



City of Westminster

Committee Agenda

Title: **Environment Policy & Scrutiny Committee**

Meeting Date: **Monday 10th November, 2014**

Time: **7.00 pm**

Venue: **Rooms 5, 6 & 7 - 17th Floor, City Hall**

Members: **Councillors:**

Ian Adams (Chairman)
Thomas Crockett
Jonthan Glanz
Louise Hyams
Vincenzo Rampulla
Karen Scarborough
Cameron Thomson
Jason Williams

Members of the public are welcome to attend the meeting and listen to the discussion Part 1 of the Agenda

Admission to the public gallery is by ticket, issued from the ground floor reception at City Hall from 6.00pm. If you have a disability and require any special assistance please contact the Committee Officer (details listed below) in advance of the meeting.



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, Jonathan Deacon.

**Tel: 020 7641 2783; email: jdeacon@westminster.gov.uk
Corporate Website: www.westminster.gov.uk**

Note for Members: Members are reminded that Officer contacts are shown at the end of each report and Members are welcome to raise questions in advance of the meeting. With regard to item 2, guidance on declarations of interests is included in the Code of Governance; if Members and Officers have any particular questions they should contact the Head of Legal & Democratic Services in advance of the meeting please.

AGENDA

PART 1 (IN PUBLIC)

1. MEMBERSHIP

To note any changes to the membership.

2. DECLARATIONS OF INTEREST

To receive declarations by Members and Officers of the existence and nature of any personal or prejudicial interests in matters on this agenda.

3. MINUTES AND MATTERS ARISING

To approve the minutes of the meeting held on Monday 15 September 2014.

(Pages 1 - 16)

4. UPDATE FROM CABINET MEMBERS

Question and answer session with the Cabinet Member for City Management, Transport and Infrastructure (7.05pm – 7.25pm) and the Cabinet Member for Sustainability and Parking (7.25pm – 7.45pm).

(Pages 17 - 34)

5. TFL'S CONSULTATION ON THE EAST WEST CYCLE SUPERHIGHWAY (7.45PM - 8.45PM)

Report of the City Commissioner of Transportation and the Operational Director, City Planning Delivery Unit.

(Pages 35 - 104)

6. UPDATE ON THE PROGRESS OF THE DEVELOPMENT OF A WESTMINSTER COMMUNITY INFRASTRUCTURE LEVY (8.45PM - 9.05PM)

Report of Principal Planning Officer, City Planning

(Pages 105 - 170)

7. WESTMINSTER'S CITY PLAN - CONSULTATION BOOKLETS (9.05PM - 9.20PM)

Report of the Head of Spatial and Environmental Planning

(Pages 171 - 178)

8. PRESS RELEASES

The Committee to consider whether it wishes to issue any press releases in relation to its work.

**9. ANNUAL WORK PROGRAMME AND ACTION TRACKER 2014
(9.20PM - 9.30PM)**

Report of the Scrutiny Manager.

**10. ANY OTHER BUSINESS THE CHAIRMAN CONSIDERS
URGENT**

(Pages 179 -
186)

DATES OF FUTURE MEETINGS

2014/15 Municipal Year: 19 January 2015, 2 March 2015, 21 April 2015

**Peter Large
Head of Legal & Democratic Services
31 October 2014**

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City of Westminster

Minutes

Minutes of a meeting of the **ENVIRONMENT POLICY & SCRUTINY COMMITTEE** held at 7:00pm on Monday 15 September 2014 at City Hall, Victoria Street, SW1

Members of Committee: Councillors Ian Adams (Chairman), Thomas Crockett, Jonathan Glanz, Louise Hyams, Vincenzo Rampulla, Karen Scarborough, Cameron Thomson and Jason Williams.

Cabinet Members: Councillor Robert Davis, Cabinet Member for the Built Environment and Councillor Ed Argar, Cabinet Member for City Management, Transport and Infrastructure.

1. MEMBERSHIP

1.1 There were no apologies for absence. All Members of the Committee were present at the meeting.

2. DECLARATIONS OF INTEREST

2.1 There were no declarations of interest.

3. MINUTES AND MATTERS ARISING

3.1 The Chairman referred to the fact that there had been media interest relating to item 5 on the agenda, Electricity Infrastructure Management. He thanked Martin Low, City Commissioner for Transportation, for the interview he had given to BBC London News earlier in the day when the Chairman had not been available. The Chairman informed those present that The Daily Telegraph had asked for a copy of the recording of the current meeting. He had agreed this request. The meeting was being recorded and ultimately recordings were able to be requested under the Freedom Of Information legislation so the Council had a responsibility to provide them.

3.2 The Chairman stated that on behalf of all elected Members he would like to thank, and pay tribute to the contribution of, Rosemarie MacQueen, Strategic Director, Built Environment who had announced that she was retiring from her role at the end of September. She had worked as an officer of the Council for 38 years which was a remarkable term of service. All Members had benefited from Ms MacQueen's advice and insight.

3.3 **RESOLVED:** That the minutes of the meeting held on Monday 30 June 2014 be signed by the Chairman as a correct record of proceedings.

4. UPDATE FROM CABINET MEMBERS

- 4.1 The Committee received written updates from the Cabinet Member for the Built Environment, the Cabinet Member for City Management, Transport and Infrastructure and the Cabinet Member for Sustainability and Parking on significant matters within their portfolios.
- 4.2 Councillor Robert Davis, the Cabinet Member for the Built Environment, wished to put on record his thanks to Rosemarie MacQueen. He stated that in his 33 years as a Member of the Council she had been the best chief officer he had worked with. He added that she has a complete appreciation of what is taking place in her department and is widely respected inside and outside the Council. She had ensured that the department met its budget targets. She had provided sterling service to the Council and would be missed.
- 4.3 The Committee put questions to and received responses from Councillor Davis on the following matters that were relevant to his portfolio:
- 4.4 Development Planning – The Chairman asked which of the wide ranging proposals most concerned Councillor Davis in the Department for Communities and Local Government’s ‘Technical Consultation on Planning’ consultation document and what was Planning’s response to the proposals. Councillor Davis replied that he was particularly concerned about any of the proposals that would result in the Council losing the ability to negotiate and achieve a scheme that worked. The proposed change to allow offices to become housing as permitted development subject to prior approval and the current exemptions given to Westminster’s Central Area Zone no longer applying would mean that the Council could not negotiate for affordable housing. Westminster is the engine room of the economy and could not afford to lose office use. Also, allowing shops to become amusement arcades and casinos would potentially remove the balance that the Council was seeking to achieve in the high street. There was a lobbying strategy in place with meetings taking place with Government ministers and civil servants.
- 4.5 Councillor Louise Hyams enquired about the changes proposed in the consultation document as to how English Heritage would be consulted. Councillor Davis stated that the Council would still have conversations with English Heritage. There would however be no statutory requirement to consult them.
- 4.6 Development of a Westminster Community Infrastructure Levy (‘CIL’) – Councillor Cameron Thomson asked whether the Council’s intention to exercise its powers from 1 April 2015 as a ‘Charging Authority’ under the Planning Act 2008 for the purposes of levying a CIL would affect Section 106 monies for schemes permitted prior to that date. Councillor Davis responded that any planning consent granted before the adoption of CIL on 1 April 2015 would be subject to the current arrangements.
- 4.7 Councillor Jonathan Glanz referred to the public consultation relating to the Preliminary Draft Charging Schedule. He asked whether it was possible to

set a level which the industry would be content with. If it was perceived as being set too high was this likely to have an adverse impact on potential new developments. Councillor Davis advised that the CIL rates and charging zones had been recommended by the Council's appointed CIL consultants, BNP Paribas who had carried out substantial research over a ten month period. They had looked at the financial viability of schemes in the past and a range of factors to examine what was sustainable and viable. Based on the consultants' advice and having had an internal debate, the proposed rate had been set at a level which was deemed to be fair. This was now the subject of the public consultation. He confirmed to Councillor Karen Scarborough that should it be found that the rate was not set at a correct level following 1 April 2015 when it was intended that the Council would become a CIL 'Charging Authority', it was possible to change it following consultation. He explained to Councillor Vincenzo Rampulla that the Council would be constantly monitoring the charging schedule initially to examine its effectiveness. Ideally after the charging schedule was established the aim would be to keep the rate at the set level as long as possible. However, it had to be taken into account that property values change and the rate would have to be reviewed because of that.

- 4.8 Garden Bridge – Councillor Thomas Crockett requested an update on Garden Bridge which had been looked at by the Committee at the previous meeting in June. Councillor Davis informed him that the applicant appeared to be close to raising the necessary funds to be able to construct the bridge in the event the application was granted by Westminster and Lambeth Councils. A full planning application had been submitted by Transport for London on behalf of the Garden Bridge Trust and would be considered by the Council later in 2014. Meetings were taking place with the stakeholders, including the Trust and the major objectors.
- 4.9 Development Planning – Councillor Scarborough asked about the vacancies in Development Planning which was having an impact on the processing of applications. Councillor Davis replied that it was a serious problem. Planning officers were trained to a very high level and often left the Council to obtain very senior jobs in councils nearer to their homes, reducing their travelling to work or alternatively were offered roles in the private sector.
- 4.10 Westminster's City Plan – consultation booklets – Councillor Rampulla enquired of Councillor Davis how he thought the consultation process was going in respect of the topic based booklets and whether he thought the booklets were easy for readers to understand and engage with. He replied that he had read the booklets on a number of occasions and wished to compliment Lisa O'Donnell, Head of Spatial and Environmental Planning and her team on producing the documents in such a way that they were easy to read and yet contained the necessary detail such as the amendments to the policy and why the amendments had been made. This contrasted with some of the planning documents of the past such as the Unitary Development Plan which was a lengthy more turgid document. Councillor Davis stated he was encouraging people to read the booklets but the fact was that few were likely to read them in their entirety. The booklets had developed from a series of

roundtable discussions at workshops which had taken place 18 months to two years ago and had been attended by a variety of people including representatives of the property industry and residents' associations.

- 4.11 Basements Policy and Guidance - The Chairman concurred with Councillor Davis that the booklets were an engaging set of documents and had the necessary detail within. He added that it had been a good move to stagger the publishing of the documents so as not to overwhelm stakeholders and give them time to digest and absorb the information. He asked the Cabinet Member whether he had any feedback relating to the amended version of the basements interim guidance which took on board comments received during the consultation. Councillor Davis replied that he had yet to see the amended document which officers had been working on.
- 4.12 Victoria – Nine Elms Bridge – Councillor Jason Williams asked for further information on the Council's concerns regarding the Victoria-Nine Elms Bridge. Councillor Davis stated that the Council had concerns about the proposed landing sites in Pimlico. It was up to the applicant to demonstrate the viability of the project.
- 4.13 **RESOLVED:** That the written updates from the Cabinet Members be noted.

5. ELECTRICITY INFRASTRUCTURE MANAGEMENT

- 5.1. Martin Low, City Commissioner of Transportation, introduced the report at the meeting. He drew Members' attention to four explosions of "Link Box" chambers in Westminster that were of particular concern. He made the point that the way that UK Power Networks ('UKPN') had responded to these incidents was magnificent. The Committee and officers wished to have an improved understanding, as a result of the meeting, of the funding that was available to UKPN and the role that Ofgem has in ensuring that there is the required investment in the West End. There had been a number of power outages over the last five years or so which had caused discomfort to residents and businesses. It was hoped that the presentations and the responses from representatives of UKPN and Ofgem would assist in identifying a suitable way forward and deliver the improvements necessary to make sure that there was a good, robust network. It was not acceptable to have a situation where West End theatres could close in the event of power outages. Not only would this cause frustration to those attending the performances but it would damage Westminster's and the West End's reputation across the globe.
- 5.2 The Committee heard evidence from a number of witnesses who were thanked by the Chairman for their attendance. The witnesses were Ms Maxine Frerk, Interim Senior Partner, SG &G Distribution at Ofgem; Mr Basil Scarsella, Chief Executive Officer, UK Power Networks; Mr Patrick Clarke, Director of Connections, UK Power Networks; Mr Matt Rudling, Director of Customer Service, UK Power Networks and Mr Tony Cohen, Head of Network Operations for the London Region, UK Power Networks.

- 5.3 Ms Frerk explained that Ofgem's role was as the independent regulator for gas and electricity and to protect the interests of consumers. For monopoly networks such as UKPN, Ofgem regulated the revenues they were able to recover and the outputs they were required to deliver. The incentive for UKPN was that the revenue was greater depending on innovation and outputs delivered. The outputs measured by Ofgem were safety, environment, customer satisfaction, connections, social obligations, reliability and availability. Ms Frerk stated that Ofgem had set price controls for the monopoly companies such as UKPN who provide electricity distribution over an eight year period from 2015 to 2023. She added that this gave the companies some certainty over investment and would allow them to plan ahead. The companies, including UKPN, had submitted their updated business plans for the eight year period. Ofgem were now consulting on their proposed settlements or draft determinations for the companies involved in the process. The consultation was due to close at the end of September and the final determinations would be published in November. The way in which Ofgem were looking to assess what was an appropriate level of revenue was by looking on a top down and bottom up cost model basis how UKPN's performance compares in efficiency terms with other networks across the country. At the end of the process UKPN would be given a total revenue allowance. They would be incentivised to deliver the agreed outputs at the lowest cost. Any out performance benefits would then be shared between customers and the company. Ms Frerk referred to the explosions of the "Link Box" chambers and Ofgem's concerns as a result regarding people's safety in Westminster. She advised that the Health and Safety Executive was the regulator in terms of setting safety standards. Ofgem was working with UKPN and HSE regarding what revenue would need to be incorporated in this area and the aim was to set out in the final determinations how this would be managed. Ms Frerk stated that the figures that Ofgem was proposing in the draft determinations were a reduction from the figures that UKPN had put in their business plan. However, the Ofgem figures were in line with the revenue spent by UKPN previously. Ofgem recognised the additional challenges UKPN faced in the period ahead but there were also opportunities for greater efficiencies going forward.
- 5.4 The Committee then heard from Mr Scarsella. He addressed the Committee on UKPN's ownership, the company's performance to date, the company's plans going forward (in particular for the Central London network and Westminster) and also the explosions which had attracted media interest. UKPN ran three of the fourteen electricity distribution networks in the United Kingdom, Eastern, South Eastern and the London network. Over the three networks, UKPN had eight million connection points and delivered to approximately twenty million people. In London there were 2.3 million connection points. UKPN was owned by the Hong Kong based Cheung Kong Group which was believed to be the largest foreign investor in the United Kingdom and was invested in 54 countries worldwide. Reputation for the Group was paramount.
- 5.5 Mr Scarsella stated that UKPN had had a vision in 2010 to be an employer of choice, be a responsible corporate citizen and sustainably cost efficient. He

explained how the reliability of the network had improved. In 2009/10 there had been 28.4 interruptions per 100 customers. This meant that on average a customer could be expected to have their power cut off in London approximately every three years. The interruption would last on average 47 minutes per customer. In 2013/14 there had been 21.6 interruptions per 100 customers. This meant that on average a customer could be expected to have their power cut off every five years which was the best in the United Kingdom and the interruption would last on average 30 minutes per customer which was the second best in the United Kingdom. Customer service in London in 2009/10 had been rated at 1.88 out of 10 and was now measured at 8.3 out of 10 in 2013/14. Mr Scarsella informed the Committee that UKPN was spending £50 million at the expense of its shareholders replacing antiquated network systems which it had inherited four years ago. UKPN had invested the most of the networks in innovation. It also spent £23 million per annum on investment in Central London which was separate from the day to day running of the network. UKPN had not been funded specifically for the 2012 Olympics but spent £10 million to ensure there were no issues with power outages. UKPN had spent 14% less in London than what the regulator had permitted to the period up to March 2015. Half of that was returned to consumers. UKPN was incentivised to deliver the outputs and spend as little as possible to achieve this.

5.6 Mr Scarsella advised that the aim for UKPN going forward was to become the best electricity distribution provider by 2018. In terms of the 2015-2023 business plan for London, Mr Scarsella expressed disappointment that Ofgem had not taken into consideration additional expenditure in setting the price controls at the draft determinations stage and discussions were continuing between the two organisations. UKPN had asked Ofgem to review £110 of disallowed volume related expenditure in London which Mr Scarsella advised was largely related to real price effect. He explained that Ofgem had traditionally allowed cost increases which were broadly 1% above inflation. It was his view that Ofgem had now removed the 1% above inflation formula for the next eight year period and increase costs in line with the Retail Prices Index ('RPI') whilst expecting efficiency improvements of 1%. This did not take into account the RPI in London.

5.7 Mr Cohen described UKPN's new operations setup in Central London. A new area office had been opened in Shorts Gardens near Covent Garden to serve Central London. UKPN had either recruited, or were in the process of recruiting, ninety additional people. The additional people would enable a 24 hour operation for faults, maintenance and customer service. It would be expected that in the event of a low voltage fault, staff would be on site within thirty minutes. If there was a high voltage fault the target was that all those affected would have their power back on within an hour. Currently the average was 200 minutes so this would be a massive improvement. Customer liaison officers were being employed so that if there was an unplanned or planned outage they would go to the site and talk to customers, keeping them informed. There was also after care service once the fault had been repaired. Previously staff had not been based in Central London so there were time delays to attend sites in the event of faults. In response to a

question from the Chairman, Mr Cohen informed the Committee that sixty positions had been filled so far and UKPN were in the process of training the recruits. These included apprentices and UKPN did want to recruit people in Central London, particularly as they would reside near to the area office.

- 5.8 Mr Scarsella stated that UKPN were very concerned about the disruptive link box failures which had led to explosions in London. Studies had been undertaken in New York where link boxes failures had also occurred. UKPN had approximately 150,000 link boxes across its three networks. Even if these were all replaced, costing approximately £400 million pounds, it was known that even new link boxes were known to fail. There had been more explosions in London than UKPN had experienced with either its eastern or south eastern networks. UKPN had responded by moving to an annual inspection of link boxes in Central London with immediate effect. They had also stepped up their link box replacement programme, were about to commence a programme fitting fire blankets within link box enclosures in order to restrict the potential for explosions and were filling some of the pits with and had introduced a new pit cover which enables gas to vent to the atmosphere. Mr Scarsella explained that expert opinion was that the increase in the number of explosions had been largely due to the increase in rain towards the end of 2013 and the first few months of 2014. UKPN had not received funding for the additional work that had been undertaken or was being undertaken. They were in discussions with Ofgem regarding the concept of an 'uncertainty mechanism'. In the event that significantly more money was spent on the replacing of link boxes, UKPN were seeking that additional funding was made available.
- 5.9 Ms Frerk responded to some of the points made by Mr Scarsella. Ofgem had not looked at trying to have different real price effects for different parts of the country. The intention was that costs would be low for everybody and UKPN had not proposed that different real price effects should be taken into account for London until now. Ofgem's formula had partly been driven by real wage effects. Part of Ofgem's current consultation was to look at whether there were better ways to forecast matters such as real wage effects over an eight year cycle. Ofgem had questioned whether UKPN's additional expenditure for Central London was justified. This was being reviewed in discussions with UKPN. The challenge to UKPN was if they were seeking additional revenue for this area they would potentially have to be set tougher outputs.
- 5.10 Councillor Ed Argar gave his assessment of the situation at the Committee's invitation as the Cabinet Member whose portfolio included electricity infrastructure. He confirmed that the Council did have a good working relationship with UKPN. Mr Cohen in his capacity as Head of Network Operations for the London Region was particularly responsive to any issues that arose. Councillor Argar sought a safe and reliable network which met the aspirations of the City. He appreciated that the regulator had to strike the balance between investment for growth and also recognising the impact that can have on customers' bills. When he had met with UKPN representatives to discuss the explosions and their 2015-2023 business plan, he had welcomed the annual inspections of the link boxes and asked whether there

was a determined life span for the boxes and whether they were routinely replaced rather than purely reacting to what was found during the inspections. One of the questions in terms of investment in infrastructure was whether there was an ability within the current regulatory framework for UKPN to invest ahead of time to meet growth demands. Sufficient funds needed to be in place for UKPN to plan its investment. There were concerns that the nature of the settlement as set out in the draft determinations would at best allow UKPN to stand still. It would not allow for a step change in the heart of a key global city. He asked whether Ofgem would be prepared to review on an annual basis whether revenue received by UKPN could be increased in the event that original projections for the eight year period were later found to be inaccurate.

