each category of allowance in each year. The statutory guidance on the publicity requirements suggests that details of allowances paid are made available on the Council's website together with information on the responsibilities of elected Members and the duties and time commitment which the basic allowance is intended to remunerate. This has previously been agreed by this Committee.

Legal implications verified by Rhian Davies, Chief Solicitor (Litigation and Social Care)

## **5. Financial Implications**

- 5.1 The Members' Allowances budget for 2018-2019 is £0.958m which excludes the provision for the employer National Insurance. The annual allowance is expected to be £0.923m. The remaining balance is transferred to reserves to fund the ICT allowance every four years. The provision for National Insurance is £0.098m.
- 5.2 The budget is unchanged and is deemed to be sufficient to meet all the financial commitments. However, a proposed uplift in allowance could take place in the near future as per an Independent Panel's report. The uplift could be circa 2% which would be funded from central finance.

## **6.1 Consultation**

The Chief Whip of the Minority Party has been consulted. Any comments received will be reported at the meeting.

**If you have any questions about this report, or wish to inspect one of the background papers, please contact Mick Steward:**

**Email: [msteward@westminster.gov.uk](mailto:msteward@westminster.gov.uk)**

**LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1972  
BACKGROUND PAPERS**

The documents referred to in compiling this report are as follows:

- Report of the Independent Remuneration Panel 2018
- Guidance Issued by Secretary of State
- Report of the General Purposes Committee – 25 February 2017

## **APPENDIX A**

### **MEMBERS' ALLOWANCES SCHEME FROM 1 APRIL 2018 TO 31 MARCH 2019**

1. This Scheme is made under, and in accordance with, the provisions of the Local Authorities (Members' Allowances) (England) Regulations 2003.
2. The rates of allowances specified will apply until the Scheme is amended or replaced, in which event the revised rates of allowances will be paid from the date from which the amendment takes effect.
3. Subject to the relevant form being completed at the appropriate time, entitlement to allowances under the Scheme commences on the date upon which a Member is elected to the Council or is elected or appointed to an office qualifying for special responsibility. The entitlement ceases on the date upon which a Member ceases to hold a qualifying office or ceases to be a Member of the Council (the fourth day after polling day in the year of City Council elections, i.e. the Monday). An apportionment of the relevant allowances will be made in the same proportion as the number of days that the Member held Office or was a Member, bears to the number of days in the relevant year.
4. Any Member may by notice in writing to the Head of Committee and Governance Services elect to forego for any period any part of an entitlement to an allowance under the Scheme which will take effect from the date upon which the notice is received by the Head of Committee and Governance Services.
5. Allowances will be paid by equal monthly instalments on the 20th day of each month by BACS to the account notified by the relevant Member for these purposes to the Head of Committee and Governance Services. Members will also be required to provide a valid National Insurance Number. A £1,000 lump sum additional Basic Allowance for Members to purchase ICT equipment will be paid to any Member elected. No ICT allowance shall be payable unless the confirmation is received that computer hardware and an email address for Council use is available. This allowance is also payable to any Member elected at a by-election except that this allowance will not be paid if a Member received this allowance upon having been elected at a by-election in the previous 12 months.
6. Except where so authorised by the Head of Committee and Governance Services any claim for travel and subsistence allowances must be made within two months of the date of the duty to which the claim relates.

#### **Basic Allowance**

7. A Basic Allowance of £9,000 pa from 1 April 2018 will be paid to every Member of the Council who formally elects to receive it.



## **Special Responsibility Allowance**

8. Payments of Special Responsibility Allowances will be made to Members of the Council who hold special offices unless they formally elect not to receive them. Attached as Annex A is a list of the Special Responsibility Allowances payable from 1 April 2018.

## **Conferences**

9. Councillors are entitled to have their Conference fees met when approved by the appropriate Cabinet Member, Committee or the Head of Members Services in consultation with the relevant party Chief Whip and to receive payments at the approved rates for travel and subsistence in respect of their attendance at conferences held outside the City to discuss matters relevant to the discharge of the Council's functions.

## **Travel Expenses**

10. Members and Co-opted Members are entitled to claim payment of Travel Allowances at the rates of allowance set out in Annex B where expenditure has necessarily been incurred to enable them to attend an approved duty, defined as set out in Annex C, but only when travelling outside the Greater London area. Members of Education Admissions and Exclusions Appeal Panels are entitled to claim travel allowances for attendance at meetings relating to their membership at the rates set out in Annex B.