5.11 The Committee asked the following questions and made the following points, taking into account the contents of the report and the comments of those present:

- Councillor Glanz stated that his concerns were a combination of capacity and resilience of the network and the consequent financial implications which would potentially hinder UKPN from addressing the big picture. There was Crossrail and associated development which would greatly increase demand on the network. There was an infrastructure which it appeared to be accepted was old and tired. He asked if the issues were shown to be more complicated at a later stage into the eight year process than anticipated would there be the proper funding for the network. Ms Frerk replied that part of the conversation with UKPN was about justifying expenditure. The 'uncertainty mechanisms' referred to by Mr Scarsella included the level of load and demand. Ofgem acknowledged that it could not forecast precisely the capacity level of the network going forward. If load and demand rose significantly over the next few years above what was anticipated it would be possible to reassess revenue. If the infrastructure was worn out Ofgem needed UKPN to advise them. Mr Scarsella commented that it was very difficult to predict and spend ahead of need over an eight year period. An electrical distribution company could have anticipated good times ahead prior to the last recession only to have very expensive assets in the ground as a result of developments not taking place once the recession hit. The regulatory regime was such that whenever there were spikes in demand the developers would have to pay a large proportion otherwise it was consumers who paid a significant sum. A development had never as yet been scrapped as a result of capacity not being delivered.
- Councillor Scarborough asked for further information on UKPN's London low carbon flagship project in the light of the Sustainability Task Group having been appointed by the Committee. Mr Scarsella credited Ofgem with creating a London low carbon network fund four years previously. Low Carbon London had been initiated by EDF Energy and was continued and delivered by UKPN. The project tests customer reaction for the likes of electric vehicles, solar panels and smart meters. In order to achieve low carbon targets that the Government had imposed, transport would

need to be more decarbonised and there would be more demand on electricity. UKPN would make better use of its assets, including avoiding putting more copper in the ground.

- Councillor Rampulla asked about the difference in UKPN's service performance outside the Central London area, referring to the fact that not all of the City of Westminster was within Central London. Mr Clarke and Mr Rudling replied that UKPN was already supplying an excellent service to London as a whole. The area office in Central London was an enhanced and focussed local service where staff would be on site for a low voltage fault within thirty minutes.
- Councillor Williams enquired whether a common element in the explosions of the link boxes was their respective ages. One of the explosions had occurred in Pimlico Road in the ward he represents. Mr Scarsella stated that the question could not be answered definitively. There was some evidence that the age of the asset was a contributor. However expert opinion was that the greatest contributor was water egress caused by significantly more rain than had fallen in more recent times. UKPN was working with Ofgem and HSE to have an adjustment mechanism to provide more funding if it could be proved that age of the assets was a factor and more link boxes needed to be replaced. Mr Clarke advised Councillor Williams that gas had contributed to the explosion in Pimlico Road.
- The Chairman asked if there was scientific evidence that some of the explosions had been the result of gas leakage, what would be UKPN's procedure to go about addressing this with National Grid. Mr Scarsella responded that UKPN's relationship with National Grid was very good and National Grid was excellent at responding to issues that arose. There were only a very small percentage of the explosions where gas had been a factor. Where there were issues with gas, it was not because the electricity assets were right next to gas ducts but were due to the fact that gas travels.
- Councillor Crockett stated he appreciated that it appeared that the explosions could not be avoided entirely. However, the increases in inspections were relatively low cost against the damage explosions could do to either human life or reputations. He asked why annual inspections had not taken place before. Mr Scarsella explained that the cost of carrying out the inspection of 147,000 link boxes was significant and no funding had been received specifically for this purpose. There were also the costs of testing the fire blankets. Filling the pits with sand was simple until the cables failed in the sand. Assets would fail whether buried in the sand or not. UKPN was giving special treatment to London and he could not answer why previous electricity distribution companies in the capital had not chosen to carry out annual inspections.
- Mr Low addressed the Committee on the point that when UKPN had given a briefing on the explosions to the Cabinet Member, they had estimated

that four thousand link boxes would be replaced over ten years. He asked Mr Scarsella whether, based on Ofgem's draft determination, UKPN would be able to meet its ten year programme and what it would need in terms of additional funding to achieve this number over five years. Mr Scarsella answered that he believed the amount that UKPN had requested had been reduced by Ofgem and based on this UKPN would not be able to maintain the additional inspections and replacement programme it was undertaking currently. Mr Low commented that it would be very helpful if the Committee could have a written estimate of the costs of meeting its ten year programme target against the figures set in the draft determination and what UKPN would need in additional funding to achieve the replacement of four thousand link boxes over a five year period.

- Councillor Crockett asked whether the measures being taken by UKPN in respect of the link boxes were for the whole of the City of Westminster or were specifically for Central London. Mr Scarsella replied that for now the measures were specifically focussed on the Central London area.
- Councillor Thomson asked what measures UKPN would like to undertake to improve the network's resilience in the event no restrictions were placed on it. Mr Scarsella made the point that the UK regime was the best in the world and the model was being applied elsewhere in the world. If there were no regulatory restrictions, he would like the Central London network to be sufficiently interconnected so that if power was cut off in one location, the power could be obtained from elsewhere. Unfortunately as a result of the last 25 years' development in London, the spare capacity had reduced. If approximately £400 million was spent over a ten year period it would be possible to reconnect the network in the way it was originally designed to operate. Mr Clarke added that to achieve the level of interconnection Mr Scarsella had described and for the power not to be cut off, it would require additional land with sites where UKPN could own its substations. It would be necessary to redesign the networks. Mr Cohen made the point that it would probably take eight to ten years to get the network back to the level being discussed. UKPN had consulted manufacturers about providing new switchgear to meet the specification for an enhanced network and it was believed that there were manufacturers who were able to achieve this. It was hoped that Ofgem could be persuaded to subsidise the project. Ms Frerk re-iterated the point that the challenge was to weigh up costs of consumers' bills against the need for investment. If Ofgem were to consider permitting increased costs for the scheme to redesign the networks it would need to examine the outputs and increased customer service. UKPN had to decide how best to manage its expenditure. UKPN had previously managed to manage its expenditure by paying 14% less in London than what the regulator had permitted to the period up to March 2015.
- Mr Low enquired whether £400 million of Community Infrastructure Levy money could be used towards the resilience of the network. Ms Frerk commented that there are mechanisms where new developments had

been customer funded like Canary Wharf. It was more easily done where there was a new single development and the customer was receiving an enhanced service. What UKPN was proposing affected a wider range of areas and was harder to achieve customer funded enhanced service. Ms Frerk agreed to examine whether CIL money could be used for this purpose and advise Mr Low accordingly.

- Councillor Hyams made the point that there would be increased interest in the issue of the link boxes explosions following the BBC London News report. She asked whether UKPN was doing as much as it possibly could to mitigate the risk. Mr Scarsella replied that the Council could be reassured of this. It would never be possible to totally eliminate the risk even if all the link boxes were replaced with new ones.
- The Chairman asked whether there was anything that would make it easier for UKPN to deliver to residents and businesses in Westminster. Mr Scarsella replied that UKPN undertook activities such as digging tunnels under the River Thames or roads to fix faults or extend the network. It would make matters easier if planning approvals for the works across London were smoother and faster. Another problem was the restrictions in terms of timing placed on UKPN in London generally when it needed to carry out street works. Mr Clarke and Mr Cohen wished to make the point that representatives of UKPN found Mr Low to be particularly helpful in terms of when they needed assistance regarding the street works. Mr Cohen added that what would make it easier to deliver would be the necessary external funding to assist in providing the service.

5.12 The Chairman summarised the views of the Committee in relation to the questions set out in the report. The Committee were emphasising that what was sought was a safe, reliable and resilient power network, which copes with the increased demands for electricity power supply arising from the expected economic growth in the City of Westminster. This meant looking at both the short term and longer term investment needed by UKPN, ensuring that it operates in a regulated environment which enables it to balance provision of incremental additional supplies in the short term with being able to take larger investment decisions to support longer term growth in projected economic activity and population growth. The Committee appreciated that there is a balance to be struck between investment requirements and protecting the needs of the consumer.

5.13 The Committee valued the central London reorganisation undertaken by UKPN and its anticipated improved response times to incidents that had resulted in loss of power supply. Members also valued UK Power Networks' aim to recruit local people living in the City of Westminster. UKPN was encouraged by the Committee to take into account economic growth indicators in wider Westminster and not just Central London, including in the North West such as Paddington Basin.

5.14 **ACTION:** The Committee requested the following:

- That a written estimate of the costs be provided by UKPN of meeting its ten year programme target of replacing 4000 link boxes against the figures set by Ofgem in the draft determination and what UKPN would need in additional funding to achieve the replacement of the same number of link boxes over a five year period (**Mr Basil Scarsella, Chief Executive Officer, UK Power Networks, Mr Martin Low, City Commissioner of Transportation and Mr Mark Ewbank, Scrutiny Manager**).
- That Ms Frerk be requested to provide a definitive response as to whether CIL money could be used towards the resilience of the network (**Ms Maxine Frerk, Interim Senior Partner, SG &G Distribution at Ofgem, Mr Martin Low, City Commissioner of Transportation and Mr Mark Ewbank, Scrutiny Manager**).

5.15 **RESOLVED:** That the contents of the report be noted and the above actions and findings of the Committee be taken forward.

6. TWO WAY TRAFFIC SCHEMES

- 6.1. The Chairman referred to the fact that there had been interest from residents in respect of the two way traffic schemes item. There had been some concerns regarding the detail contained in the report, particularly relating to a map linked to the proposed Baker Street scheme. Graham King, Head of Strategic Planning & Transportation, would be providing greater clarification on the contents of the report.
- 6.2 Mr King advised that the Committee had requested a report which set out the background to the factors which had led to the Council examining whether there was a case to convert some one-way Strategic or Local Distributor Roads to two way traffic schemes. The report had referred to some of the schemes under consideration and also the Piccadilly Two Way scheme which had been commenced in response to the special events in 2012 such as the Olympics. Part 1 of the Piccadilly Two Way Scheme had been completed in October 2011 and Part 2 was due to be completed in spring 2015. The two way traffic schemes report was intended to be for general discussion. It was not intended that individual schemes mentioned in the report would be scrutinised at the current meeting. There was the potential for greater scrutiny of transport scheme proposals at the November 2014 and January 2015 meetings of the Committee as set out in the current work programme.
- 6.3 Mr King addressed the Committee on the proposed Baker Street scheme. The Council was continually looking at ways in partnership with a number of different agencies to improve the flow of traffic through and across the City. One of the agencies was the Greater London Authority/Mayor of London. Policies that had to be taken into account not only included the Council's own documents such as the City Management Plan but also those of the Mayor. Necessary funding was received from the Mayor and the Mayor was directly responsible for some of the roads affecting Baker Street, including Marylebone Road and a number to the north of Marylebone Road. Transport signals and bus operations were the responsibility of the Mayor. Considerable

work had been undertaken with Transport for London in respect of the traffic schemes so the Council was not ignorant of their technical concerns. The Council was also engaged in the task of developing the Mayor's cycling vision which had had a number of implications which had only become apparent as the project was being delivered. This had certainly delayed bringing the Baker Street Two Way Scheme to public attention by several months.

- 6.4 Mr King stated that a feasibility study had been carried out into the introduction of two-way working in Baker Street in partnership with TfL, the Baker Street Quarter BID and The Portman Estate and this had concluded that it was a realistic option. It was now intended, subject to Cabinet Member approval, to consult on the proposals. Residents and businesses would be very much part of the consultation. It was not possible to provide a date for when the consultation would commence until Cabinet Member approval was given. The Baker Street Two Way Scheme was likely to have to be revised following receipt of comments before a decision could be taken at Cabinet Member level on whether it should proceed or not. The Scheme, if given the go ahead, would be financed by TfL, the BID or The Portman Estate and these three parties would also be part of the consultation.
- 6.5 Mr King clarified that the map on page 66 of the agenda papers, which included Baker Street Two Way Scheme, had been produced entirely for the purposes of the current Committee meeting. It would not be included as part of a public consultation relating to the Scheme. Officers had considered it useful to provide the Committee with an overview location plan of the current and proposed two way / gyratory removal schemes within Westminster.
- 6.6 Mr King also referred to some of the other projects that were included in the report. The Victoria gyratory was under discussion given that as a result of two and a half billion pounds of investment in the locality, some roads had been closed and others had had their function changed and yet it formed part of London's Inner Ring Road. Discussions involved whether the Inner Ring Road should continue in its current format long term. It is the intention to put a report before Members early next year on the options for consideration. Other projects would be reviewed taking into account the Mayor's east-west cycle route such as the Lancaster Gate gyratory. It was now expected that later this week further information would be received from TfL as to what the specific transport measures would be to accommodate issues such as the Mayor's east-west cycle route. Information received would be taken into account in a Baker Street Two Way Scheme public consultation.
- 6.7 The Chairman confirmed that it was currently proposed for the Committee to consider the two way traffic schemes in more detail at the meeting on 19 January 2015. He asked Mr King his opinion regarding at what stage he thought the Baker Street Two Way Scheme proposals were likely to be at by that date. Mr King replied that assuming officers were given authority by October to undertake a public consultation for the standard duration period of six to eight weeks and then this period was followed by issues being raised by stakeholders and these needing to be addressed, there was the potential for officers to be close to finalising the Cabinet Member report by the time of the

January 2015 meeting. It was unlikely that any Cabinet Member approval would be given before spring 2015 at the earliest.

- 6.8 Councillor Scarborough made the point that concerns had arisen regarding the Baker Street Two Way Scheme because local people did not know what the current position was. She wished to put on record that the rumour that Marylebone High Street councillors were against the Scheme was incorrect. The map included in the report had been confusing and appeared to show that the east-west cycle scheme might not be proceeding in this area. She asked at what point the recognised amenity societies would be consulted. Mr King commented that he apologised if the map was misleading but the east-west cycle route had not been included because no clarity had as yet been given on the precise nature of the route. It was hoped that the Mayor would provide greater clarity at the end of the current week. The normal procedure in respect of traffic schemes was that officers sought Cabinet Member approval before they commenced discussions with those not involved in the genesis of the schemes. The public consultation, in the event of Cabinet Member approval, was expected to be very interactive with very detailed information provided by officers. In response to a question from Councillor Rampulla, Mr King assured Members that he would keep the Committee informed on when the consultation for the Baker Street Two Way Scheme commenced and would be potentially able to say more at the next Environment Policy and Scrutiny meeting on 10 November.
- 6.9 The Chairman thanked Mr King for the clarification on the current position of the projects, particularly the Baker Street Two Way Scheme. It was accepted that the information provided within the report could have been presented in such a way as to have created less concern amongst residents. He encouraged officers to engage with the recognised amenity societies at the earliest opportunity. The specific projects would be scrutinised at greater length at the January 2015 meeting.
- 6.10 **ACTION:** That the Committee be kept informed of any progress regarding the Baker Street Two Way Scheme, including in the event of the commencement of the public consultation (**Graham King, Head of Strategic Planning & Transportation**).
- 6.11 **RESOLVED:** That an updated report on the two way traffic schemes be provided for the 19 January 2015 Environment Policy and Scrutiny Committee meeting as scheduled in the Committee's Work Programme.

7. PRESS RELEASES

- 7.1 The Chairman thanked Ellie Caine, Assistant Media Officer, for her work with the media in respect of the Electricity Infrastructure Management item. There would be a press release relating to this matter following the meeting.

8. ANNUAL WORK PROGRAMME

- 8.1 The Committee noted the items on the Annual Work Programme scheduled for the next meeting on Monday 10 November 2014. These included assessing progress with the Westminster CIL and an update on the consultation outcomes and continued development of Westminster's City Plan Consultation Booklets. Mr King advised the Committee that the Council had gone out to public consultation on the draft charging schedule for CIL. This was due to conclude prior to 10 November. The assessment would need to be completed following the public consultation. The Chairman stated that he would as part of a letter to Ms Maxine Frerk, set out the Council's CIL consultation timetable.
- 8.2 In response to Councillor Rampula's request, it was agreed that the City Plan Consultation Booklets would be forwarded to the Committee in advance of the agenda papers being published on Friday 31 October due to the fact that there was significant detail contained within them.
- 8.3 The Chairman referred to the fact that there were two task groups that had been appointed by the Committee and were currently meeting. One was the Cycling Strategy Task Group and the other was the Sustainability Task Group.
- 8.4 **ACTION:** That the following be taken forward:
- The Council's CIL consultation timetable be set out in a note to Maxine Frerk (**Councillor Ian Adams, Committee Chairman and Mark Ewbank, Scrutiny Manager**).
 - A copy of the City Plan Consultation Booklets be provided to the Committee ahead of the agenda papers being published (**Barry Smith, Operational Director, City Planning and Jonathan Deacon, Senior Committee and Governance Officer**).
- 8.5 **RESOLVED:** That the contents of the Annual Work Programme be noted.

9. ANY OTHER BUSINESS

- 9.1 There was no additional business for the Committee to consider.

10. CLOSE OF MEETING

- 10.1 Meeting ended at 9.44p.m.

Chairman: _____ Date: _____

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 City of Westminster	<h2>Environment Policy and Scrutiny Committee</h2>	
Title of Report:	Update from Cabinet Members	
Date:	10 November 2014	
<p>This report sets out the briefing updates from the three Cabinet Members whose portfolios are currently scrutinised by the Environment Policy and Scrutiny Committee.</p> <p>Cabinet Member for the Built Environment (Appendix 1)</p> <p>Cabinet Member for City Management, Transport and Infrastructure (Appendix 2)</p> <p>Cabinet Member for Sustainability And Parking (Appendix 3)</p> <p>The Cabinet Member for City Management, Transport and Infrastructure, Councillor Ed Argar and the Cabinet Member for Sustainability And Parking, Councillor Heather Acton are due to attend the Environment Policy and Scrutiny meeting on 10 November 2014 to answer questions from Members of the Committee. The updates are intended to provide Committee Members with advanced information and to assist them in the preparation of possible questions.</p>		

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Environment Policy and Scrutiny Committee

Date: Monday 10th November 2014

Briefing of: Cabinet Member for the Built Environment

Please contact: Matt Greet x 2852
mgreet@westminster.gov.uk

1. Neighbourhood Planning

- 1.1 The City Council continues to experience a huge level of interest in neighbourhood planning, far greater than any other London borough. To date, the City Council has designated a total of 21 neighbourhood areas.
- 1.2 A new application has been received for the creation of Vincent Square Neighbourhood Area. Following a request from the applicants, the period for representations has been extended until 25th November 2014 to enable additional community discussions. Further engagement is also continuing on the proposed Covent Garden Neighbourhood Area.
- 1.3 Once neighbourhood areas have been designated, communities in these areas will be able to apply to become the designated neighbourhood forum for that area for the next five years. As a representative neighbourhood forum, these groups will be able to undertake neighbourhood planning and produce their own statutory neighbourhood plan. The City Council has received a total of nine neighbourhood forum applications.
- 1.4 Westminster designated the first neighbourhood forum in Mayfair in January 2014 and has now designated further neighbourhood forums in Soho, Church Street Ward, and Westbourne in August 2014. As a fully enacted parish council, the Queen's Park Community Council does not have to apply to become a 'neighbourhood forum'. Belgravia and Notting Hill East Neighbourhood Forums were designated in October 2014. Public consultations for the St. James's and Fitzrovia West Forum proposals closed in August, with Cabinet Member reports now being drafted to enable a decision in each area. Public consultation on the Pimlico Neighbourhood Forum finished last month.

- 1.5 In line with our legal obligation to support neighbourhood planning, officers have been working closely with all of the above applicants, as well as other groups who have shown an interest, to fully explain the opportunities afforded by neighbourhood planning, and to ensure as efficient and timely establishment of neighbourhood forums as possible.

2. Westminster's City Plan – consultation booklets

- 2.1 Officers are continuing to take forward work on the detailed City Management policies which will be incorporated with the Strategic Policies to form Westminster's City Plan – a unified local plan for the City. This builds on previous work on the City Management Plan initiated in 2007. The current stage is the publication of a series of topic-based booklets for informal consultation. We are also taking the opportunity to review the strategy more broadly and ask key consultation questions in the latter booklets, including questions around how to achieve the desired growth in a Westminster context.
- 2.2 The Committee was updated on previous booklets in June, namely Basements, (published October 2013), Mayfair and St. James's and Flood Risks (published December 2013), Housing Need, Delivery and Quality; Food, Drink, Entertainment, Tourism, Arts and Culture; Westminster's Economy; and Social and Community Uses (published March 2014).
- 2.3 The Energy and Heritage, Views & Tall Buildings booklets form a substantive item on the Committee's agenda for 10th November.

3. Basements Policy and Guidance

- 3.1 The City Council adopted its Basement Development Supplementary Planning Document (SPD) on 20th October 2014 and a notice of its adoption will be formally issued to all stakeholders in early November, along with media work being undertaken. This guidance document explains our current adopted policies and practice and how these apply to basements. It can now be taken into account in determining planning applications.
- 3.2 Separately to this, and following public consultation on the basements policy booklet earlier this year, we are also revising the draft basements planning policy to take account of comments received. The new policy will then be merged with our other detailed planning policies to form the Westminster City Plan. This may tighten requirements for basement applications, potentially including limits on basement development. The nationally-prescribed process for adopting the policy means there will be two further stages of formal consultation on the plan, including an Examination in Public, which means it is unlikely that the final policy will be in place until late 2015.

- 3.3 The formal Examination in Public of Kensington and Chelsea's basements policy was held in September, led by an Independent Planning Inspector. The Inspector's report on the soundness of the policy, which is required before Kensington and Chelsea can formally adopt and use it, is due from the Inspector before Christmas. This report will help inform the content of the next draft of our own policy.
- 3.4 In October, Kensington and Chelsea announced that they would not be approving applications for basement developments until the Inspector's report is received and a decision is made on the adoption of their new policy. It is unlawful to adopt a blanket approach to not determine applications of a particular type, though in practice a number of caveats remain in place, which mean that Kensington and Chelsea will continue to determine applications. They will carry on to assessing applications that accord with their proposed policy and will use delegated powers to refuse ones that do not. For proposals that Kensington and Chelsea decide not to resolve, applicants will still be able to appeal against non-determination, leaving the Planning Inspectorate to make the decision on applications.

Westminster's position is different in that our policy is not as advanced through the formal consultation and examination process. I am advised by officers that strict guidelines exist to govern when a planning authority can begin to adhere to emerging policy, making it inappropriate for Westminster to pursue a similar approach to Kensington and Chelsea. In particular we must have regard for the fact that planning law gives applicants the right to appeal to the Secretary of State on the grounds of non-determination. Under these circumstances the proposal would be decided by the Planning Inspector rather than by the local authority, who would then decide what weight, if any, they give to draft policy. It is likely that our emerging policies would be given very little credence and therefore it is probable that the council would be liable to be pay costs to applicants 'forced' to take this route.

4. Development of a Westminster CIL

- 4.1 It is the City Council's intention that, from 1st April 2015, it will exercise its powers as a 'Charging Authority' under the Planning Act 2008 for the purposes of levying a Westminster Community Infrastructure Levy (CIL).
- 4.2 CIL is a new levy which is the government's preferred vehicle for replacing significant portions of section 106 contributions. It can be charged on developments in a local authority's area with the money raised being used to pay for the provision, improvement, replacement, operation or maintenance of infrastructure that is needed as a result of development.

- 4.3 The development of a Westminster CIL was tabled as a substantive item for this Committee's consideration on 1st April 2014. Since this date, a set of CIL rates and charging zones have been recommended by the Council's appointed CIL consultants, BNP Paribas, which have been discussed internally through the Strategic Executive Board and Informal Cabinet, following which a sub group was convened to scrutinise the proposals in more detail. Additional work was undertaken internally to examine the impact of raising the recommended rates on potential income, while examining associated risks. The result was to endorse the initial recommended rates, which was taken forward for the first step of public consultation in the form of the Preliminary Draft Charging Schedule (PDCS) starting in September 2014, following formal cabinet member approval. This call for evidence closed on 31st October.
- 4.4 At the 1st April 2014 meeting of this Committee it was agreed that the Committee should have an active, and where possible formal role in the ongoing development and future governance of the Westminster CIL. A substantive item covering progress and governance arrangements, including the draft charging schedule, is on the Committee's agenda for 10th November.

5. Crossrail

- 5.1 Crossrail (Line 1) is the largest infrastructure project in Europe, connecting Reading and Heathrow in the west right through the heart of London to Shenfield and Abbey Wood in the east. Upon completion it will cover over 100km of track, including 21km of new twin-bore rail tunnels, through ten new stations. Its goals are to reduce journey times across London, ease congestion and offer better connections for passengers.
- 5.2 Crossrail (Line 1) is currently on time and on budget. The tunnelling and civil engineering was completed earlier this year and the stations, with their commercial developments, are scheduled for completion by 2018.
- 5.3 The City Council recently bid for Crossrail Complementary Measures (CCM) funding, which is an additional sum of £28.5m made available by TfL for public realm enhancements along the Crossrail route. The funding is intended for proposals that are currently unfunded within the Crossrail Masterplans and borough's can be bid for funding over four financial years.
- 5.4 In February 2014 the City Council successfully secured maximum £24,000 Seed Funding from TfL for the three Crossrail stations in Westminster. Officers subsequently commissioned the new term contractor FM Conway-WSP to work on public realm scoping studies for the three stations (Paddington, Bond Street and Tottenham Court Road West).

- 5.5 These public realm studies were used to inform and support the City Council's CCM Scoping Applications submitted to TfL on 1st August, for surface level improvements around the Westminster stations. If the City Council is successful in securing CCM funding, the next stage will be to develop the proposals to detailed design level.
- 5.6 The outcome of the bids is expected to be known in early November 2014. It is intended that these works would also be completed for the opening of the line in December 2018.
- 5.7 In regards to the Bakerloo Line Link in Paddington, tenders for the construction of the link are currently under evaluation; a decision will be made in November. The work is being led by London Underground and construction will be completed by autumn 2018.
- 5.8 Crossrail Line 2 is a further proposed sister route to the one already underway. In 2013 TfL consulted on two route options for Crossrail Line 2, a 'metro' or underground version (Option A) and the Council's preferred London Regional Scheme from Hertfordshire to Surrey (Option B). It is the City Council's position that Option B integrates better with existing railway lines and the results of last year's consultation clearly supported this viewpoint.
- 5.9 This proposed route would traverse Westminster through Tottenham Court Road and Victoria. It is now clear that, as proposed, the construction of Crossrail Line 2 will require the use of Victoria Coach Station's Departure Hall site to allow the site to be used for construction works and a ventilation shaft. The construction of Crossrail 2 is expected to start from 2020. A limited consultation on route options south of Victoria and north of Euston was completed at the end of July 2014 and the responses are currently being analysed ahead of a report being published in the New Year.
- 5.10 A wider review of safeguarded routes is expected to be launched in November 2014. Officer level Local Authority Forums and Safeguarding meetings are due to take place this week. The City Council will respond to the Safeguarding consultation when published.
- 5.11 Crossrail's preferred line 2 route, announced on 28th October, links their proposed new Crossrail 2 station at Victoria to Clapham Junction via a new station on Chelsea's Kings Road.

6. Victoria Area Schemes

Victoria Coach Station

- 6.1 The construction and operation of Crossrail Line 2 at Victoria is expected to force the Coach Station's closure in the early 2020s, meaning its relocation needs to be secured imminently. High level meetings are planned between TfL, the coach operators and WCC over the coming weeks through which alternative sites will be sought.
- 6.2 September's Grade II Listing of the Coach Station's Departures Hall is unlikely to impact significantly on the short-term coach operations and long-term future and redevelopment of this site.

Victoria Station

- 6.3 Whilst Network Rail continue to develop their master plan to improve conditions in the mainline station, TfL are developing their options for the removal of some bus services from the front of the station and are considering future arrangements for the Inner Ring Road around and through the area.
- 6.4 London Underground's Victoria Station Upgrade (VSU) works are progressing as planned, with the new northern ticket hall due to open in 2016. Once VSU have finished their works in Bressenden Place, the land will be returned to Land Securities to allow them to develop the eastern part of their 5.5 acre Nova scheme.

7. Victoria – Nine Elms Bridge

- 7.1 Wandsworth Council continue to push ahead with their international design competition for the TfL proposed pedestrian and cycle bridge between Nine Elms and Pimlico. Their consultants are seeking to arrange a meeting with Churchill and Tachbrook ward councillors and a launch date for the competition is expected imminently.
- 7.2 The City Council continues to hold serious concerns about the proposed landing sites in Westminster, but will continue to work with the Partnership, Wandsworth Council and TfL to find a less detrimental solution.

8. Thames Tideway Tunnel

- 8.1 The Thames Tideway Tunnel is a proposed new 16 mile-long sewer project required to protect the tidal river from increasing pollution.
- 8.2 The Thames Tideway Tunnel Development Consent Order was approved on September 12th 2014. Following approval Thames Water hosted a Thames Tideway Tunnel Planning Forum to update affected local authorities and key stakeholders on the project, legal agreements, forums and working groups. A detailed briefing note was circulated on October 9th.
- 8.3 The St. James's Ward Councilors are content for the proposed Community Liaison group to be shared with City of London's Blackfriars site as issues are broadly similar.
- 8.4 London's Thames Tideway Tunnel faces the prospect of delay following two separate legal challenges instigated against the approval for the infrastructure project by the Thames Blue-Green Economy (a campaign group) and the London Borough of Southwark.
- 8.5 Officers continue to hold discussions on the enabling works programmed to start March 2015 and the relocation of the Tattershall Castle in September 2015.
- 8.6 A Service Level Agreement is being set up to recover costs for non – statutory work by the Council for the duration of the project.

9. Garden Bridge

- 9.1 The London Garden Bridge is a proposed new public garden crossing of the river Thames, linking the South Bank to Temple station. It is designed by Thomas Heatherwick and led by the Garden Bridge Trust.
- 9.2 A full planning application for the Garden Bridge was submitted by TfL on behalf of the Garden Bridge Trust, on 29th May this year. The application is being considered by Westminster and Lambeth councils, and relevant legal agreements and planning conditions will be included in a report to the Planning Committee in December. The Trust plans to begin building the bridge in spring 2015 if it receives planning permission and raises enough money, with an anticipated opening in 2017/8.

- 9.3 In determining the planning application, consideration will also be given to the likely cumulative impacts of other major development projects under consideration in the proximity of Embankment/Temple. These include: The Thames Tideway Tunnel; The Cycle Superhighway, Victoria Embankment; and Pier extension – Westminster /Embankment. Cumulative impacts of the proposed Garden Bridge works and other major infrastructure projects need to be assessed for site specific and project-wide effects.

10. Development Planning

- 10.1 My previous update to the Committee highlighted the then ongoing Department for Communities and Local Government's (DCLG) technical consultation on planning. This consultation listed a raft of new changes to the planning system covering permitted development, planning conditions, statutory consultations, Environmental Impact Assessments, Development Consent Orders and neighbourhood planning. The consultation's proposals in all of these areas were set out in detail in my previous report to the Committee.
- 10.2 Chief amongst Westminster's concerns was the proposed removal of the exemption currently granted to the Central Activity Zone (CAZ) for offices (B1(a)) to become housing (C3) as permitted development subject to prior approval. Other proposals regarding permitted development rights, such as allowing the current temporary provision for larger extensions to dwellings, pose broader questions over a planning authority's ability to make decisions at a local level.
- 10.3 Officers submitted a full response to the consultation prior to the deadline of 29th September and we await the publication of the DCLG's findings.



Environment Policy and Scrutiny Committee

Date: Monday 10th November

Portfolio: Cabinet Member for City Management, Transport and Infrastructure

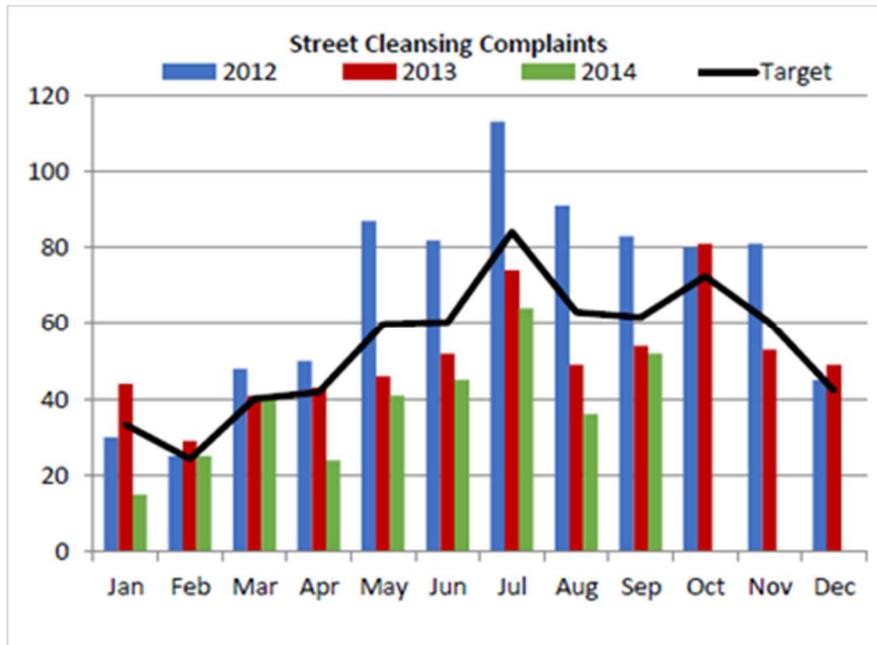
Briefing Author and Contact Details: Councillor Ed Argar
eargar@westminster.gov.uk

1. Budget 2014/15

- 1.1 The City Management portfolio is reporting the full year forecast to be in line with budget as at the end of Period six, against a full year revenue expenditure budget of £50.2m. The capital expenditure forecast remains in line with budget.
- 1.2 The Built Environment portfolio is reporting the full year forecast to be broadly in line with budget as at the end of Period six against a full year revenue expenditure budget of £15.6m. There is a small favourable variance of £50k reported. The capital expenditure full year forecast is £12.7m and this is in line with budget. There is a further risk that other schemes, amounting to c£0.5m, may slip into 2015/16 but these are being kept under review.

2. Cleansing Performance

- 2.1 Street cleansing services continue to perform well with just 343 complaints being recorded so far in 2014, compared to 432 over the same period last year, representing a drop of some 21%. These figures are demonstrated in the graph below:



Now that the Waste Strategy has been formally adopted work has commenced on designing the procurement strategy for new contracts to deliver the council's strategic ambitions for waste management. The proposed procurement plan will be the subject of a further detailed report to a future meeting of this Committee.

3. The Leafing Plan

3.1 Trees shed their leaves constantly throughout autumn, but at a rate that routine sweeping operations are normally capable of clearing. A peak period of leaf-fall normally occurs between October and November, triggered by a combination of meteorological factors such as high winds, rain and air frosts. The quantity of leaves that are shed during the peak period is significant and exceeds the capacity of the base street cleansing resource. The base resources are therefore supplemented each year and the Leafing Plan describes how, where and when these additional resources are deployed.

3.2 City-wide 11 extra operatives are engaged and two waste collection vehicles are allocated to the leafing service. The additional resources are provided on an eight-week term to coincide with the peak leaf-fall period. As usual, alternative sweeping days in some parts of the City will need to be implemented.

4. Highways

4.1 Officers have been working with the Service Provider and colleagues in Street Management and Information Services to address the IT and process issues that arose during the first three months of the contract.

4.2 The following table shows the performance for highways reactive defects at the 30th September 2014 compared against the respective targets. For reference, the previous contract targets and September figures are also given:

	September 14	Target from 1 April 14	Previous Target
Priority 1 (2 hr)	84%	98%	98%
Priority 2 (24 hr)	92%	98%	95%
Priority 3 (10 day)	72%	98%	90%
Priority 4 (28 day)	93%	98%	83%

Notes:

1. Figures are unadjusted and do not take into account process issues identified.
2. The backlog of works has affected performance particularly in this priority level.

4.3 A number of factors have contributed to the lower performance making it difficult at this time to adjust for these and provide a representative figure for performance. Some of these issues were beyond the Service Provider's control and therefore performance is higher than the report suggests.

4.4 The backlog deadline was not met in full and as of 30th September, 111 jobs are outstanding, down from the 438 originally.

4.5 Weekly meetings are continuing with the Service Provider to track the remaining backlog and I will provide an update at the next meeting.

5. Public Lighting

5.1 The year to date percentage of outages as of 29th September is 1.2%, well below the 4% target. The average time to fix a light under local authority control is also well within the target 12 days at 3.73 days. The total time to fix a light where UKPN also need to carry out work is 31.35 days, again, well within the 40 day target.

5.2 Reactive performance has improved on the figures since the last submitted report. The unadjusted year to date figure for two hour responses as of the end of September is 94% against a target of 98%. This is up from 90% in August. For 48 hour responses, the unadjusted year to date figure at the end of September was 95% against a target of 98%, up from 92% in August.

6. Long Term Faults

6.1 In April 2014, there were 39 jobs of more than 40 days old, and as of 30th September, 23 jobs are outstanding. The lighting teams at FM Conway and Westminster City Council have been focusing on reducing the number of outstanding faults above 40 days and the results of the teams efforts are starting to show in the figures. It is anticipated that many of the remaining jobs above 40 days will be cleared over the next three weeks which will leave us in a more positive position.

7. Smart Lights

7.1 Year four roll-out work commenced in the second half of June. The first stage of this year's work was programmed to be carried out in the West End ward. As of the 30th September the total number of units updated to SMART Lights was 297.

8. Highway Capital Programme Delivery

8.1 The Highways Footway and Carriageway Capital programme continues to progress with a number of schemes being completed in September. Both Footway and Carriageway programmes have been adjusted and will now aim to complete by

March 2015. Officers will continue to work closely with FM Conway to try and improve the programme delivery end dates.

9. Gully Service

- 9.1 The routine programme is ahead of target by 12% with 77% cleaned and 62% of the network visited. Since last reporting we have seen some improvement in our Service Provider accessing drains in areas of difficulty. This has been achieved by working smarter on the network using alternative vehicles and adjusting revisit times.

10. Gully Further works

- 10.1 We have now successfully completed six out of the 18 drainage further works jobs on our programme. Resources have now been double to accelerate the programme for completion before the Christmas period.

11. Waste Strategy

- 11.1 As Members may be aware approval for the draft waste strategy was received from the Mayor's office in the summer and the CM decision report has been issued and signed. The targets set are challenging but I believe achievable. The potential increase in disposal costs, reflecting market changes, remains a risk however one that I and officers believe can be successfully mitigated through both the actions in this strategy (increased, but achievable recycling targets) and effective procurement strategy. I will of course enlarge upon this topic in oral questions from this committee and respond to any specific Member concerns.



City of Westminster

Environment Policy and Scrutiny Committee

Date: Monday 10th November

Briefing of: Cabinet Member for Parking and Sustainability

Briefing Author and Contact Details: Heather Acton x3247
hacton@westminster.gov.uk

1. Parking Transformation Programme

- 1.1 The Business Processing & Technology contract, currently provided by Serco in Dingwall, is scheduled to be fully operational with NSL by 1st November 2014, with NSL sourcing new premises in Dingwall.
- 1.2 These new premises are now operational and staff were released by Serco for training at on the new systems during October. Systems testing has been rigorous and the decision to proceed with the system was finally made on Monday 27th October.

2. Bay Sensors

- 2.1 The network is now live with real-time information available on the Council's ParkRight Smartphone app. Over 40,000 people downloaded the update and there are around 600 new downloads each day.
- 2.2 Cities and media around the world are monitoring the scheme with a view to its possible adoption elsewhere.

3. Transfer of activities

- 3.1 The changeover to the new service began on Wednesday 29th October, with systems and web services being switched off in sequence to be fully operational again on Monday 3rd November. Customers wanting to pay a PCN, purchase a permit or book suspension were not able to do so from Friday 31st October until Monday 3rd November but messages were clear and payment periods were extended to allow for delayed payment online or by phone.
- 3.2 The Pay-to-Park service was not affected.

4. The Environmental Sustainability Strategy

- 4.1 A first draft of the strategy was reviewed by an Environment Policy and Scrutiny Committee Taskforce during September and a follow up meeting will precede this evening's committee meeting.

5. Nine Elms & Westminster Bridge

- 5.1 Last year, TfL assessed the feasibility of a new pedestrian/cycle bridge between Nine Elms and Pimlico, to satisfy the Mayor of London manifesto pledges. They concluded that a new bridge in this location *could* be feasible and would offer some, albeit limited, time savings to pedestrians and cyclists accessing Westminster from south of the river.
- 5.2 Westminster remain wholly unconvinced of the need for such a bridge and are against the bridge landing in the preferred location in Pimlico Gardens due to the effect it would have on residential amenity, the highways network, and the significant loss of public open space and trees.
- 5.3 Wandsworth Council remain supportive of the scheme and have appointed consultants to host an international bridge design competition. The intention is to select a team of designers and subsequently a feasible bridge design to be launched this year. The proposals are uncommitted, underfunded and TfL is now reconsidering their involvement in such a scheme.