Members of the Council shall be entitled to a City Council all zones official parking permit for use when undertaking official council duties and otherwise used in accordance with the rules relating to their use.

## **Subsistence**

11. Subsistence may be claimed only for accommodation or meals at conferences (approved in accordance with paragraph (i) of Annex C) where such costs are not included in the conference fee, subject to the maximum allowance referred to in Annex B.

## **Payments whilst under Suspension**

12. Payments of allowances, basic and special responsibility, shall not be paid to a Member who is suspended or if partially suspended that element of special responsibility allowance which may be payable in respect of an office held by the Member to which the partial suspension relates.

## **Publication**

13. This scheme will be published as required by legislation. At the end of each financial year the City Council is required by legislation to publish the sums paid to councillors under the Scheme.

## ANNEX A

### MEMBERS ALLOWANCE SCHEME – SPECIAL RESPONSIBILITY ALLOWANCES WITH EFFECT FROM 1 APRIL 2018

Office Holders	Allowances (from 1.4.18) Proposed	Total Cost (from 1.4.18)
<b>Leader/Deputy Leader</b>	£	£
Leader of the Council (Chairman of the Cabinet)	35,000	35,000
Deputy Leader of the Council (Vice Chairman of the Cabinet)	17,500	17,500
<b>Cabinet Members</b>		
Each Cabinet Member (excluding the Leader and the Deputy Leader) (x8)	10,000	80,000
<b>Opposition Leader/Whips</b>		
Leader of the Opposition	8,000	8,000
Chief Whip (Majority)	5,000	5,000
Chief Whip (Minority)	4,000	4,000
Minority Party Deputy Leader	4,000	4,000
<b>Policy and Scrutiny Committees</b>		
Each Scrutiny Committee Chairman (x4)	8,000	32,000
Minority Party Scrutiny Spokesperson	4,000	4,000
<b>Other Committee/Sub-Committee Chairmen</b>		
Audit and Performance	8,000	8,000
Standards	3,000	3,000
Planning Applications Committees (x3)	4,000	12,000
Licensing Sub-Committees (x4)	4,000	16,000
Pension Fund Committee	3,000	3,000
*Licensing Committee	8,000	8,000
+Planning and City Development Committee	8,000	8,000

\* (If this Chairman is also appointed as a Chairman of a Licensing Sub-Committee they will only receive the allowance payable to the Licensing Committee Chairman)

+ (If this Chairman is also appointed as a Chairman of a Planning Applications Committee they will only receive the allowance payable to the Planning and City Development Committee Chairman)

**Deputy Cabinet Members**

Each Deputy Cabinet Member appointed to support a Cabinet Member (x16)	3,000	48,000
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**Other Panels**

Chairman of Rating Advisory Panel	3,000	3,000
Chairman of Discretionary Housing Benefits Panel	3,000	3,000

Panel Members of the Discretionary Housing and Benefits Review Panel and the Rating Panel (x8)	2,000	16,000
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Council Members of CityWest Homes Board (x4)	2,000	8,000
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Members of Pension Fund Committee except Chairman (x3)	2,000	6,000
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Panel Members of the Licensing Sub-Committees, Members of the Planning Applications Committees rate of £2,000 (x24 - £48,000), including one additional reserve Panel Member for the Planning Applications Committee one to be nominated by the Majority Party Chief Whip and one by the Minority Party Chief Whip. This separate SRA is not payable to the Chairmen of these bodies.

Panel Member of the Adoption and Fostering Panel	3,000	3,000
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**NOTE REGARDING SPECIAL RESPONSIBILITY ALLOWANCES PAYABLE IN RESPECT OF THE INDEPENDENT PERSON APPOINTED UNDER SECTION 28 OF THE LOCALISM ACT 2011 AND CO-OPTED MEMBERS ON OTHER COMMITTEES**

Each Independent Person shall be paid a Special Responsibility Allowance of £500 pa.

The co-opted Members of the Children and Community Services Policy and Scrutiny Committee shall be paid upon election and completion of the necessary acceptance of office a sum of £300 to cover their out of pocket expenses for the period of their office.

## ANNEX B

### TRAVEL AND SUBSISTENCE ALLOWANCES: (OUTSIDE THE GREATER LONDON AREA)

#### (A) TRAVEL

- (a) Travel by own private vehicle

<b>Motor Mileage Allowance</b>	<b>Pence Per Mile</b>
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Motorcycles:

Up to 150cc	8.5
151-500cc	12.3
Over 500cc	<u>16.5</u>

**Cars & Tri cars:**

500cc-999cc	35.8
1000-1199cc	39.9
Over 1199cc	<u>49.4</u>

- (b) **Travel by Public Transport**

The ordinary fare or any reasonably available cheap fare actually paid.

- (c) **Travel by Taxi**

Members are not permitted to claim for travel by taxi except as part of onward or return travel to or from a conference held outside the Greater London area where a claim for other travel expenses has or could be made.

The Head of Committee and Governance Services shall be authorised to reimburse claims for taxi fares, on an exceptional basis, for example on medical advice, to and from approved duties. Such authority to be obtained in advance, if possible.

- (d) **Travel by Rail and Air**

(i) The ordinary fare or any available cheap fare actually paid.

(ii) Actual expenditure incurred on:  
Reservation of seats  
Sleeping accommodation for an overnight journey  
Deposit on portorage of baggage

(iii) Travel by Air shall only be allowed when included as part of the formal approval of the attendance at a conference or overseas visit. In the case of overseas visits the cost to be met from the budget of the relevant service.

(e) **Additional Travel Expenses**

The rates specified above may be increased by not more than the amount of any expenditure incurred on tolls, ferries, parking fees or cost of overnight garaging of a motor vehicle, except that reimbursement of the Central London Congestion Charge shall not be permitted.

(f) **Subsistence**

Subsistence claims for the reasonable costs of overnight accommodation or meals not included in the Conference fee can only be claimed, up to a maximum of £180 per day, upon production of relevant receipts.

(g) **Receipts**

Claims for reimbursement of expenditure by main line rail, air or any other additional expenses, or subsistence, must be accompanied by a receipt.

**Note:** All Members shall be entitled to apply to the Head of Members' Services for the use of an all zones parking permit for their use whilst on Official Council business only such permit only to be used in accordance with the guidance notes for use issued with the permits.

## ANNEX C

### LIST OF APPROVED DUTIES FOR TRAVEL AND SUBSISTENCE ALLOWANCE:

The following are the categories of duties which qualify for payment of travel and subsistence allowance, where such expenditure has been incurred (although separate payments will only be reimbursed for travel outside the Greater London area):

- (a) Meetings of the Council, the Cabinet, their Committees, Sub-Committees, Panels and meetings of the Westminster Scrutiny Commission and the Policy and Scrutiny Committees and Task Groups of which the Councillor is a member or at which a Councillor who is not a member of that body attends to address the meeting with the prior permission (where such permission is required under Standing Orders) of the Chairman.
- (b) Attendance as the Council's representative at a meeting of any joint authority or Committee of local authorities or of any Committee or Sub-Committee of the body of which the Council is a constituent member.
- (c) Attendance as the Council's representative at meetings of any association of authorities or Committee or Sub-Committee of the association of which the Councillor is a member.
- (d) Attendance at duties which qualify for attendance allowance as single member duties as specified in the Regulations, currently:  
  
Meetings to determine the attendance of individual pupils at any out of borough special schools.  
  
Rota and other visits to inspect establishments outside of the borough on behalf of the Cabinet Members for Children and Young People and Adults Social Care.
- (e) Attendance at any other meeting convened by the Council, the Cabinet, a Committee or Sub-Committee to discuss matters relevant to the discharge of the Council's functions and to which Members of more than one Party Group have been invited.
- (f) Attendance at any meeting, which is an induction training session, seminar, presentation, or briefing arranged by Chief Officers of the City Council for all Members of a Committee, Sub-Committee or Panel to discuss matters relevant to the discharge of the Council's functions and to which Members of more than one Party Group have been invited.
- (g) Attendance as the Council's representative in connection with the discharge of the Council's functions at meetings of outside bodies (excluding local authority maintained schools), their Committees and Sub-Committees. The Head of Committee and Governance Services maintains a list of such representatives

and has delegated powers to add and remove bodies to this category to reflect formal appointments made by the City Council.