6. Residential Lead Electric Vehicle Recharging Proposal

- 6.1 Due to continued residential requests for electric vehicle recharging points, the Council is deciding how best to trial the Residential service in an area of low parking pressure and with an area of high demand for electric vehicle users.
- 6.2 Currently the Council has a waiting list of 22 residents asking for a electric vehicle recharging space. Two residents decided not to buy an electric vehicle due to lack of supporting infrastructure.

7. Blue Point London (Source London)

- 7.1 Blue Point London are the new operators of the Source London Network (a pan London electric vehicle recharging network). The City Council has agreed to the change of operators, but have concerns over the proposed changes to the Source London's scheme which include:
- Blue Point London has made it public knowledge of its aspiration for a point to point car club similar to the one in Paris. We need assurances that this variation does not force this car club model onto Westminster;
 - Source London Network (which mostly caters for the visitor market) proposes to be private access only but Westminster wants it to be inter-operable with other local or national schemes; and

- The proposed alterations to the maintenance regime, ongoing liabilities and the expected costs and requirements placed on the City Council.

7.2 The City Council has negotiated an improved design for the recharging infrastructure.

8. Noise Strategy

8.1 Westminster's Noise Strategy is now five years old and the data and evidence underpinning it even older. A refresh of the strategy is due as noise complaints are on the increase, new noise sources are found within Westminster so background noise levels need to be remeasured.

8.2 New noise measurements are required as enforcement action becomes more difficult when based on older data sets. A review would also give an opportunity to review progress against previously agreed objectives, and assess whether the policies of the Noise Strategy are still fit for purpose.

8.3 Analysis of existing noise complaints is being prepared for EMT and this will help inform what studies might be required for any Noise Strategy refresh.

9. Biodiversity and Open Space Update

9.1 A team comprising of landscape architects from Groundwork London and ecologists from The Ecology Consultancy is surveying of our green and open spaces.

9.2 Over 200 sites are included in the audit programme including amenity green space within housing areas and private communal gardens. Officers have assisted the team in arranging access to the private squares and gardens. The response has been incredibly positive, with many keen to share their site data and strategies for improving biodiversity. From September to November they will be undertaking:

- Interviews of users to map local demands and needs and priorities for improvement, in a sample of 14 public open spaces.
- Multiple site visits and collection of observational data on park user numbers and their activity.
- Biodiversity audit of Westminster and review of the biodiversity data.

9.3 Early results will be available in November and provide data to These surveys will be used to Council's Biodiversity and Open Spaces Strategy.

10. Code of Construction Practice (CoCP)

10.1 Officers are reviewing the current arrangements for the Code of Construction Practice. We hope to extend the current CoCP beyond the impacts from major infrastructure and the largest developments sites, to include all major and significant developments (such as basement development).

10.2 The review also has to reflecting restructurings of teams and any additional work on processes. It is important that this service is cost neutral to the Council so costs associated with monitoring and enforcing development sites are recovered.

11. Oxford Street West - Air quality project

11.1 The Council has been successful in its application to the Mayor's Air Quality Fund for £100K to support work to consolidate servicing and delivery vehicle trips in the Oxford Street West area to improve local air quality.

12. Stationary vehicle idling enforcement - Air quality project

12.1 We are assessing the feasibility of enabling Westminster's Traffic Marshalls to issue fixed penalty notices for stationary idling offences (i.e. when drivers leave their vehicle engines running unnecessarily, thereby causing nuisance and pollution). An initial emphasis will be based on education, with enforcement and issuing of a notice being a last course of action.

13. Cycle Strategy

13.1 Westminster's Cycling Strategy was discussed at Cabinet Briefing on Monday 20th October. Recommendations were made by Cabinet Members to adjust certain paragraphs for clarity within the Strategy.

13.2 These adjustments are being incorporated before the report is formally approved by Cllr Argar, Cabinet Member for City Management and Transport, and me as Cabinet Member for Sustainability and Parking.



City of Westminster Committee Report

Meeting: Environment Policy & Scrutiny Committee

Date: 10 November 2014

Classification: General Release

Title: TfL's consultation on the East West Cycle Superhighway

Wards Affected: Bayswater, Bryanston and Dorset Square, Hyde Park, Knightsbridge and Belgravia, Lancaster Gate, St James's, Vincent Square, Warwick and West End

Financial Summary: N/A

Report of: City Commissioner of Transportation and

Operational Director, City Planning Delivery Unit

1. Executive Summary

- 1.1 This paper provides background information relating to TfL's proposals for an East West Cycle Superhighway (EWCS) to brief Members before they receive a presentation from Transport for London (TfL) from Leon Daniels Managing Director, TfL Surface Transport.
- 1.2 The consultation on TfL's proposals for EWCS excludes those sections of the proposed route passing along roads managed by The Royal Parks, which is starting in January 2015. It also excludes consultation on the section between Westway and Acton, which is due to start at a later date. The consultation on the remaining proposals started on 3 September 2014 and ends on 9 November 2014, but TfL has advised that it will consider comments received from the City Council after the closing date, so that Cabinet Members can consider the response from this Committee. The City Council had expected that TfL would be publishing transport modelling data showing the traffic impact of its proposals during the consultation period. Initially this information was expected to be provided on 12 September 2014, but none of this appeared until 26 September 2014 and then in a limited form focussing on the roads forming the cycle route (see Appendix 1 and available via the following web link: [here](#)). Since then officers have sought more detailed information to

quantify the effects not only along the proposed EWCS, but on parallel routes. It might have been better if TfL had deferred the end of the consultation on the sections of the route in the City of Westminster until the proposals in The Royal Parks are known. However, the current consultation has resulted in a continuing useful dialogue with TfL and it is expected that emerging from this it is probable that TfL will develop alternative proposals for the Lancaster Gate gyratory, Parliament Square and at the junction of Victoria Embankment with Bridge Street and Westminster Bridge, at the junction of Great George Street with Storey's Gate and at the junction of Birdcage Walk with Horse Guards Road.

- 1.3 Local residents living in Stanhope Terrace tabled an Option 3 at a recent meeting with the City Council; TfL; the owner of the stables in Bathurst Mews; a representative of the Lancaster London hotel in the area bounded by Bayswater Road, Lancaster Street and Westbourne Street; and representatives from Paddington Residents' Active Concern on Transport (PRACT); and South East Bayswater Residents' Association (SEBRA). This option included having a two way cycle route along Brook Street and the south side of Stanhope Terrace and a two way cycle facility on the east side of Westbourne Street between its junctions with Stanhope Terrace and Sussex Gardens.
- 1.4 Another option might be taking a two way segregated cycle facility along the full length of the east side of Westbourne Street and then along the north side of Bayswater Road between its junctions with Westbourne Street and Brook Street and then entering Hyde Park at Victoria Gate. There is a strong case for TfL to reconsider its current proposals and develop an alternative solution, which would overcome conflict with the taxi rank and loading bay serving the Lancaster London hotel on the west side of Westbourne Street. The current severely overhanging street tree on the west side of Westbourne Street by the loading bay would probably need to be removed. Provision could be made for TfL to fund a suitable replacement within the Bayswater area. It would make sense for such an alternative proposal to be consulted upon alongside the proposals for the cycle route through Hyde Park, starting in January 2015.
- 1.5 TfL was asked to provide additional information and it provided the first draft of a document that is intended to contain that information on the effects of the scheme on Saturday 18 October 2014 (see Appendix 2). This document was sent in an updated form received on Monday 27 October 2014 (see Appendix 3) and it is understood that this note is now in its final form. This report will be supplemented through the presentation given by TfL at the Committee meeting.
- 1.6 TfL's proposals have been designed to provide clear and convenient routes for cyclists, physically separated from other vehicles. However, creating space for the proposed Cycle Superhighways has been achieved by reallocating road

space from other traffic and changing the operation of almost all junctions along the route, which has implications for all road users, not only along the routes, but on parallel or alternative routes.

- 1.7 The EWCS would run between Tower Hill to the east and Acton to the west. It would start at Tower Hill, where it would connect to the existing Barclays Cycle Superhighway Route 3 (CS3), which runs east to Canary Wharf and Barking. From Tower Hill, the new route would run along Lower and Upper Thames Street, Victoria Embankment, Bridge Street, across Parliament Square, along Great George Street and through St James's Park and Green Park, across Hyde Park Corner and through Hyde Park, across Lancaster Gate, along Westbourne Terrace and over the Westway flyover from Westbourne Bridge to Wood Lane. From there, it would continue along the A40 Western Avenue as far as Horn Lane, Acton. Detailed information is available on TfL's website via the following link: tfl.gov.uk/cycle-east-west

2. Key Matters for the Committee's Consideration

- 2.1 The Committee is asked to comment on the impacts that TfL's scheme has on all road users including pedestrians on parallel roads as well the proposed route as set out in Appendices 1, 2 and 3 and consider the options for potential alternative routes using Northumberland Avenue, Trafalgar Square, Admiralty Arch and The Mall shown in Appendix 4.
- 2.2. The Committee is asked to consider whether TfL should be asked to provide an environmental assessment, an assessment of air quality/ emissions impact as a consequence of the increased traffic congestion caused by the scheme, which might be useful given the expected impact of the scheme proposals on all road users.
- 2.3 The Committee is asked for its views on these proposed banned turns associated with the current proposals:
- Right turn from Westminster Bridge in to Victoria Embankment
 - Left turn from Victoria Embankment on to Westminster Bridge
 - Left turn from Victoria Embankment into Horse Guards Avenue
 - Right turn from Birdcage Walk into Horse Guards Road
 - Right turn from Storey's Gate into Great George Street
 - Right turn from Birdcage Walk into Storey's Gate
 - Left turn from Birdcage Walk into Horse Guards Road
- 2.4 The Committee is asked to consider whether the loss of the coach parking facilities along Victoria Embankment shown on the plan produced in Appendix 5 is acceptable if TfL can identify reasonable alternatives within close, which

are readily accessible, do not adversely impact on adjacent properties, and are within close proximity to the West End.

- 2.5 The Committee is asked whether it sees merit in developing an alternative route avoiding Parliament Square via Northumberland Avenue, Trafalgar Square and The Mall as outlined in Section 5 of the report and illustrated on the drawings illustrating two options contained in Appendix 4.
- 2.6 Does the Committee see merit in the development of alternative proposals at the Lancaster Gate Gyratory as described in Section 6 of the report?

3 Previous Reports

- 3.1 The Environment Policy and Scrutiny Committee considered an early version of the City Council's draft Cycling Strategy at its meeting on 25th April 2013, after which the Committee's comments were incorporated wherever possible. As part of this Committee process, this version of the draft Cycling Strategy was publicly accessible on the City Council's website. This enabled some informal discussions with interested stakeholders, such as cycling campaign groups, to take place and for their comments to be incorporated, as appropriate. The Cycling Strategy Task Group set up by the Environment Policy and Scrutiny Committee was invited to consider the strategy and to provide comments at a meeting on 10 December 2013, which would then help to inform the final strategy. The task group then met again on 17 March 2014 and 16 September 2014 to consider the findings from the consultation.

4 Transport Modelling

- 4.1 The City Council commissioned FM Conway Limited and consultants Jacobs to undertake a review of the Proposed EWCS that was published by TfL in early September 2014, with the modelling results published on 26 September 2014. Jacobs has been leading the discussions on the transport modelling results with TfL officers. The team is currently carrying out a review of aspects of the route design, traffic modelling and the implications for the operation and amenity of streets within the City of Westminster.
- 4.2 The published modelling results for both the EWCS are presented as a summary table on TfL's website, attached to this report as Appendix 1. The table shows (for the AM peak of 8am-9am and PM peak of 5pm-6pm):
- General traffic journey times, comparing Base, Future Base (2016) and Future With Scheme (2016 Sensitivity, comprising a signal timing mitigation strategy) scenarios for four particular sections along the East-West route itself, but not for any other routes crossing the cycle route corridor;

- Bus journey times for four sections of bus routes either on or immediately crossing the cycle route corridor (though data not available for the Future Base scenario);
 - Cycling journey times on four sections of the cycle route corridor (though data not available for the Future Base scenario);
 - Pedestrian wait time increases as a consequence of alterations to signal timings at four junctions.
- 4.3 An initial review of the published modelling results raised a number of key concerns.
- 4.4 The scheme will inevitably result in a considerable reduction in road link and junction capacity, due to the removal of traffic lanes and the introduction of additional traffic signal stages at junctions that provide independent time for cyclists on the route to proceed unopposed. TfL has advised that, in general, the route is expected to carry some 3,000 cyclists per hour in the peak periods (split by direction, depending on time of day). In order to provide sufficient capacity for these cyclists, a significant amount of green time at traffic signals will be required. Pedestrian crossing stages will need to be retained and so this means that, with traffic signal cycle times limited to an absolute maximum of 120 seconds, time for general traffic and buses will be reduced. Less than 50% of the data requested of local junction modelling data has been provided as part of the data information request. However, the data provided gives an indication of the level of intervention required. At Parliament Square in the AM peak, for example, the additional cyclist stages at the northwest corner for the EWCS and northbound cyclists receive some 43 seconds of green time. As a consequence, traffic capacity is compromised. Traffic flow data provided by TfL for the existing (2012) and Future With Scheme scenarios shows that:
- Total existing inbound traffic flow, AM peak is 4,100pcu/hr;
 - Total proposed inbound traffic flow, AM peak is 1,500pcu/hr;
 - Forecast reduction in traffic demand, AM peak is 2,600pcu/hr (63%);
 - Currently, buses make up some 14% of total demand, taxis some 19%, and so this traffic alone would effectively utilise all available capacity in the AM peak;
 - Total existing inbound traffic flow, PM peak is 3,850pcu/hr;
 - Total proposed inbound traffic flow, PM peak is 1,150pcu/hr;
 - Forecast reduction in traffic demand, PM peak is 2,700pcu/hr (70%);
 - Currently, buses make up some 13% of total demand, taxis some 30%, and so only buses and half the current number of taxis could effectively utilise all available capacity in the PM peak;
- 4.5 The introduction of the cyclist stage at Parliament Square provides capacity for only around 800 cyclists on the EWCS. Specific data on actual forecast demand for this section of the EWCS has not been provided, yet this seems lower than the desired forecast. On the St Margaret Street approach the local

model shows less than 700 cyclists, yet traffic counts undertaken by the City Council in October 2012 as part of the design of the Abingdon Street Zebra crossing work, showed current demand at that time of year exceeded 1,000 cyclists. In comparison, traffic survey data provided by TfL (for December 2012) shows a flow of only 530 cyclists. Further review of PM peak data reveals that in October 2012 the southbound flow on Abingdon Street was some 480 cyclists between 5pm-6pm, yet this increased to over 950 cyclists between 6pm-7pm, whereas the TfL data from December 2012 shows only around 350 cyclists per hour between 5pm-7pm. The local models of the proposals show considerably lower cycle volumes at the Parliament Square/ Westminster Bridge junctions arrangement when compared to the Victoria Embankment/ Northumberland Avenue junction. Some 700 cyclists exit northbound onto Victoria Embankment from Parliament Square/ Westminster Bridge. However, 1,200 cyclists arrive at Northumberland Avenue, showing a discrepancy of some 500 cyclists per hour. This indicates that Parliament Square is not providing sufficient capacity within the EWCS for the existing or predicted demand, and thus there is no resilience to expected future growth in cycling numbers. Review of cycle demand also raises a concern that cycle forecasts are generated from an unrepresentatively low base value (December 2012), and using evidence from Abingdon Street design work the TfL EWCS scheme will not provide sufficient capacity for the cycling PM peak hour of 6pm-7pm.

- 4.6 TfL's published modelling results (see Appendix 1) provide no details of the local and wider impact of the loss of road capacity and more information has been sought. The information notes, which provide some additional information are attached as Appendix 2 (version dated and received on 18 October 2014) and Appendix 3 (version dated 24 October 2014 and received on 27 October 2014). It is likely that there will be areas of significant traffic congestion and/or reassignment of traffic onto alternative strategic or local roads. Due to a high degree of traffic restraint, traffic flow along the route corridor is reduced significantly, and this either results in what appear to be reductions in journey time over certain sections, or could result in large increases in journey times if the additional congestion is captured in the output of the modelling. Although data has been provided regarding journey time changes as a consequence of the scheme (compared to Future Base) on the critical links requested, most values (those from the strategic ONE model) are either represented as a percentage change or simply as an increase or decrease. Absolute changes are not provided (due to the reasonable risk of low accuracy at such a local level), and so it is not possible to determine whether or not the change is significant. This data is being analysed in further detail, yet of particular note, TfL is predicting increases in journey times for general traffic (possibly including buses) of greater than 100% on the following routes:

- Vauxhall Bridge Road southbound in PM peak
- Victoria Street eastbound in AM peak

- Victoria Street to Vauxhall Bridge Road (via Marsham Street) southbound in PM peak
 - Edgware Road southbound on approach to Marylebone Road in AM and PM peaks
 - Kensington High Street/ Kensington Gore eastbound in AM and PM peaks
- 4.7 There is no evidence of an environmental assessment, an assessment of air quality/ emissions impact as a consequence of the increased traffic congestion caused by the scheme. It is understood that, at the time of writing this report, TfL is awaiting the results of an environmental impact assessment for EWCS. A lot depends upon the mitigating measures, which will be developed to respond to changes in traffic movements, which are only partially known at this stage.
- 4.8 Insufficient bus journey time data specific to journeys in the City of Westminster has been published. There are likely to be impacts on a considerable number of routes that cross the cycle route corridor, or are affected by the additional traffic congestion created elsewhere on the network as a consequence of the traffic capacity reduction. TfL has advised in its notes that bus journey time information has been provided for a representative number of bus routes within the E-W corridor. However, a separate work stream has been established within TfL to identify areas where measures may be introduced that will achieve bus journey time savings that will potentially mitigate the impacts of the proposed schemes.
- 4.9 It is not evident that the schemes would operate successfully, in terms of providing sufficient traffic capacity to accommodate the predicted number of cyclists as well as the forecast levels of motorised traffic at junctions along the cycle route corridor (despite significant reduction in traffic demand), or indeed those on parallel or alternative routes. A limited number of local traffic models (LinSig) have been provided for the route, yet these are 'skeleton' versions of the models and do not contain the traffic demand and network data necessary to understand the operation and performance of the junctions. Proposed TRANSYT models have not been provided. Limited access to the AM peak VISSIM model has been provided, yet this was not sufficient to review the proposed network performance in great detail. Nevertheless, observations and VISSIM model screen shots show that queue lengths are expected to either be excessive or indeed exceed the link lengths shown in the model for:
- Park Lane (southbound)
 - The Mall (westbound)
 - Victoria Street (eastbound)
 - Westminster Bridge (westbound)
 - St Margaret Street (northbound)
 - Birdcage Walk (eastbound)
 - Whitehall (southbound)

- Strand (westbound)
- Victoria Embankment (southbound)
- Westbourne Terrace

- 4.10 It is not clear what the full impact of the scheme proposals would be for pedestrians, as traffic signal timing data is only provided for two junctions within the City of Westminster (Parliament Square and Hyde Park Corner) in the first document with additional information published by TfL on 26 September 2014 (Appendix 1). Further LinSig data has only been provided for junctions along Victoria Embankment. This shows a proposed cycle time change from 96 seconds to 104 seconds, thus potentially increasing wait times for pedestrians. It has not been possible to determine what other impact the scheme will have on pedestrian wait times at junctions along the route, or on parallel/ alternative routes.
- 4.11 The scheme proposals for the route between Birdcage Walk and Constitution Hill (through Spur Road) are awaited. However, this route would need to be closed to cyclists during events such as changing the guard when all traffic is held to allow the cavalry to pass and large crowds to disperse.
- 4.12 The scheme proposals include the prohibition of key turning movements on local roads and the Transport for London Road Network (TLRN), particularly at the junction of Victoria Embankment and Bridge Street. There is no information on how this traffic would be formally reassigned.
- 4.13 It is unclear how the impact of the construction of the Thames Tideway Tunnel will affect the delivery and operation of the cycle scheme, although TfL has had recent discussions with Thames Water and is developing proposals to retain the cycle route during Thames Water's works.
- 4.14 Following officer level meetings with TfL, a series of requests for further information have been made in order to understand the scheme and its likely impacts in more detail. TfL answered some queries at a meeting held on 15 October 2014 and provided its initial Westminster Information Request Consolidated DRAFT V0.1A response on 18 November 2014 attached as Appendix 2. An updated version 1.02 dated 24 October 2014 was received on 27 October 2014 (Appendix 3). The consultants assisting the City Council from Jacobs were given limited time to view the detailed modelling of the route for the AM peak period to understand the operation of key junctions along the cycle route corridor.
- 4.15 TfL has used its strategic ONE model to assess the network impact and feed traffic demand data to the local traffic models. This model assumes that the following 21 schemes that are programmed to be completed or substantially completed by December 2016 (as known in July 2014) are all in operation:

- Aldgate gyratory
- Haymarket (Piccadilly 2-Way Working Scheme)
- Kings Cross Interim Scheme
- East-West Cycle Route
- North-South Cycle Route
- Cycle superhighway Route 1 (Apex Corner)
- Cycle Superhighway Route 2 Upgrade
- Cycle Superhighway Route 5 (Inner)
- Lambeth Bridge Northern roundabout
- Lambeth Bridge southern roundabout
- Westminster Bridge South
- LB Camden West End Project – Tottenham Court Road - 2 Way
- City of Westminster Baker Street 2-Way Working Scheme
- Elephant & Castle Northern roundabout
- Oval Better Junctions Scheme
- Stockwell Better Junctions scheme
- Old Street Better Junctions scheme
- Victoria Nova
- Archway
- Swiss Cottage
- Lewisham Gateway

4.16 The results of journey time changes across key routes around the City of Westminster show considerable impact. Appendix 2 identifies that the modelled level of delay across the City of Westminster area increases by 24% in the AM peak (0800 to 0900) and 32% in the PM peak (1700 to 1800) per km travelled. Average journey times across the City of Westminster area increase by approximately 12% in the AM peak and 17% in the PM peak per km travelled. No specific data has yet been provided for key taxi routes or bus journey times, although these values might be assumed applicable to bus routes as well as general traffic. These values account for the loss of traffic capacity and reduced traffic volumes across the City of Westminster, yet do not necessarily reflect the whole journey time impact for trips commencing outside the borough. There is no data on environmental impact, although increases in delay are directly relevant to air quality impact.