- (h) Attendance at visits and inspection of sites and premises arranged by officers or approved by Cabinet/Committee (eg opening of new facilities).
- (i) Attendance approved by the appropriate Committee or by the Head of Member Services, in accordance with his delegation at conferences convened by other authorities and organisations to discuss matters relevant to the discharge of the Council's functions.
- (j) Attendance by the Leader of the Council, Cabinet Members, Deputy Cabinet Members, Leader of the Opposition, and Chief Whips on matters concerning the discharge of the Council's functions.
- (k) Attendance by Cabinet Members, Chairmen and Vice-Chairmen of Committees and Sub-Committees concerning the discharge of functions relevant to the work of their portfolio or their Committees or Sub-Committees, including Chairman's Call-over meetings and site visits.
- (l) Attendance before Parliamentary Committees, official bodies and inquiries to give evidence or make representations on the council's behalf.
- (m) Attendance as the Council's appointee or nominee at any meeting. (This excludes party group meetings but includes single member duties where one member has been appointed, appearing as a Council witness at a Planning Inquiry or court proceedings or member-level working groups appointed by a Committee and representation on any outside body which is not eligible for attendance allowance).



# The Remuneration of Councillors in London 2018

Report of the Independent Panel



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## Introduction

The Local Authorities (Members' Allowances) (England) Regulations 2003 ('the Regulations') authorise the establishment by the Association of London Government (now London Councils) of an independent remuneration panel to make recommendations in respect of the members' allowances payable by London boroughs. Such a panel ('the Panel') was established and reported in 2001, 2003, 2006, 2010 and 2014. It now comprises Sir Rodney Brooke CBE DL (Chair), Steve Bundred and Anne Watts CBE.

The Regulations require a review of the scheme every four years as a minimum. The current Panel has therefore completed a review of remuneration for councillors in London. We present our findings and recommendations in this report.

As a preparation for our work, we invited all London boroughs to give their views on the operation of the existing scheme. We are grateful for the feedback, which confirms that the existing London scheme of members' allowances is still fit for purpose. We make recommendations accordingly (**recommendations throughout the report are in bold type**). However, where issues have arisen from the comments we received, we have addressed them in this report.

## The role of elected members

In our previous reports we reflected on the importance of the role of elected members. We repeat at Appendix B the job profile for councillors which we originally included in our 2010 report. The feedback we have received is that it continues to be appropriate.

The Local Governance Research Unit, based at Leicester Business School, recently launched a Councillor Commission as an independent review of the role and work of the councillor. The Commission's report points out that councillors oversee million-pound budgets, balancing complex financial pressures at a time of severe cutbacks in local authority spending, making decisions which will affect their areas for decades to come. In London each Borough Council is responsible for services crucial to its residents. Each has a revenue budget of up to £1.4bn as well as a substantial capital programme. The scale of their turnover and other financial activities are in many instances comparable with those of large publicly quoted companies.

Councillors are faced with unenviable choices. Demand for local authority services continues to grow. In particular, there is rapid growth in the number of old people with a corresponding increase in demand for social care. London itself faces acute housing problems. Councillors have an increased responsibility for health. Thus the strain on and competition for resources increase the demands made on elected members. The responsibilities and accountabilities are made clear after a tragedy like the Grenfell Tower fire.

The evidence we received confirms that the workload and responsibilities of councillors continue to increase and that their role has become more complex, and not only in the areas of social care, housing and health. There has been growth in the number of sub-regional meetings, partnerships and joint bodies (such as Boards for Health & Wellbeing and Safer Neighbourhoods) which require the commitment and time of leaders, cabinet members and front-line councillors. Partnership engagement makes great demands on councillors. There has been a marked increase in informal meetings, such as working groups, forums and community gatherings as well as formal meetings like local authority companies. The expectations of the public continue to rise.

While valuable to democracy, the use of social media adds to the pressure on councillors by increasing demands from their constituents in several different ways. Communication with councillors is not only easier but immediate. The public expects a speedy response, so that it is now more difficult for councillors in employment to deal with concerns as quickly as voters expect. Not only do social media make it easier for their constituents to get hold of councillors, but they also enable an isolated concern to become an organised campaign.



## Recruitment of councillors

We received evidence that it is increasingly difficult to recruit people of quality who are prepared to stand for office as councillors. Though the low level of allowances was mentioned as a reason for this, a major disincentive is the time commitment required of a councillor. That time commitment (as well as finance) can make it difficult to combine the role with a job and a family life. As one councillor commented to the Leicester Business School Commission, 'Serving on outside bodies means that I am working every day of the week, weekends too'. As was pointed out in responses we received, the problem is exacerbated in London, where councillors are on the whole younger than in other parts of the country and often in employment. They also face substantially higher costs of living.

Though the time commitment may be the main disincentive to service as a councillor, it is important that, as far as reasonably possible, financial loss does not prevent people from becoming councillors. Allowances are not shown by polls to be something which influences councillors to take on the role, though they are instrumental in making it possible for some people to do so. Allowances should be set at a level that enables people to undertake the role of councillor, while not acting as an incentive to do so. If it is important that there are no financial incentives to being a councillor, it is equally important that there should not be a financial disincentive. It is clearly desirable that service as a councillor is not confined to those with independent means.

Since our last report the Government has removed the possibility of councillors joining the local government pension scheme. We believe that access to the pension scheme can be an important factor in making service as a councillor financially possible for a wider range of people. It is particularly significant for those who, like elected mayors, leaders and portfolio holders, give most or all of their time to service in local government and lose the opportunity to contribute to a pension scheme elsewhere. Loss of access to a pension scheme imposes a further financial penalty on councillors.

We do not repeat the arguments for appropriate remuneration for councillors which we have set out in our previous reports. We believe them to be self-evident. But we do repeat our belief in the importance of local democracy and the role of councillors within it.

## The current financial and political climate

Because of the current financial climate, the local government pay settlement in recent years has been severely limited. Since our last report there have been three awards of 1%. Acutely sensitive to the current financial austerity, some boroughs have frozen members' allowances and failed to apply the pay awards to them. Indeed some boroughs have even reduced members' allowances.

Our recent reports have made no recommendations for increasing the levels of members' allowances other than continuing provision for annual adjustments in accordance with the annual local government pay settlement. As the Government-appointed Councillors' Commission pointed out in their 2007 report, the recommendations of the London Panel has led to some convergence of members' allowances across London. Indeed, the Councillors' Commission recommended a similar system for the country as a whole. Following our recommendations, there is now considerable congruity in the basic allowance made by London boroughs.

However, most London boroughs have not adopted our recommendations in their entirety and there remain substantial differences in the amount of special responsibility allowances. We fully recognise that now is not the time to contemplate a general increase in councillors' allowances. Nevertheless we hope that in the longer term the financial situation will permit further convergence of members' allowances around our recommendations.

## Level of Basic Allowance

In our last report we recommended that there should be a Basic Allowance paid to every councillor of £10,703. Updated for the local government staff pay awards since then, the figure is now £11,045. Given the loss of pension rights; growth in the volume and complexity of the work of councillors; and the limited increase in the Basic Allowance since our last report, we believe that there is a strong case for considering a larger increase. The basic allowance is now less than the allowances paid by many similar authorities outside London. In Wales, for example, the government-



appointed commission sets the basic allowance at £13,400 for members of local authorities with populations which are generally substantially lower than those of London boroughs.

However we reluctantly accept that, in the current financial climate, it would be inappropriate to recommend a general increase in members' allowances (beyond the annual updating). Pegging an annual increase to staff pay awards will ensure that councillors can receive annual increases which are in line with those received by staff. **We therefore recommend that the Basic Allowance be set at £11,045.** We believe that it remains sensible to frame recommendations which are common across London.

## Special Responsibility Allowances

Given the extent of the responsibilities of leaders of London boroughs, the Panel's first report in 2001 recommended that their remuneration should equate to that of a Member of Parliament. [Our recommendations for other special responsibility allowances are related to that recommended for leaders.]

Since then the increase in the remuneration of Members of Parliament has substantially exceeded the annual local government pay increase to which we tied the special responsibility allowance for the leader of a London borough. At the time of our last report an MP received a salary of £67,060 while our recommendation for a borough leader (increases having been restricted to the local government staff pay increases) was for total remuneration of £65,472, a difference of £1,588. Updated for the local government pay awards, our recommendation for the current total remuneration of a London borough leader would be £68,130. Meanwhile the salary of MPs has increased to £76,011, a difference of £7,881. Moreover MPs continue to be entitled to a pension as well as to sundry other benefits (such as termination payments) which are not available to leaders.