4.17 The results of traffic flow changes on streets across the City of Westminster show considerable impact. On key routes, traffic reduction (as a direct result of capacity reduction) is expected to be in excess of 200 vehicles in each direction (though the degree to which it exceeds 200 vehicles is not known), yet reassignment on alternative routes does not balance. This indicates that there will be areas where traffic is queued, yet these are not identified and the wider impact of this is not yet evident. The data provided for Parliament Square gives some indication of the actual extent of traffic restraint. However, it has not been possible to carry out a full review of the network impact.

- 4.18 There would not seem to be a specific strategy for formally signing the alternative strategic route on the TLRN as a consequence of the proposal to prohibit the right turn from Westminster Bridge into Victoria Embankment and the left turn from Victoria Embankment to Westminster Bridge. For vehicles crossing Westminster Bridge to visit Portcullis House, these would need to use Parliament Square to gain access to Bridge Street and then turn left from it into Victoria Embankment. Vehicles travelling in either direction along the Transport for London Road Network (TLRN) on Victoria Embankment or Westminster Bridge need to leave the TLRN via Parliament Square to get back on to it.
- 4.19 Observation of the micro-simulation (VISSIM) modelling showed that it is predicted that some traffic would need to transfer from Westbourne Terrace onto Gloucester Terrace in order to accommodate the expected changes in traffic movements around the Lancaster Gate gyratory. It is not known how this transfer in traffic is to be achieved (due to the turning restrictions along Westbourne Terrace). Because the model shows over-saturated conditions, it is likely that significant traffic congestion would propagate beyond the AM and PM peak hour models, or indeed it is possible that the network may already be over-saturated before the peak hours modelled, and so traffic impact is likely to be worse than shown.
- 4.20 Jacobs is undertaking a detailed review of the scheme design in terms of the general arrangement and infrastructure for cyclists, pedestrians and vehicular traffic, and general impact on public realm. It is acknowledged that the introduction of a segregated cycle superhighway will inevitably result in considerable alteration to the streetscape and that innovative and possibly unorthodox arrangements would be required for a scheme of this nature. Nevertheless, there are areas where issues have been identified. At the time of writing, these may be summarised as:
- An apparent lack of an optioneering process that might consider the potential overall benefits of an alternative to stringent application of cycle segregation at key locations, and where there might be scope for more holistic solutions, given the potential for significant traffic capacity reduction;
 - A surprising level of complexity for conflicting cyclist movements at key intersections, with some movements individually and independently signal controlled, others expected to leave or join the EWCS under priority control, with a potential risk to cyclist safety;
 - Proposed segregated cycle lane widths significantly lower than recommended by TfL guidance, with bottlenecks, pinch-points and tight radii creating areas where delays might be expected, or where queues of cyclists will affect the operation of the route or may indeed extend into the carriageway and result in safety concerns;
 - Areas where the EWCS may not provide the quickest or most direct route and may therefore not provide the most attractive route for

cyclists, such as through Hyde Park (the existing route along the east side is 1km shorter and has less gradient than the proposed route) and Parliament Square (the route through Trafalgar Square is 450m shorter);

- A technically focussed solution, with a high degree of cycle infrastructure and associated signal control paraphernalia - with a major impact on public realm at, not least, key, high value 'places' such as Parliament Square, Spur Road and The Mall, Victoria Embankment and Lancaster Gate, which will preclude any future potential public realm improvements;
- Proliferation of traffic islands of varying dimensions and shapes, the majority of which would not be suitable for pedestrian use, with ad-hoc crossing of streets away from prescribed crossing locations becoming difficult and potentially hazardous;
- Key areas where cyclist links to Quietways and adjoining streets has not been provided, or is not intuitive and may provide safety issues (such as Hyde Park Corner, Storey's Gate);
- Use of shared use pedestrian and cyclist footway and crossing at Hyde Park Corner/ Constitution Hill.

4.21 At the time of writing this report, further information is outstanding or is not available for:

- Methodology of modelling process (some explanation of the modelling methodology has been provided, however it is evident that the modelling process does not accord entirely with the TfL Traffic Modelling Guidelines, for example a validated Base VISSIM model has not been developed against which to compare forecast network journey times);
- Bus journey times;
- Specific impact of prohibited turns and alternative routes;
- Air quality impact;
- Junction operation details and performance characteristics (delays and queues) for the majority of the network;
- The location and wider impact of key congestion areas (as a consequence of traffic capacity reduction);
- Cycle modelling characteristics and expected behaviour (there is a concern that the modelling under-estimates the amount of signal green time to accommodate the expected volumes of cyclists, and so traffic impact is likely to be greater than reported, and the scheme would not have spare capacity for any growth in cycle demand beyond 2016);
- Road safety audit, and any expected safety benefits or risks associated with particular operational elements of the scheme.

4.22 At meetings held on 2, 6 and 15 October 2014, the concerns about the proposed prohibition of turning movements at the junction of Victoria

Embankment with Bridge Street and Westminster Bridge and at the junctions of Great George Street with Storey's Gate and Birdcage Walk with Horse Guards Road, the likely impact of the scheme through Parliament Square (in terms of significant traffic capacity reduction and increased journey times) were discussed. Officers consider that these impacts might be mitigated by altering the proposed route of the EWCS.

- 4.23 Appendix 5 shows the impact on coach parking along Victoria Embankment and officers have not yet been advised of how TfL intends replacing it in a suitable location close to the West End.

5 Alternative route to avoid Parliament Square

- 5.1 Given the impact of the proposals on Parliament Square and concerns about the safety of cyclists during construction of the Thames Tideway Tunnel adjacent to Victoria Embankment between its junctions with Northumberland Avenue and Horse Guards Avenue, the City Commissioner of Transportation commissioned Jacobs to undertake a concept design and appraisal of an alternative route for the EWCS between Victoria Embankment and Constitution Hill via Northumberland Avenue, Trafalgar Square, Admiralty Arch and The Mall. This alternative route:

- Reduces the length of the EWCS for this section by around 500m, reduces the number of conflict points and avoids significant infrastructure and traffic capacity loss at Parliament Square;
- Utilises the existing two-way off-street cycle track along the north side of The Mall between Constitution Hill and Horse Guards Road (which could be modified and upgraded to Cycle Superhighway standard);
- Introduces an improved two-way cycling link between The Mall and Trafalgar Square;
- Introduces a segregated, signal controlled two-way Cycle Superhighway link through King Charles I island;
- Introduces a light or physically segregated two-way Cycle Superhighway link along Northumberland Avenue;
- Links to the proposed EWCS at Victoria Embankment with minimal alteration to the published scheme.

- 5.2 Jacobs is in the process of developing two options for this alternative route, which uses a cycle route along the centre of the carriageway in order to avoid impact on kerbside loading activities shown in Appendix 4.

- 5.3 Option 1 (shown on attached Drawing B1731301/DG/001) shows maximum intervention and includes:
- widening of the carriageway on Northumberland Avenue (avoiding impact on existing trees);

- light segregation of 4m wide two-way Cycle Superhighway along Northumberland Avenue;
- retention of a 5.5m wide traffic lane in each direction on Northumberland Avenue to minimise impact on traffic, bus stops and loading requirements;
- relocation of bus stands on Northumberland Avenue (probably to Whitehall Place, or another nearby location);
- potential treatment at approaches and exits from the Cycle Superhighway to facilitate cycle links to side roads and proposed Quietway routes;
- option to pass cyclists to the north of the King Charles I monument;
- option to use the central arch at Admiralty Arch;
- formal traffic signal control at the eastern and western ends of the route to tie-in to proposed EWCS on Victoria Embankment and the existing cycle track on The Mall.

5.4 Option 2 (shown on attached Drawing B1731301/DG/002) shows minimal intervention and includes:

- physical segregation of a 4m wide two-way Cycle Superhighway along Northumberland Avenue;
- retention of a 3.9m wide traffic lane in each direction on Northumberland Avenue, with half-layby for bus stops and footway loading pads to minimise impact on traffic, bus stops and loading requirements (with potential to restrict access to westbound section at certain periods of the day, and divert traffic to Whitehall via Great Scotland Yard or Whitehall Place);
- potential treatment at approaches and exits from the Cycle Superhighway to facilitate cycle links to side roads and proposed Quietway routes is to be added;
- option to pass cyclists to the south of the King Charles I monument;
- option to avoid use of the central arch at Admiralty Arch;
- formal traffic signal control at the eastern and western ends of the route to tie-in to proposed EWCS on Victoria Embankment and the existing cycle track on The Mall.

5.5 This concept scheme is in development and it is intended that provisional traffic modelling will be carried out to identify potential traffic impact. In order to provide sufficient capacity to accommodate the expected volume of cyclists, it will be necessary to provide additional traffic signal green time to The Mall and Northumberland Avenue approaches to Trafalgar Square. This will have an impact on the traffic capacity of opposing approaches and is likely to result in traffic reassignment, and the intention is to determine whether or not this impact is any worse than that of the published scheme.

5.6 This alternative route along Northumberland Avenue, through Trafalgar Square and along The Mall needs consultation when TfL and The Royal Parks

start consultation on their proposals (expected in January 2015). There needs to be an assessment of townscape and pedestrian impacts alongside the traffic impacts. However, this option may be less disruptive than the current proposals through Parliament Square.

6 Lancaster Gate Gyratory

- 6.1 The scheme contains proposals to remove the Lancaster Gate Gyratory and make Bayswater Road two way working with access to Stanhope Terrace without requiring eastbound traffic to use the current routes via Lancaster Terrace and Westbourne Street. It also shows two options for the southbound cycle route. Option 1 uses Bathurst Street and Option 2 uses Stanhope Terrace. However, TfL's design team is developing an alternative option following concerns raised during meetings with the Cabinet Member for Sustainability and Parking, Ward Councillors for Hyde Park Ward, PRACT, SEBRA, the riding stables in Bathurst Mews and the Lancaster London Hotel as outlined in paragraph 1.4. There were three concerns that have arisen with these options and the northbound cycle track on the west side of Westbourne Street:
- Concern about the safety of both cyclists and equestrians given that they would share the same space as there are riding stables in Bathurst Mews (Option 1)
 - Concern about the loss of residents' parking on the north side of Stanhope Terrace (Option 2)
 - Concern about the safety of taxi passengers and the movement of goods in and out of the Lancaster London Hotel as they would need to cross the cycle track.
- 6.2 Local residents living in Stanhope Terrace have suggested an alternative scheme, which removes the northbound cycle track on the west side of Westbourne Street and converts the southbound cycle facility on the east side of Westbourne Street and along Stanhope Terrace and Brook Street to two way segregated cycle facilities as outlined in paragraph 1.3 of this report.
- 6.3 This alternative route known as Option 3 or the alternative outlined in paragraph 1.4 needs to be assessed to consider the townscape and pedestrian impacts alongside the traffic impacts. However, there appears potential for a better scheme, which could also be consulted upon in January 2015 with TfL's and The Royal Park's EWCS proposals for Green Park, Hyde Park and St James's Park.

Appendices

- Appendix 1: East-West Cycle Superhighway – TfL's Modelling Results**
- Appendix 2: TfL's Response to Westminster City Council's Consultation information requests concerning the Proposed East West Cycle Route dated and received on 18 October 2014**
- Appendix 3: TfL's Response to Westminster City Council's Consultation information requests concerning the Proposed East West Cycle Route dated 24 October 2014 and received on 27 October 2014**
- Appendix 4: Alternative concept designs for potential cycle route between Victoria Embankment and Constitution Hill via Northumberland Avenue, Trafalgar Square, Admiralty Arch and The Mall**
- Appendix 5: Proposed changes to coach and bus parking on Victoria Embankment**

If you have any queries about this report please contact either:

Martin Low, City Commissioner of Transportation on 020 7641 1975 or mlow@westminster.gov.uk

Barry Smith, Operational Director, City Planning Delivery Unit on 020 7641 2923 or bsmith@westminster.gov.uk

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East-West Cycle Superhighway - Modelling Results

Correct as at 23 September 2014		(A) Base Model - current situation on street			(B) Future base model - Expected situation on-street Dec 2016 without scheme			(C) Future journey times Dec 2016 with scheme			(D) Difference between Future with scheme (C) and base (A)		(E) Difference between future with scheme (C) and future base (B)					
		Current journeys		AM	PM	Journeys modelled		AM	PM	Journeys modelled		AM	PM	AM	PM			
Traffic Average journey times (minutes:seconds)	Limehouse Link tunnel to Hyde Park Corner	Westbound	34:34	30:51	Limehouse Link tunnel to Hyde Park Corner	Westbound	32:39	26:55	Limehouse Link tunnel to Hyde Park Corner	Westbound	50:28	44:20	15:54	13:29	17:49	17:25		
		Eastbound	27:51	30:38		Eastbound	26:06	31:49		Eastbound	35:29	35:06	7:38	4:28	9:23	3:17		
	East Smithfield to St Margaret Street (Parliament Square exit)	Westbound	18:15	17:06	East Smithfield to St Margaret Street (Parliament Square exit)	Westbound	16:30	13:18	East Smithfield to St Margaret Street (Parliament Square exit)	Westbound	18:34	23:14	0:19	6:08	2:04	9:56		
		Eastbound	14:50	16:37		Eastbound	12:25	15:54		Eastbound	11:51	12:45	-2:59	-3:52	-0:34	-3:09		
	Westminster Bridge to Hyde Park Corner (Knightsbridge)	Westbound	8:03	8:01	Westminster Bridge to Hyde Park Corner (Knightsbridge)	Westbound	7:51	7:42	Westminster Bridge to Hyde Park Corner (Knightsbridge)	Westbound	8:03	8:35	0:00	0:34	0:12	0:53		
		Eastbound	7:02	7:37		Eastbound	6:37	7:07		Eastbound	16:00	13:59	8:58	6:22	9:23	6:52		
	Lancaster Gate to A40 Westway	Northbound	4:36	5:04	Lancaster Gate to A40 Westway	Northbound	4:41	5:10	Lancaster Gate to A40 Westway	Northbound	4:20	4:53	-0:16	-0:11	-0:21	-0:17		
		Southbound	4:36	4:51		Southbound	4:30	4:16		Southbound	6:16	5:18	1:40	0:27	1:46	1:02		
	Buses A sample of journey times on four routes through the scheme area (minutes:seconds) Difference against base (A), expressed as a range in column D	Route 15 (between Tower Hill and Byward Street)	Westbound	10:00	9:54	Future base data available for general traffic journeys only	Route 15 (between Tower Hill and Byward Street)	Westbound			Route 15 (between Tower Hill and Byward Street)	Westbound			0-1m	-(2-5m)	Future base data available for general traffic journeys only	
			Eastbound	5:06	7:18			Eastbound				Eastbound			-(0-1m)	-(0-1m)		
Route 453 (between Westminster Bridge and Trafalgar Square, via Parliament Square)		Northbound	8:18	8:06	Route 453 (between Westminster Bridge and Trafalgar Square, via Parliament Square)		Northbound			2-5m	1-2m							
		Southbound	8:24	10:48			Southbound			7-10m	1-2m							
Route 16 (between Park Lane and Grosvenor Place)		Northbound	2:24	2:42	Route 16 (between Park Lane and Grosvenor Place)		Northbound			-(0-1m)	0-1m							
		Southbound	2:06	2:12			Southbound			0-1m	0-1m							
Route 94 (between Lancaster Gate and Westbourne Terrace)		Westbound	3:18	3:30	Route 94 (between Lancaster Gate and Westbourne Terrace)		Westbound			1-2m	2-5m							
		Eastbound	8:48	5:48			Eastbound			-(1-2m)	-(1-2m)							
Cycling Average journey times (minutes)		Royal Mint Street to Hyde Park Corner	Westbound	32	32		Future base data available for general traffic journeys only	Royal Mint Street to Hyde Park Corner	Westbound	30	29	Royal Mint Street to Hyde Park Corner	Westbound	30	29	-2		-3
			Eastbound	31	31				Eastbound	31	29		0	-2				
	Royal Mint Street to St Margaret Street (Parliament Square exit)	Westbound	20	20	Royal Mint Street to St Margaret Street (Parliament Square exit)	Westbound		19	17	-1	-3							
		Eastbound	21	21		Eastbound		17	16	-4	-5							
	Parliament Square to Hyde Park Corner	Westbound	11	12	Parliament Square to Hyde Park Corner	Westbound		11	11	0	-1							
		Eastbound	10	10		Eastbound		15	13	5	3							
	Lancaster Gate to A40 Westway	Northbound	7	7	Lancaster Gate to A40 Westway	Northbound		5	4	-2	-3							
		Southbound	7	7		Southbound		5	5	-2	-2							
	Pedestrians Traffic signal cycle times and associated wait times (seconds) NOTE: Future base would be same as current base without scheme	Tower Hill - Minories - Shorter Street	Max. cycle time	88	88	Tower Hill - Minories - Shorter Street		Max. cycle time	88	88	Tower Hill - Minories - Shorter Street	Max. cycle time	96	96	8	8	8	8
			Max. wait time	82	82			Max. wait time	82	82		Max. wait time	90	90	8	8	8	8
Upper Thames Street - Queen Street - Queen Street Place		Max. cycle time	104	104	Upper Thames Street - Queen Street - Queen Street Place	Max. cycle time	104	104	Upper Thames Street - Queen Street - Queen Street Place	Max. cycle time	104	104	0	0	0	0		
		Max. wait time	98	98		Max. wait time	98	98		Max. wait time	98	98	0	0	0	0		
Parliament Square - Parliament Street - Bridge Street		Max. cycle time	112	112	Parliament Square - Parliament Street - Bridge Street	Max. cycle time	112	112	Parliament Square - Parliament Street - Bridge Street	Max. cycle time	120	112	8	0	8	0		
		Max. wait time	105	105		Max. wait time	105	105		Max. wait time	114	106	9	1	9	1		
Knightsbridge - Hyde Park Corner - Grosvenor Place		Max. cycle time	96	96	Knightsbridge - Hyde Park Corner - Grosvenor Place	Max. cycle time	96	96	Knightsbridge - Hyde Park Corner - Grosvenor Place	Max. cycle time	96	104	0	8	0	8		
		Max. wait time	90	90		Max. wait time	90	90		Max. wait time	90	98	0	8	0	8		

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East – West and North – South Cycle Superhighways
Consultation: Data/Information Requests from Westminster
City Council (DRAFT)

Version Control	Date	Author	Review/ Edit	Approved
0.1 First Draft	18 th October 2014	Peter Hewitt (Area Performance Manager - Central London)	Marcel Pooke (Operational Modelling & Visualisation Manager)	Richard Silvester (Chief Engineer OM– Interim)

TfL RSM Outcomes Delivery
Response to Westminster City Council Consultation information requests concerning
the Proposed East West Cycle Route

Journey times for general traffic routes:

Important Note: The journey times provided below have been obtained from TfL's ONE strategic assignment model. DfT guidance states that absolute journey times should not be provided for links under 2km, which is the case for several of WCC's link data requests. The information is therefore provided below in terms of either a percentage increase or decrease, as appropriate.

Some of the requested link lengths are too short to be able to derive a representative value for the change in journey time from the strategic model. In these instances, changes in journey times have either been defined as increasing, decreasing, or no change.

The following journey time (JT) changes result from the combined effect of all schemes (the final section of this report lists all of the schemes that have been incorporated in the model):

- Routes where JT increases and decreases are provided:
 - Marble Arch to IRR Victoria (Jct with Victoria St):
 - Southbound: (am peak) reduction and (pm peak) no change
 - Northbound: (am peak) reduction and (pm peak) +27%
 - IRR Victoria (junction with Victoria Street) to Vauxhall Bridge:
 - Southbound: (am peak) +44% and (pm peak) >100%
 - Northbound: (am peak) no change and (pm peak) +12%
 - Victoria Street from Parliament Square to Bressendon Gardens:
 - Westbound: (am peak) -5% and (pm peak) -5%
 - Eastbound: (am peak) >100% and (pm peak) +34%
 - The Strand from Trafalgar Square to borough boundary:
 - Westbound: (am peak)+7% and (pm peak) +18%
 - Eastbound: (am peak)+57% and (pm peak) +33%
 - St Margaret St and Milbank from Parliament Square to Vauxhall Bridge:
 - Southbound: (am peak)+8% and (pm peak) +5%
 - Northbound: (am peak)+8% and (pm peak) +20%
 - Charing Cross Road from Trafalgar Square to Oxford Street:
 - Northbound: (am peak)+8% and (pm peak) +19%
 - Southbound: buses only
 - Piccadilly from Hyde Park Corner to Regent Street:
 - Eastbound: (am peak)and (pm peak) decrease
 - Westbound: (am peak) no change and (pm peak) +21%
 - Waterloo Bridge from Kingsway to Stamford Street roundabout:
 - Northbound: (am peak) decrease and (pm peak) +6%
 - Southbound: (am peak) no change and (pm peak) +15%
 - Haymarket (southbound): (am peak)+4% and (pm peak) +17%
 - Regent Street (northbound): (am peak) no change and (pm peak) +5%
 - Oxford Street from Marble Arch to Charing Cross Road:
 - Eastbound (am peak)+3% and (pm peak) +8%
 - Westbound (am peak and (pm peak) no change
 - Horseferry Road from Lambeth Bridge to Buckingham Gate:
 - Northbound: (am peak) and (pm peak) no change
 - Southbound: (am peak)and (pm peak) no change
 - Marsham Street from IRR to Victoria Street:

TfL RSM Outcomes Delivery

Response to Westminster City Council Consultation information requests concerning the Proposed East West Cycle Route

- Northbound: (am peak) +31% and (pm peak) +8%
- Southbound: (am peak) no change and (pm peak) >100%

Note: At the WCC / TfL meeting on 15th October 2014 TfL was asked to provide traffic flows for the above routes. These will be supplied as %age changes between base and the 2016 network (incorporating all 21 schemes). This information will be available on Tuesday 21st October 2014.

- Following are routes where journey times (JT) are too short to quantify, but where it can be determined that they will either increase, decrease or no discernible change was detected:

- Whitehall/ Parliament St
 - Northbound: (am peak) would decrease and (pm peak) no change
 - Southbound: (am peak) no change and (pm peak) would increase
- Kingsway from Aldwych to High Holborn
 - Northbound: (am peak) and (pm peak) no change
 - Southbound: (am peak) and (pm peak) would increase
- New Oxford Street from Tottenham Court Road and Holborn
 - Eastbound: (am peak) would increase and (pm peak) would decrease
 - Westbound: (am peak) no change and (pm peak) would increase
- Rochester Row from IRR to Artillery Row:
 - Northbound: (am peak) and (pm peak) no change
 - Southbound: (am peak) no change and (pm peak) would decrease
- Northumberland Avenue (see Vissim model outputs)
- The Mall
 - Westbound: (am peak) no change and (pm peak) would increase
 - Eastbound: (am peak) no change and (pm peak) would increase
- St James St/ Pall Mall
 - Northbound: (am peak) and (pm peak) would decrease
 - Southbound: (am peak) no change and (pm peak) would increase
- Buckingham Gate from IRR to Spur Road
 - Northbound: (am peak) and (pm peak) would decrease
 - Southbound: (am peak) no change and (pm peak) would decrease

Following WCC's initial request for information above, further requests have been made for journey time information for the following routes. This information is currently being collated and will be issued in V02 of this document on Tuesday 21st October 2014:

- East-West Cycle Route itself, within Westminster borough boundary
- Edgware Road;
- Need to understand the impact of long southbound delays for Route 453, and if this causes problems through Trafalgar Square and Haymarket, Regent Street)
- A41 Finchley Rd (at Canfield Gardens)/ Wellington Rd/ Park Rd/ Baker St (at Marylebone Rd)
- A5 Maida Vale (SRN to WCC boundary)/ Edgware Road
- A501 Marylebone Road from Westway to borough boundary
- Haymarket/ Regent Street (full length between The Mall and Marylebone Road)
- Kensington High Street – (at Hornton Street) – Kensington Gore (to Brompton Road)
- Bayswater Road between borough boundary and Marble Arch
- Baker Street and Gloucester Place
- Buckingham Gate from IRR (Victoria Street?) to Spur Road
- Buckingham Palace Road – Ebury Bridge Road (Chelsea Bridge Road to Victoria)

TfL RSM Outcomes Delivery

Response to Westminster City Council Consultation information requests concerning the Proposed East West Cycle Route

- Eaton Square (Sloane Square to Lower Grosvenor Place)
- Eastbourne Terrace
- Gloucester Terrace
- Bishops Bridge Road from borough boundary to A40 Westway
- Old Marylebone Road
- Knightsbridge (Brompton Road) to Hyde Park Corner
- Brompton Road (Exhibition Road to Knightsbridge)
- Sussex Gardens (Edgware Road – Lancaster Gate - Bayswater Road)

Further Information

Following are the requested peak hour flow difference plots for Westminster for future base (without E-W and N-S) v's 'do something' (i.e. the network incorporating the proposed E-W and N-S schemes).

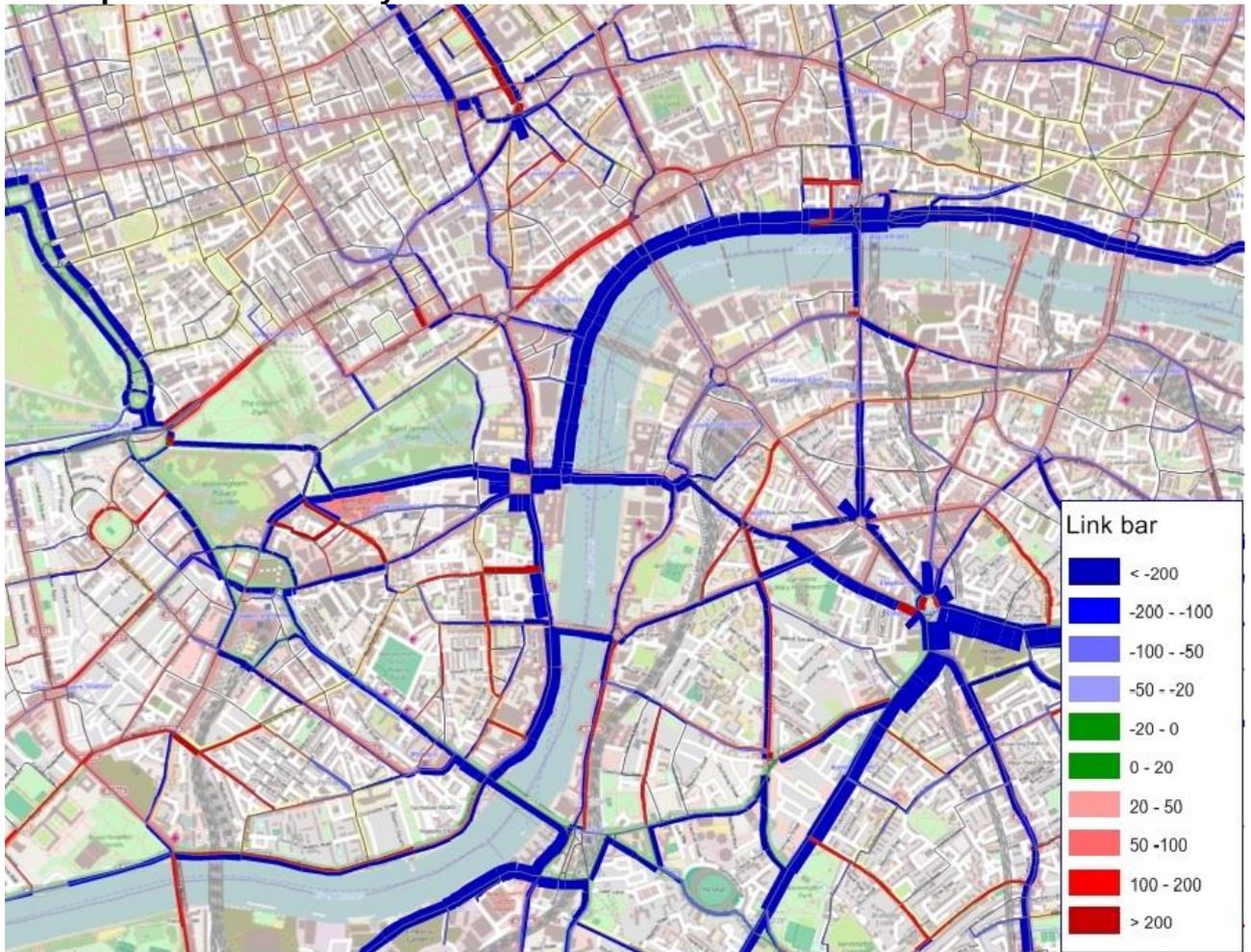
General Notes to aid interpretation of the plots:

Assignment models attempt to represent normal traffic conditions for an average weekday in an average month. Flow difference plots provide a graphical illustration of the potential differences that may occur in actual traffic flows past specific sections of road during the modelled peak hour between different model scenarios. A blue bar indicates that there are fewer vehicles passing that section of road during the modelled time period. A red bar indicates that there are a greater number of vehicles passing that section of road during the modelled time period.

Changes in actual traffic flow past specific sections of road can occur for two reasons:

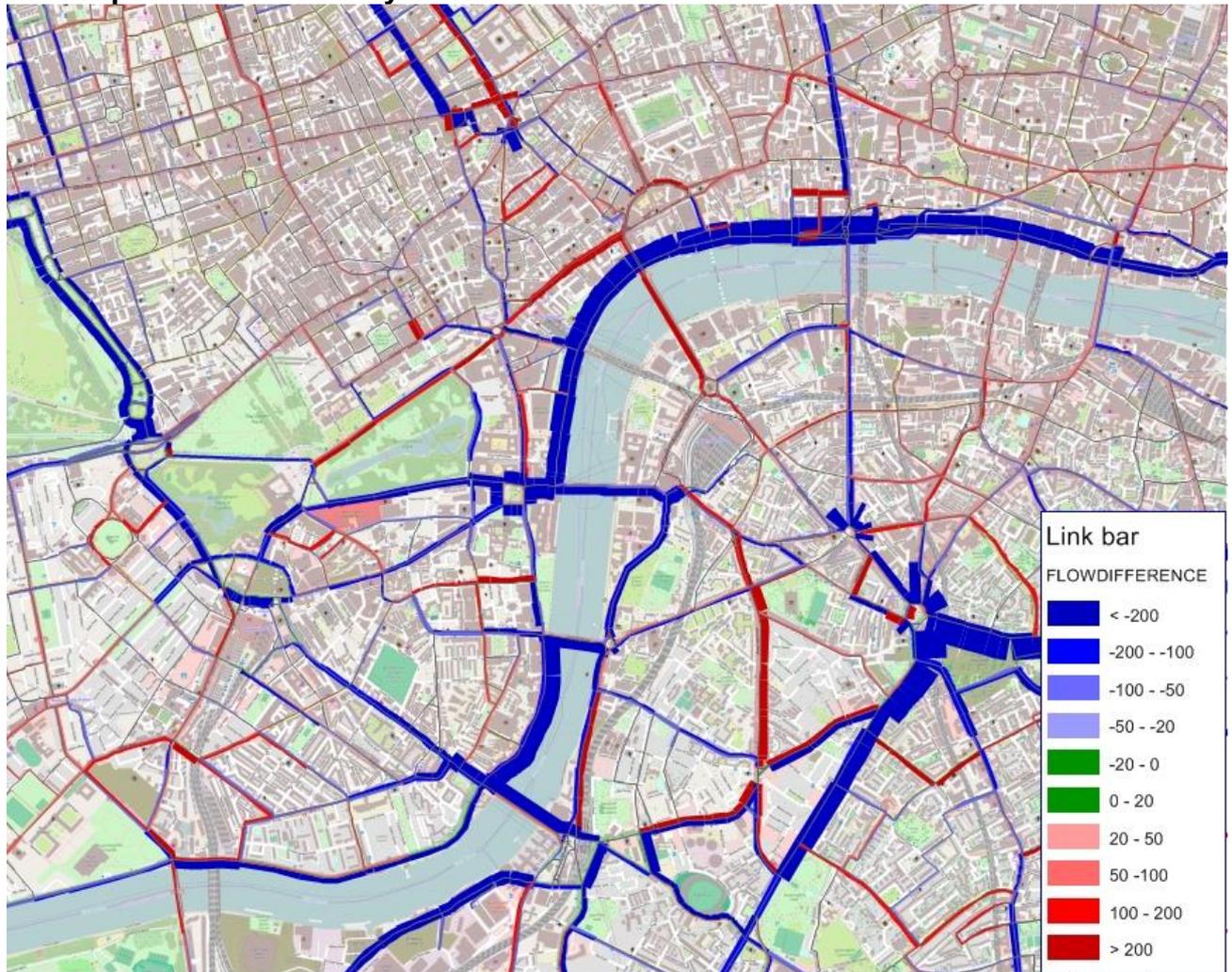
- 1) In an assignment model, all vehicles are looking to complete their journey from origin to destination via the "least cost path" (more often than not, the fastest available route). This can change between model scenarios based on changes to road layout and changes to road capacities which in turn can affect congestion levels and, consequently, journey times. Vehicle flows on sections of road can therefore change when vehicles choose a different route as a result of a change to the road network. This would be illustrated on a flow difference plot by blue bars in one area of the road network and red bars on viable alternative route options.
- 2) However, in a saturated road network with few viable alternative options of route (i.e. all other options have equally long, or longer, journey times), vehicles may stay on their original route but experience increased congestion. In these cases, it is possible that some vehicles would not now reach their desired destination within the modelled peak hour due to longer journey times. Vehicles travelling slower in this way will not reach the same sections of downstream road within the modelled hour compared to the previous scenario and are therefore not counted in the actual flows on the downstream sections of road. This would be illustrated on a flow difference plot by blue bars in an area of the road network but no (or fewer) concurrent red bars on viable alternative options of route, because the vehicles have not changed route.

TfL RSM Outcomes Delivery
Response to Westminster City Council Consultation information requests concerning
the Proposed East West Cycle Route



'am' peak period

**TfL RSM Outcomes Delivery
Response to Westminster City Council Consultation information requests concerning
the Proposed East West Cycle Route**



'pm' peak period

Question.

Description of methodology of building the models - and calibration/ validation notes and results - an understanding of how the ONE model validates to the TRANSYT models/ VISSIM and what models have been used to present the various journey time results.

Response

Information on the inter-relationship between the ONE model, TRANSYT models and VISSIM models, the derivation of journey time information from them and the model validation process will be provided during the model review meeting that RSM OD has arranged with Jacobs / WCC on Wednesday 15 October '14.

ONE model validation: If, following the model review meeting, further information is required on validation of the ONE Model, then the ONE Model Validation Report (2013) can be provided, if requested. This document provides detail on the performance of the ONE model during its calibration & validation process and the results that were achieved.

TfL RSM Outcomes Delivery

Response to Westminster City Council Consultation information requests concerning the Proposed East West Cycle Route

Question.

How has the ONE model when used to generate traffic demand for the local models - have flow differences been used, or direct transfer of actual numbers? The level of confidence/ margins of error between the models. Are there key issues with the modelling that need to be taken into account (areas where perhaps validation isn't so good)?

Response

The absolute actual flows predicted in the ONE model have been used to determine the route flows modelled in the local models. The level of calibration and validation achieved in the ONE model in the vicinity of the EW route is discussed in the following section.

Screenline Calibration

The following four screenlines lie near to the EW route; Central north, Thames central, Northern north and Central east. The results are presented in Table 1 below:

Table 1: Base Model Key Screenline Calibration

Screenline	Direction	AM				PM			
		Count	Model	%	GEH	Count	Model	%	GEH
Central Northwest	Inbound	7200	7160	-0.60%	0.5	6130	6170	0.70%	0.5
	Outbound	6200	6070	-2.10%	1.7	7950	7770	-2.30%	2
Thames Central	Inbound	7130	6950	-2.50%	2.1	5830	5870	0.70%	0.5
	Outbound	5120	5160	0.80%	0.6	6860	6850	-0.10%	0.1
Northern North	East	4940	4830	-2.20%	1.6	5560	52920	-4.90%	3.7
	West	5370	5210	-3.00%	2.2	4900	4680	-4.50%	3.2
Central East	Inbound	5980	6080	1.70%	1.3	4640	4700	1.30%	0.9
	Outbound	4060	4080	0.50%	0.3	6480	6440	-0.60%	0.5

*This has come from the original base full model, not the cordoned base used in the EW modelling

It can be seen that all of the key screen lines in the vicinity of the EW route pass the 5% threshold for screen line calibration as set out in the TfL modelling guidelines, indicating that the overall volumes of traffic into and out of central London have been well represented in the base models.

Journey Time Validation

The base model journey times were validated against LCAP journey time routes, the following routes in the vicinity of the EW/NS routes have been summarised in Tables 4 and 5:

Table 2: Key Journey Time Routes - Base AM

LCAP Index	Start	End	%
12	A3211 Victoria Embankment	Tidal Basin Road (Silvertown)	17%
13	Tidal Basin Road (Silvertown)	A3211 Victoria Embankment	-7%
45	Elephant & Castle Roundabout	A201 Kings Cross Road NB	2%
46	A201 Kings Cross Road SB	Elephant & Castle Roundabout	-13%

*This has come from the original base full model, not the cordoned base used in the EW modelling

Table 4 shows that, in the AM peak hour, 3 out of 4 of the modelled journey times are within 15% of the observed. While the Victoria Embankment to Silvertown (EB) route is close to meeting this threshold at 17%.

TfL RSM Outcomes Delivery
Response to Westminster City Council Consultation information requests concerning
the Proposed East West Cycle Route

Table 3: Key Journey Time Routes - Base PM

LCAP Index	Start	End	%
12	A3211 Victoria Embankment	Tidal Basin Road (Silvertown)	-4%
13	Tidal Basin Road (Silvertown)	A3211 Victoria Embankment	15%
45	Elephant & Castle Roundabout	A201 Kings Cross Road NB	12%
46	A201 Kings Cross Road SB	Elephant & Castle Roundabout	1%

*This has come from the original base full model, not the cordoned base used in the EW modelling

In the PM peak hour, all 4 key journey time routes pass the 15% threshold. As such it is considered that journey times along or crossing the proposed routes are well represented in the model.