In our current consultation we enquired whether the remuneration of an MP remains a sound comparator to fix the remuneration of a borough leader. In general the responses agreed that the comparator was appropriate and, if anything, that the Leaders of London boroughs warranted a higher remuneration than an MP, because they had greater financial responsibility and legal burdens, and especially given the differential pension arrangements. Indeed one respondent authority suggested that the direct responsibilities of a Leader should command the salary of a Junior Minister.

We sympathise with the responses. Certainly the way in which MPs' remuneration has outpaced that of leaders would prompt a review of the Leaders' allowances had the Panel not had regard to the current stringent economic circumstances. For the same reasons which prompt us to peg the Basic Allowance, **we recommend that the special responsibility allowance for a Leader should be in accordance with our former recommendation, plus the subsequent local government staff pay awards, ie £57,085. We recommend the maintenance of its relation to other special responsibility allowances, as set out in the Appendix to this report.** Nevertheless we hope that parity of the remuneration of the Borough leaders with the remuneration of Members of Parliament will be restored when the economic situation eases and that the other Special Responsibility Allowances will then be adjusted accordingly.

## Interpretation of the Scheme

The responses from the boroughs generally indicated no problems with interpretation of our recommendations, though many had adopted lower figures, especially for special responsibility allowances. We continue to believe that the scheme we propose is sufficiently flexible to accommodate the varying political management arrangements of different London boroughs. Specifically, we were asked for guidance on what percentage of councillors should receive a special responsibility allowance. **We reiterate our view that no more than 50% of councillors should receive a special responsibility allowance. We also continue to believe that no member should receive more than one special responsibility allowance though we accept that there might exceptionally be special circumstances where allocation of more than one Special Responsibility Allowance might be justified, eg where members undertake a number of different time-consuming roles such as sitting on licensing hearings.**

We were asked to give more detailed guidance on the roles allocated to different bands and whether these could be tied to the time commitment required of a role, expressed as a percentage of the time commitment of the Leader. However, we believe that the percentages we identify should be tied not only to time commitment but also to levels of responsibility.

## Training and Support

The responsibilities of councillors are substantial, extensive and complex. We have mentioned the Grenfell Tower tragedy as a chilling instance of those responsibilities. **We believe that every borough should have an ongoing programme of member training and development and that members should be expected to participate. We believe that members should be provided with logistical and clerical support to help them deal with their workload.**

## Barriers to being a councillor

It is important that obstacles to becoming a councillor should be removed wherever possible. Child care costs can be a significant deterrent to service as a councillor. **We repeat our strong view that in appropriate cases when they undertake their council duties, councillors should be entitled to claim an allowance for care of dependents. The dependents' carers' allowance should be set at the London living wage but (on presentation of proof of expense) payment should be made at a higher rate when specialist nursing skills are required.**

**We also repeat our belief that members' allowances schemes should allow the continuance of Special Responsibility Allowances in the case of sickness, maternity and paternity leave in the same terms that the council's employees enjoy such benefits (that is to say, they follow the same policies).**

## Travel and Subsistence allowances

**We continue to believe that the Basic Allowance should cover basic out-of-pocket expenses incurred by councillors, including intra-borough travel costs and expenses. The members' allowances scheme should, however, provide for special circumstances, such as travel after late meetings or travel by councillors with disabilities. The scheme should enable councillors to claim travel expenses when their duties take them out of their home borough, including a bicycle allowance.**

## Allowances for Mayor or Civic Head

Many councils include the allowances for the mayor (or civic head) and deputy in their members' allowance scheme. However these allowances do serve a rather different purpose from the 'ordinary' members' allowances, since they are intended to enable the civic heads to perform a ceremonial role. There are separate statutory provisions (ss 3 and 5 of the Local Government Act 1972) for such allowances and councils may find it convenient to use those provisions rather than to include the allowances in the members' allowance scheme.

## Update for inflation

**We continue to recommend that for a period of four years the allowances we recommend should be updated annually in accordance with the headline figure in the annual local government pay settlement.**

We have been asked whether it is necessary for the annual updating to be formally authorised by the council each year. The Regulations do seem to make this obligatory.