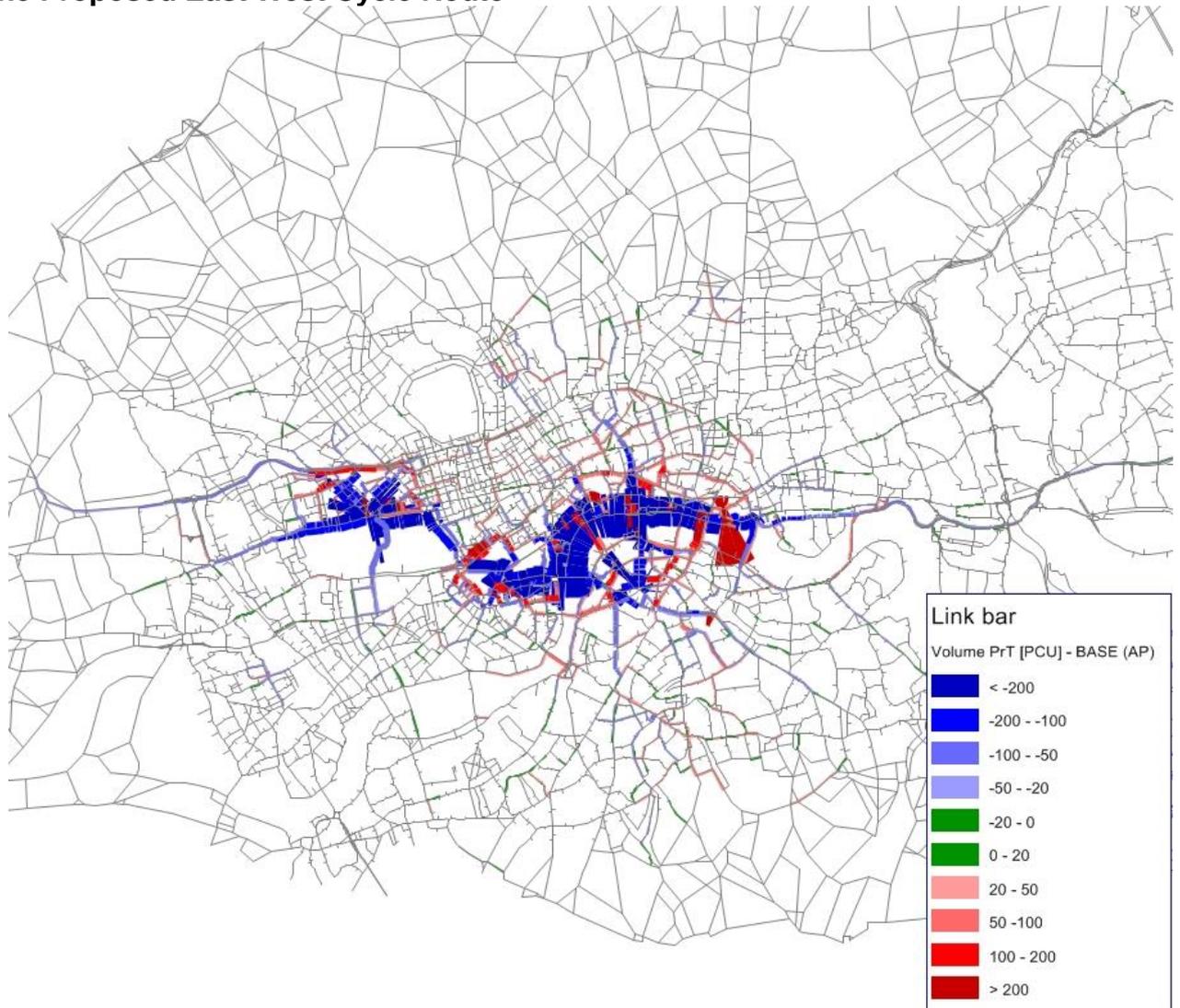
Question.

What is the total zone of influence of the Future Base and Future with scheme (links/ junctions where change in delay/ flow/ DoS is greater or equal to 10%)? (Not just Westminster, but for whole area affected).

Draft Response

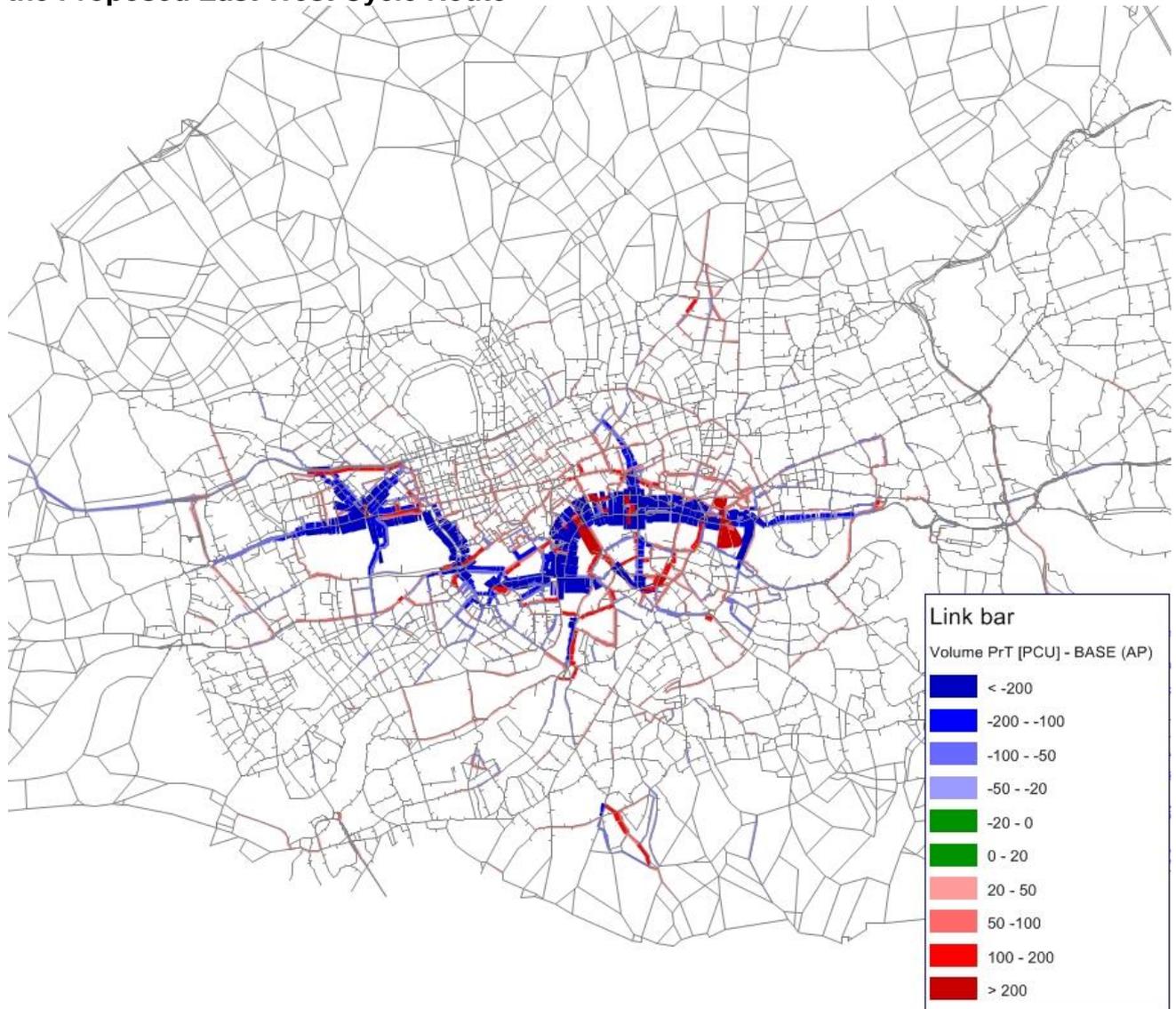
Flow difference plots between Future Base and Do Something (i.e. Future Base and the network incorporating the E-W & N-S schemes) have been produced to illustrate the area of impact. These are provided below.

**TfL RSM Outcomes Delivery
Response to Westminster City Council Consultation information requests concerning
the Proposed East West Cycle Route**



Flow Difference Plots – Future Base to Do Something AM Peak

**TfL RSM Outcomes Delivery
Response to Westminster City Council Consultation information requests concerning
the Proposed East West Cycle Route**



Flow Difference Plots – Future Base to Do Something PM Peak

Question.

Are there differences between demand / actual flows - are JTs reflecting demand or actual flow results?

Response

The differences between demand flows and actual flows are represented by queuing at junctions in the model. Demand flows are given by the total demand independent of when the flow arrives at its destination, whereas actual flows correspond to the actual flow during the modelled time period; i.e. vehicles that are queued up and will not reach downstream links within the modelled hour are not counted in actual flows.

TfL RSM Outcomes Delivery
Response to Westminster City Council Consultation information requests concerning the Proposed East West Cycle Route

Question.

Can we have screenline flows for the bridges between Tower Bridge and Wandsworth Bridge? Any others where a change of more than 10% expected?

Response

The modelled Thames screenline flows, between Tower Bridge and Wandsworth Bridge, for the four scenarios are presented in Tables 4 and 5 for the AM and PM peak hours.

Table 4: Thames Screenline Flows Comparison - AM Peak Hour

Direction	Base	Sensitivity	Base vs Sensitivity
Northbound	11061	9619	-13.0%
Southbound	7645	7373	-3.6%

Table 5: Thames Screenline Flows Comparison - PM Peak Hour

Direction	Base	Sensitivity	Base vs Sensitivity
Northbound	8651	7896	-8.7%
Southbound	10326	9533	-7.7%

Question

Data required for zone of influence, the E-W corridor itself, on the SRN routes and all bus routes, but particularly those within Westminster. Journey times for all bus routes are requested.

Response.

Bus journey time information has been provided for a representative number of bus routes within the E-W corridor. A separate workstream has been established within TfL to identify areas where measures may be introduced that will achieve bus journey time savings that will potentially mitigate the impacts of the proposed schemes.

Question

Within zone of influence (or perhaps a cordon you have already identified) - what are results for average speed, total journey times, total travel distance?

Response.

The modelled level of delay across WCC area increases by 24% in the 'am peak' (0800 to 0900) and 32% in the 'pm' peak (1700 to 1800) per Km travelled. Average journey times across WCC increase by approximately 12% in the 'am' peak and 17% in the 'pm' peak per Km travelled.

Question

For all junctions along corridor, what are the turning movements in each of the scenarios, to identify key changes and banned turns. Can we identify the particular impact of the banned turns?

Response.

Traffic flow/ turning count information will be issued for released for base and proposed situation on Monday 20th October.

TfL RSM Outcomes Delivery
Response to Westminster City Council Consultation information requests concerning the Proposed East West Cycle Route

Question

Is there air quality/ emissions output?

Response.

This information request should to be responded to by RSM Sponsorship Team.

Question

In terms of local modelling we need as much detail as you can provide for all scenarios- method of control, signal timings, performance (the usual delay, queue, DoS).

Response.

Transyt models will be made available for off-site analysis. Vissim model outputs have and are being collated. This request will therefore be addressed during the Jacobs / TfL model review meeting scheduled for 15 October '15

Question

Demonstration of how the network performs and operates (in terms of linked operation at all the major intersections) - understand that we may need to visit offices to look at VISSIMs.

Response.

Demonstration will be shown during the Jacobs / TfL model review meeting on the 15th October 2014.

**TfL RSM Outcomes Delivery
Response to Westminster City Council Consultation information requests concerning
the Proposed East West Cycle Route**

Request from Keith Firth (Jacobs) on behalf of WCC:

In addition, I would like to receive the TRANSYT modelling files (if possible) for each of the scenarios, or appropriate data to review input parameters and results.

Response

Information and models will be provided as previously stated.

Request from Keith Firth (Jacobs) on behalf of WCC on 8 October 2014

Question

1. *Peter and I had a meeting on Monday to discuss model outputs that Westminster would like to receive in addition to those set out in Peter's email following last week's meeting. As it is evident that the scheme creates wider impact on the network, it will be necessary to understand the full extent of impact on journey times, and at what points on the network significant traffic congestion is expected, and where traffic restraint is likely to occur (or indeed the level of traffic reduction that is required for the scheme to operate successfully). For this reason, we would like to receive data on general traffic and bus journey times, changes in flow and areas of congestion between points beyond the immediately affected area. This will mean further locations, and so I've altered the list accordingly (shown in red). Nevertheless, without access to the full results I can only estimate where these should be and so would appreciate your review and suggestion on whether this coverage is likely to capture the full extent of the impact, or if it requires extending further. I expect that the data I requested on Monday 6 will identify in more detail the extent of the impact.*

Response

The list of locations on pages 1 - 3 of this document has been updated to accommodate this and further requests for data.

Question

2. *I have also requested further bus journey time data for additional routes on the network:*
 - *Sussex Gardens/ Westbourne Terrace in order to capture the impact of the changes to Lancaster Gate gyratory*
 - *Kensington High Street - Hyde Park Corner*
 - *Marble Arch – Victoria*
 - *Routes through Parliament Square (Charing Cross Road, Vauxhall Bridge, Victoria)*

Response

This request is being reviewed. Available information will be provided in a separate bus impact statement.

Question

3. *For the purposes of assessing impact on taxi journey times, can you please provide general traffic journey time contour maps for each of the modelling scenarios, similar to the example attached. Although maps centred on a number of key origin/ destination points would be useful, perhaps the 4 most important would be for Paddington Station, Marylebone Station, Victoria Station and Waterloo Station.*

Response

TfL RSM Outcomes Delivery

Response to Westminster City Council Consultation information requests concerning the Proposed East West Cycle Route

This request has been investigated and RSM Outcomes has concluded it would take a considerable amount of time to turn this information around. At the moment we advise this is not viable to produce.

Question

4. *We wish to understand the impact of the merging of cyclists around Parliament Square. A count carried out in 2012 identified over 1000 cyclists northbound on Abingdon Street approaching the Square, and there are already high volumes on Westminster Bridge and Victoria Street. As these will converge at Parliament Square, with short links around the gyratory and possibly short green times for the cycle early-start facilities, it is necessary to understand how and how well this will operate. There is a risk that key cycle movements carrying high volumes are not adequately catered for with the scheme design, and so we would be grateful for demonstration that this has been considered. It is possible that northbound cyclists from Abingdon Street would simply mount the footway on the east side of the central island at Parliament Square and bypass the circumnavigation.*

Response

We will show the Vissim models of Parliament Square to Jacobs on the 15th October. At present 100% of cyclists have been modelled using the segregated facilities to replicate the highest possible impact of the proposed facilities. Observations of CSHR2 extension on Stratford High Street show that approx 10% of cyclists remain in the carriageway and therefore the current modelling approach is regarded as robust.

Question

5. *Can you please clarify if the right-turn from Storey's Gate onto Great George Street is to be banned for all traffic (including cyclists), as the consultation material showing the details of the scheme (Section 12) does not match Map 3.*

Response

The model replicates the current RSM design of a right turn prohibition.

Question

6. *Can you please clarify what the intended signed routes would be for traffic on the TLRN that would be affected by the proposed banned turns at the Victoria Embankment/Bridge Street junction. It would seem that for northbound traffic from Westminster Bridge to Victoria Embankment, it will be necessary to circumnavigate Parliament Square and either return on Bridge Street or use Whitehall, and for southbound traffic from Victoria Embankment to Westminster Bridge, it will be necessary to join Whitehall either via Northumberland Avenue or Horse Guards Avenue.*

Response

This further request for information is being reviewed and available information will be provided.

Request from Keith Firth (Jacobs) on behalf of WCC on 14th October 2014

In advance of tomorrow's meeting, I attach our draft scheme design options for a possible alternative route for the East-West Cycle Superhighway using Northumberland Avenue, Trafalgar Square and The Mall. Alan issued the draft Appraisal Matrix that was based on these options (attached), and we wish to discuss these proposals and the evaluation at the meeting, and to understand how this compares to the appraisal of the published route through Parliament Square.

TfL RSM Outcomes Delivery

Response to Westminster City Council Consultation information requests concerning the Proposed East West Cycle Route

There may also be issues that have already been considered for this alternative route, that hopefully Gillian might be able to advise on, that might result in modifications being made.

In order to develop these options further, I appreciate that we will need to look at the issue of capacity for cyclists, and how this would then impact upon the timings and operation of the junctions along the corridor. An understanding of the provision at Parliament Square would help with this (in terms of green time for cycle stages).

We would also like to undertake some modelling of the scheme, and so access to the Future Base TRANSYT (without and with scheme) models for Trafalgar Square and Northumberland Avenue/ Victoria Embankment would enable this.

Response

RSM Outcomes have 2009 base Transyt models for Northumberland Avenue, Trafalgar Square and The Mall, which we will provide. These do not have current flows in them and would need to be updated.

Request from Keith Firth (Jacobs) on behalf of WCC on 15 October 2014

Question

Could I please have a list of the schemes that have been included in the ONE model future base - specifically, does this include Marble Arch Better Junctions scheme?

Response

The schemes included are those that were programmed to be completed or substantially completed by December 2016. This assumption was correct as per July 2014 when this assessment work was instructed.

- Aldgate gyratory
- Haymarket (Piccadilly 2-way)
- Kings Cross Interim Scheme
- East-West Cycle Route
- North-South Cycle Route
- Cycle superhighway Route 1 (Apex Corner)
- Cycle Superhighway Route 2 Upgrade
- Cycle Superhighway Route 5 (Inner)
- Lambeth Bridge Northern roundabout
- Lambeth Bridge southern roundabout
- Westminster Bridge South
- LB Camden West End Project – Tottenham Court Road - 2 Way
- LB Westminster Baker Street 2-way
- Elephant & Castle Northern roundabout
- Oval Better Junctions Scheme
- Stockwell Better Junctions scheme
- Old Street Better Junctions scheme
- Victoria Nova
- Archway
- Swiss Cottage
- Lewisham Gateway

Marble Arch is not included as it is not programmed for a Dec 2016 completion.

Verbal Request from Keith Firth (Jacobs) on behalf of WCC on 15th October 2014

TfL RSM Outcomes Delivery

Response to Westminster City Council Consultation information requests concerning the Proposed East West Cycle Route

On reviewing the Vissim files on screen on 15 October, Keith Firth has asked whether 'screen shots' of the latter part of the modelled hours can be provided.

Response

A sample of 'am' and 'pm' peak Vissim screen shots of all approach arms to Parliament Square, Trafalgar Square, Lancaster Gate and Victoria Embankment/ Northumberland Avenue and Victoria Embankment/ Temple Place will be provided on Monday 20th October 2014.

DRAFT

East – West and North – South Cycle Superhighways
Consultation: Data/Information Requests from Westminster
City Council

Version Control	Date	Author	Review/ Edit	Approved
0.2 First Draft	18 th October 2014	Peter Hewitt (Area Performance Manager - Central London)	Marcel Pooke (Operational Modelling & Visualisation Manager)	Richard Silvester (Chief Engineer OM– Interim)
1.2	24 th October 2014	Peter Hewitt (Area Performance Manager - Central London)	Marcel Pooke (Operational Modelling & Visualisation Manager)	Richard Silvester (Chief Engineer OM– Interim)

TfL RSM Outcomes Delivery

Response to Westminster City Council Consultation information requests concerning the Proposed East West Cycle Route

Journey times for general traffic routes:

Important Note: The journey times provided below have been obtained from TfL's ONE strategic assignment model. DfT guidance states that absolute journey times should not be provided for links under 2km, which is the case for several of WCC's link data requests. The information is therefore provided below in terms of either a percentage increase or decrease, as appropriate.

Some of the requested link lengths are too short to be able to derive a representative value for the change in journey time from the strategic model. In these instances, changes in journey times have either been defined as increasing, decreasing, or no change.