Sir Rodney Brooke CBE DL

Steve Bundred

Anne Watts CBE

London, January 2018



## Appendix A

Basic allowance £11,045

### Special responsibilities – beyond the basic allowance

#### The case for special allowances

The reasons for payment of additional special responsibility allowances should be clearly set out in local allowances schemes. Special allowances should come into play only in positions where there are significant differences in the time requirements and levels of responsibility from those generally expected of a councillor.

#### Calculation of special allowances

The proposed amounts for each band are a percentage of the figure suggested for a council leader depending upon levels of responsibility of the roles undertaken and are explained below. We believe that the SRA, which the previous panel recommended for the leader of a London council (updated), continues to be appropriate.

### Categories of special allowances

The regulations specify the following categories of responsibility for which special responsibility allowances may be paid:

- Members of the executive where the authority is operating executive arrangements
- Acting as leader or deputy leader of a political group within the authority
- Presiding at meetings of a committee or sub-committee of the authority, or a joint committee of the authority and one or more other authorities, or a sub-committee of such a joint committee
- Representing the authority at meetings of, or arranged by, any other body
- Membership of a committee or sub-committee of the authority which meets with exceptional frequency or for exceptionally long periods
- Acting as spokesperson of a political group on a committee or sub-committee of the authority
- Membership of an adoption panel
- Membership of a licensing or regulatory committee
- Such other activities in relation to the discharge of the authority's functions as require of the member an amount of time and effort equal to or greater than would be required of him by any one of the activities mentioned above, whether or not that activity is specified in the scheme.

### Local discretion

It is for the councils locally to decide how to allocate their councillors between the different bands, having regard to our recommendations and how to set the specific remuneration within the band. They must have regard to our recommendations. We believe these should have the merits of being easy to apply, easy to adapt, easy to explain and understand, and easy to administer.

## **BAND ONE**

The posts we envisage falling within band one include:

- Vice chair of a service, regulatory or scrutiny committee
- Chair of sub-committee
- Leader of second or smaller opposition group
- Service spokesperson for first opposition group
- Group secretary (or equivalent) of majority group
- First opposition group whip (in respect of council business)
- Vice chair of council business
- Chairs, vice chairs, area committees and forums or community leaders
- Cabinet assistant
- Leadership of a strategic major topic
- Acting as a member of a committee or sub-committee which meets with exceptional frequency or for exceptionally long periods
- Acting as a member of an adoption panel where membership requires attendance with exceptional frequency or for exceptionally long periods
- Leadership of a specific major project.

### **Remuneration**

We propose that band one special responsibility allowances should be on a sliding scale of between 20 – 30 per cent of the remuneration package for a council leader.

This would be made up as follows:

Basic allowance: £11,045

Band One allowance: £2,582 to £9,397

**Total: £13,627 to £20,442**

## **BAND TWO**

The types of office we contemplate being within band two are:

- Lead member in scrutiny arrangements, such as chair of a scrutiny panel
- Representative on key outside body
- Chair of major regulatory committee e.g. planning
- Chair of council business (civic mayor)
- Leader of principal opposition group
- Majority party chief whip (in respect of council business).

### **Remuneration:**

We propose that band two allowances should be on a sliding scale between 40 – 60 per cent, pro rata of the remuneration package for a council leader.

This is made up as follows:

Basic allowance £11,045

Band two allowances: £16,207 to £29,797

**Total: £27,252 to £40,842**



## **BAND THREE**

We see this band as appropriate to the following posts:

- Cabinet member
- Chair of the Health and Wellbeing Board
- Chair of the main overview or scrutiny committee
- Deputy leader of the council

### **Remuneration:**

We propose that band three allowances should be between 70 – 80 per cent pro rata of the remuneration package for a council leader.

This is made up as follows:

Basic allowance: £11,045

Band three allowance: £36,917 to £43,460

**Total: £47,962 to £54,505**

## **BAND FOUR**

### **Leader of cabinet**

This is a full-time job, involving a high level of responsibility and includes the exercise of executive responsibilities. It is right that it should be remunerated on a basis which compares with similar positions in the public sector, while still retaining a reflection of the voluntary character of public service.

### **Remuneration:**

We propose that the remuneration package for a council leader under band four of our scheme should be £68,130.

This is made up as follows:

Basic allowance: £11,045

Band four allowance: £57,085.

**Total: £68,130**

## **BAND FIVE**

### **Directly elected mayor**

A directly elected mayor has a full-time job with a high level of responsibility and exercises executive responsibilities over a fixed electoral cycle. It is right that it should be remunerated on a basis which compares with similar positions in the public sector, while still retaining a reflection of the voluntary character of public service. However we believe this post remains different to that of the strong leader with cabinet model. The directly elected mayor is directly elected by the electorate as a whole. The strong leader holds office at the pleasure of the council and can be removed by the council. We believe that the distinction is paramount and this should be reflected in the salary level.

### **Remuneration:**

We propose that a directly elected mayor should receive a remuneration package of 25 per cent higher than that recommended for a council leader and that it should be a salary set at **£85,162**.

## Appendix B

### On behalf of the community – a job profile for councillors

#### Purposes:

1. To participate constructively in the good governance of the area.
2. To contribute actively to the formation and scrutiny of the authority's policies, budget, strategies and service delivery.
3. To represent effectively the interests of the ward for which the councillor was elected, and deal with constituents' enquiries and representations.
4. To champion the causes which best relate to the interests and sustainability of the community and campaign for the improvement of the quality of life of the community in terms of equity, economy and environment.
5. To represent the council on an outside body, such as a charitable trust or neighbourhood association.

#### Key Tasks:

1. To fulfil the statutory and local determined requirements of an elected member of a local authority and the authority itself, including compliance with all relevant codes of conduct, and participation in those decisions and activities reserved to the full council (for example, setting budgets, overall priorities, strategy).
2. To participate effectively as a member of any committee or panel to which the councillor is appointed, including related responsibilities for the services falling within the committee's (or panel's) terms of reference, human resource issues, staff appointments, fees and charges, and liaison with other public bodies to promote better understanding and partnership working.
3. To participate in the activities of an outside body to which the councillor is appointed, providing two-way communication between the organisations. Also, for the same purpose, to develop and maintain a working knowledge of the authority's policies and practices in relation to that body and of the community's needs and aspirations in respect of that body's role and functions.
4. To participate in the scrutiny or performance review of the services of the authority, including where the authority so decides, the scrutiny of policies and budget, and their effectiveness in achieving the strategic objectives of the authority.
5. To participate, as appointed, in the area and in service-based consultative processes with the community and with other organisations.
6. To represent the authority to the community, and the community to the authority, through the various forums available.
7. To develop and maintain a working knowledge of the authority's services, management arrangements, powers/duties, and constraints, and to develop good working relationships with relevant officers of the authority.
8. To develop and maintain a working knowledge of the organisations, services, activities and other factors which impact upon the community's well-being and identity.
9. To contribute constructively to open government and democratic renewal through active encouragement of the community to participate generally in the government of the area.
10. To participate in the activities of any political group of which the councillor is a member.
11. To undertake necessary training and development programmes as agreed by the authority.
12. To be accountable for his/her actions and to report regularly on them in accessible and transparent ways.

## Appendix C

### The independent panel members

**Sir Rodney Brooke CBE DL** had a long career in local government, including as chief executive of West Yorkshire County Council, Westminster City Council and the Association of Metropolitan Authorities. He was knighted in 2007 for his contribution to public service.

**Steve Bundred** was chairman of Monitor, chief executive of the Audit Commission and chief executive of the London Borough of Camden.

**Anne Watts CBE** has an extensive career in equality and diversity and governance that spans the private, voluntary and public sectors with organisations including the Open University, the University of Surrey, the Commission for Equality and Human Rights and Business in the Community. She chaired the Appointments Commission.





## CITY OF WESTMINSTER

### COUNCIL MEETING – 7 MARCH 2018

#### AGENDA ITEMS 9, 10 and 11 COMMITTEE REPORT/FUTURE POLICY PLAN/NOTICE OF MOTION PREFERRED ORDER OF ITEMS FOR DEBATE (STANDING ORDER 11)

#### MAJORITY PARTY

**No**      **Agenda Item 9**

1.      Cabinet Report

#### MINORITY PARTY

**Agenda Item 12**

**Subject**

2.      Notice of Motion                      CityWest Homes

Stuart Love  
Chief Executive  
2 March 2018

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