The following journey time (JT) changes result from the combined effect of all schemes (the final section of this report lists all of the schemes that have been incorporated in the model):

- Routes where JT increases and decreases are provided:
 - Marble Arch to IRR Victoria (Jct with Victoria St):
 - Southbound: (am peak) reduction and (pm peak) no change
 - Northbound: (am peak) reduction and (pm peak) +27%
 - IRR Victoria (junction with Victoria Street) to Vauxhall Bridge:
 - Southbound: (am peak) +44% and (pm peak) >100%
 - Northbound: (am peak) no change and (pm peak) +12%
 - Victoria Street from Parliament Square to Bressendon Gardens:
 - Westbound: (am peak) -5% and (pm peak) -5%
 - Eastbound: (am peak) >100% and (pm peak) +34%
 - The Strand from Trafalgar Square to borough boundary:
 - Westbound: (am peak)+7% and (pm peak) +18%
 - Eastbound: (am peak)+57% and (pm peak) +33%
 - St Margaret St and Milbank from Parliament Square to Vauxhall Bridge:
 - Southbound: (am peak)+8% and (pm peak) +5%
 - Northbound: (am peak)+8% and (pm peak) +20%
 - Charing Cross Road from Trafalgar Square to Oxford Street:
 - Northbound: (am peak)+8% and (pm peak) +19%
 - *Southbound: buses only*
 - Piccadilly from Hyde Park Corner to Regent Street:
 - Eastbound: (am peak)and (pm peak) decrease
 - Westbound: (am peak) no change and (pm peak) +21%
 - Waterloo Bridge from Kingsway to Stamford Street roundabout:
 - Northbound: (am peak) decrease and (pm peak) +6%
 - Southbound: (am peak) no change and (pm peak) +15%
 - Haymarket (southbound): (am peak)+4% and (pm peak) +17%
 - Regent Street (northbound): (am peak) no change and (pm peak) +5%
 - Oxford Street from Marble Arch to Charing Cross Road:
 - Eastbound (am peak)+3% and (pm peak) +8%
 - Westbound (am peak) and (pm peak) no change
 - Horseferry Road from Lambeth Bridge to Buckingham Gate:
 - Northbound: (am peak) and (pm peak) no change
 - Southbound: (am peak)and (pm peak) no change
 - Marsham Street from IRR to Victoria Street:
 - Northbound: (am peak) +31% and (pm peak) +8%
 - Southbound: (am peak) no change and (pm peak) >100%

TfL RSM Outcomes Delivery

Response to Westminster City Council Consultation information requests concerning the Proposed East West Cycle Route

Note: At the WCC / TfL meeting on 15th October 2014 TfL was asked to provide traffic flows for the above routes. These will be supplied as %age changes between base and the 2016 network (incorporating all 21 schemes). This information will be available on Tuesday 21st October 2014.

- Following are routes where journey times (JT) are too short to quantify, but where it can be determined that they will either increase, decrease or no discernible change was detected:
 - Whitehall/ Parliament St
 - Northbound: (am peak) would decrease and (pm peak) no change
 - Southbound: (am peak) no change and (pm peak) would increase
 - Kingsway from Aldwych to High Holborn
 - Northbound: (am peak) and (pm peak) no change
 - Southbound: (am peak) and (pm peak) would increase
 - New Oxford Street from Tottenham Court Road and Holborn
 - Eastbound: (am peak) would increase and (pm peak) would decrease
 - Westbound: (am peak) no change and (pm peak) would increase
 - Rochester Row from IRR to Artillery Row:
 - Northbound: (am peak) and (pm peak) no change
 - Southbound: (am peak) no change and (pm peak) would decrease
 - Northumberland Avenue (see Vissim model outputs)
 - The Mall
 - Westbound: (am peak) no change and (pm peak) would increase
 - Eastbound: (am peak) no change and (pm peak) would increase
 - St James St/ Pall Mall
 - Northbound: (am peak) and (pm peak) would decrease
 - Southbound: (am peak) no change and (pm peak) would increase
 - Buckingham Gate from IRR to Spur Road
 - Northbound: (am peak) and (pm peak) would decrease
 - Southbound: (am peak) no change and (pm peak) would decrease

Following WCC's initial request for information above, further requests have been made for journey time information for the following routes. This information is currently being collated and will be issued in V02 of this document on . Note some routes that have been requested are too short to measure as outlined below:

- Buckingham Gate from IRR (Victoria Street?) to Spur Road . Too short to measure
- Routes where JT increases and decreases are provided:
 - A41 from borough boundary to Marylebone Road:
 - Northbound: (am peak) no change and (pm peak) would decrease
 - Southbound: (am peak) no change and (pm peak) +6%
 - A5 Marylebone flyover to borough boundary:
 - Northbound: (am peak) and (pm peak) no change
 - Southbound: (am peak) and (pm peak) > 100%
 - Haymarket/ Regent Street/ Portland Place/Park Crescent:
 - Northbound: (am peak) no change and (pm peak) +8%
 - Southbound: (am peak) no change and (pm peak) +13%
 - Kensington High Street (Horton Street to Brompton Road):
 - Eastbound: (am peak) and (pm peak) > 100%
 - Westbound: (am peak) no change and (pm peak) +51%

TfL RSM Outcomes Delivery

Response to Westminster City Council Consultation information requests concerning the Proposed East West Cycle Route

Eastbourne Terrace, Gloucester Terrace, Bishops Bridge Road and Sussex Gardens Journey times to be provided from Vissim models as outlined below:

- Eastbourne Terrace from Praed Street to Bishops Bridge Road (buses only)
 - Northbound: (am peak) 98secs and (pm peak) 96secs
 - Southbound (am peak) 102secs and (pm peak) 100secs
- Gloucester Terrace from Lancaster Terrace to Bishops Bridge Road
 - Northbound: (am peak) 109secs and (pm peak) 99secs
 - Southbound (am peak) 234secs and (pm peak) 137secs
- Bishops Bridge Road (A40 to Orsett Terrace)
 - Eastbound: (am peak) 140secs and (pm peak) 154secs
 - Westbound(am peak) 225secs and (pm peak) 159secs
- Sussex Gardens
 - Eastbound: (am peak) 206secs and (pm peak) 254secs
 - Westbound(am peak) 279secs and (pm peak) 237secs
- Following are routes where journey times (JT) are too short to quantify, but where it can be determined that they will either increase, decrease or no discernible change was detected:
 - Edgware Road (Old Marylebone Road to Marble Arch)
 - Northbound: (am peak) and (pm peak) no change
 - Southbound: (am peak) and (pm peak) would decrease
 - Old Marylebone Road (Marylebone Road to Edgware Road)
 - Distance is too short to measure
 - Marylebone Road (Old Marylebone Road to borough boundary)
 - Eastbound: (am peak) and (pm peak) would decrease
 - Westbound: (am peak) no change and (pm peak) would increase
 - A4 (Exhibition Road to Hyde Park Corner)
 - Eastbound: (am peak) and (pm peak) would increase
 - Westbound: (am peak) would decrease and (pm peak) no change
 - Hobart Place (Sloane Square to Grosvenor Place)
 - Northbound: (am peak) and (pm peak) no change
 - Southbound: (am peak) and (pm peak) would increase
 - Buckingham Palace Road (borough boundary to Grosvenor Gardens)
 - Northbound: (am peak) would increase and (pm peak) no change
 - Southbound: (am peak) and (pm peak) no change
 - Baker Street (Portman Square to Marylebone Road)
 - Southbound: (am peak) no change and (pm peak) would increase
 - Gloucester Place (Portman Square to Marylebone Road)
 - Northbound: (am peak) and (pm peak) would increase
 - Bayswater Road (borough boundary and Marble Arch)
 - Eastbound: (am peak) and (pm peak) would increase
 - Westbound: (am peak) and (pm peak) would increase

TfL RSM Outcomes Delivery
Response to Westminster City Council Consultation information requests concerning
the Proposed East West Cycle Route
Further Information

Following are the requested peak hour flow difference plots for Westminster for future base (without E-W and N-S) v's 'do something' (i.e. the network incorporating the proposed E-W and N-S schemes).

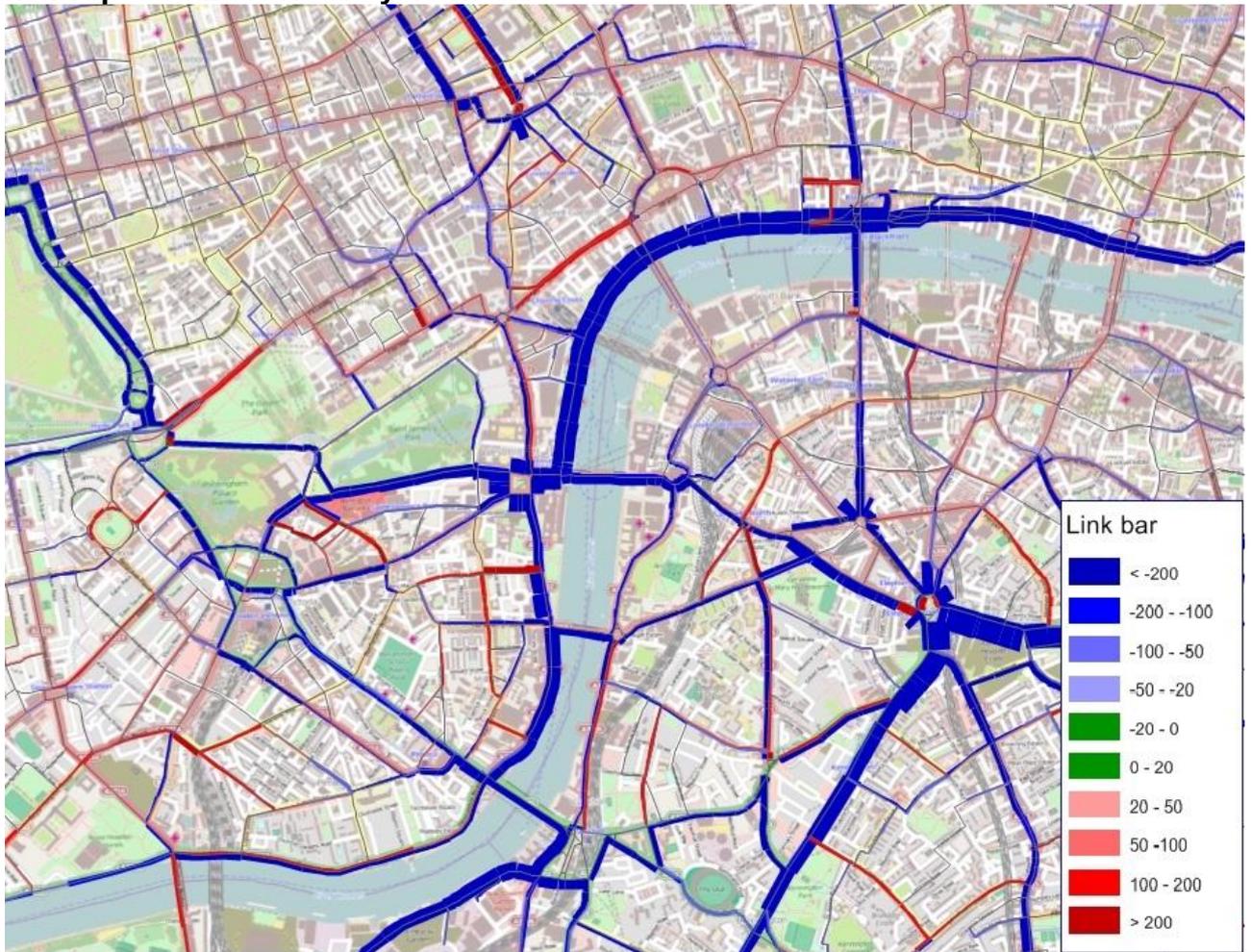
General Notes to aid interpretation of the plots:

Assignment models attempt to represent normal traffic conditions for an average weekday in an average month. Flow difference plots provide a graphical illustration of the potential differences that may occur in actual traffic flows past specific sections of road during the modelled peak hour between different model scenarios. A blue bar indicates that there are fewer vehicles passing that section of road during the modelled time period. A red bar indicates that there are a greater number of vehicles passing that section of road during the modelled time period.

Changes in actual traffic flow past specific sections of road can occur for two reasons:

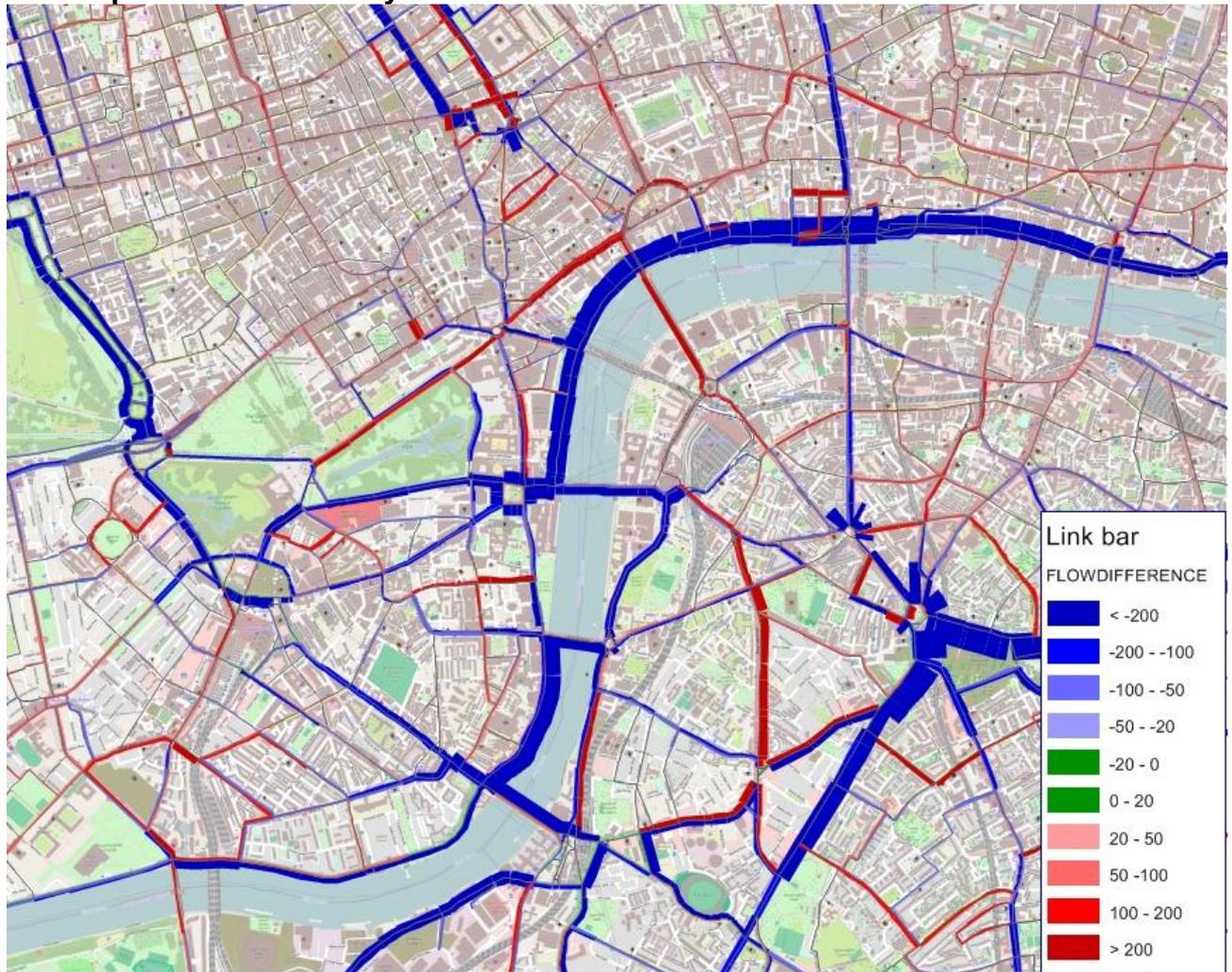
- 1) In an assignment model, all vehicles are looking to complete their journey from origin to destination via the "least cost path" (more often than not, the fastest available route). This can change between model scenarios based on changes to road layout and changes to road capacities which in turn can affect congestion levels and, consequently, journey times. Vehicle flows on sections of road can therefore change when vehicles choose a different route as a result of a change to the road network. This would be illustrated on a flow difference plot by blue bars in one area of the road network and red bars on viable alternative route options.
- 2) However, in a saturated road network with few viable alternative options of route (i.e. all other options have equally long, or longer, journey times), vehicles may stay on their original route but experience increased congestion. In these cases, it is possible that some vehicles would not now reach their desired destination within the modelled peak hour due to longer journey times. Vehicles travelling slower in this way will not reach the same sections of downstream road within the modelled hour compared to the previous scenario and are therefore not counted in the actual flows on the downstream sections of road. This would be illustrated on a flow difference plot by blue bars in an area of the road network but no (or fewer) concurrent red bars on viable alternative options of route, because the vehicles have not changed route.

TfL RSM Outcomes Delivery
Response to Westminster City Council Consultation information requests concerning
the Proposed East West Cycle Route



'am' peak period

**TfL RSM Outcomes Delivery
Response to Westminster City Council Consultation information requests concerning
the Proposed East West Cycle Route**



'pm' peak period

Question.

Description of methodology of building the models - and calibration/ validation notes and results - an understanding of how the ONE model validates to the TRANSYT models/ VISSIM and what models have been used to present the various journey time results.

Response

Information on the inter-relationship between the ONE model, TRANSYT models and VISSIM models, the derivation of journey time information from them and the model validation process will be provided during the model review meeting that RSM OD has arranged with Jacobs / WCC on Wednesday 15 October '14.

ONE model validation: If, following the model review meeting, further information is required on validation of the ONE Model, then the ONE Model Validation Report (2013) can be provided, if requested. This document provides detail on the performance of the ONE model during its calibration & validation process and the results that were achieved.

TfL RSM Outcomes Delivery Response to Westminster City Council Consultation information requests concerning the Proposed East West Cycle Route

Question.

How has the ONE model when used to generate traffic demand for the local models - have flow differences been used, or direct transfer of actual numbers? The level of confidence/ margins of error between the models. Are there key issues with the modelling that need to be taken into account (areas where perhaps validation isn't so good)?

Response

The absolute actual flows predicted in the ONE model have been used to determine the route flows modelled in the local models. The level of calibration and validation achieved in the ONE model in the vicinity of the EW route is discussed in the following section.

Screenline Calibration

The following four screenlines lie near to the EW route; Central north, Thames central, Northern north and Central east. The results are presented in Table 1 below:

Table 1: Base Model Key Screenline Calibration

Screenline	Direction	AM				PM			
		Count	Model	%	GEH	Count	Model	%	GEH
Central Northwest	Inbound	7200	7160	-0.60%	0.5	6130	6170	0.70%	0.5
	Outbound	6200	6070	-2.10%	1.7	7950	7770	-2.30%	2
Thames Central	Inbound	7130	6950	-2.50%	2.1	5830	5870	0.70%	0.5
	Outbound	5120	5160	0.80%	0.6	6860	6850	-0.10%	0.1
Northern North	East	4940	4830	-2.20%	1.6	5560	52920	-4.90%	3.7
	West	5370	5210	-3.00%	2.2	4900	4680	-4.50%	3.2
Central East	Inbound	5980	6080	1.70%	1.3	4640	4700	1.30%	0.9
	Outbound	4060	4080	0.50%	0.3	6480	6440	-0.60%	0.5

*This has come from the original base full model, not the cordoned base used in the EW modelling

It can be seen that all of the key screen lines in the vicinity of the EW route pass the 5% threshold for screen line calibration as set out in the TfL modelling guidelines, indicating that the overall volumes of traffic into and out of central London have been well represented in the base models.

Journey Time Validation

The base model journey times were validated against LCAP journey time routes, the following routes in the vicinity of the EW/NS routes have been summarised in Tables 4 and 5:

Table 2: Key Journey Time Routes - Base AM

LCAP Index	Start	End	%
12	A3211 Victoria Embankment	Tidal Basin Road (Silvertown)	17%
13	Tidal Basin Road (Silvertown)	A3211 Victoria Embankment	-7%
45	Elephant & Castle Roundabout	A201 Kings Cross Road NB	2%
46	A201 Kings Cross Road SB	Elephant & Castle Roundabout	-13%

*This has come from the original base full model, not the cordoned base used in the EW modelling

Table 4 shows that, in the AM peak hour, 3 out of 4 of the modelled journey times are within 15% of the observed. While the Victoria Embankment to Silvertown (EB) route is close to meeting this threshold at 17%.

TfL RSM Outcomes Delivery
Response to Westminster City Council Consultation information requests concerning the Proposed East West Cycle Route

Table 3: Key Journey Time Routes - Base PM

LCAP Index	Start	End	%
12	A3211 Victoria Embankment	Tidal Basin Road (Silvertown)	-4%
13	Tidal Basin Road (Silvertown)	A3211 Victoria Embankment	15%
45	Elephant & Castle Roundabout	A201 Kings Cross Road NB	12%
46	A201 Kings Cross Road SB	Elephant & Castle Roundabout	1%

*This has come from the original base full model, not the cordoned base used in the EW modelling

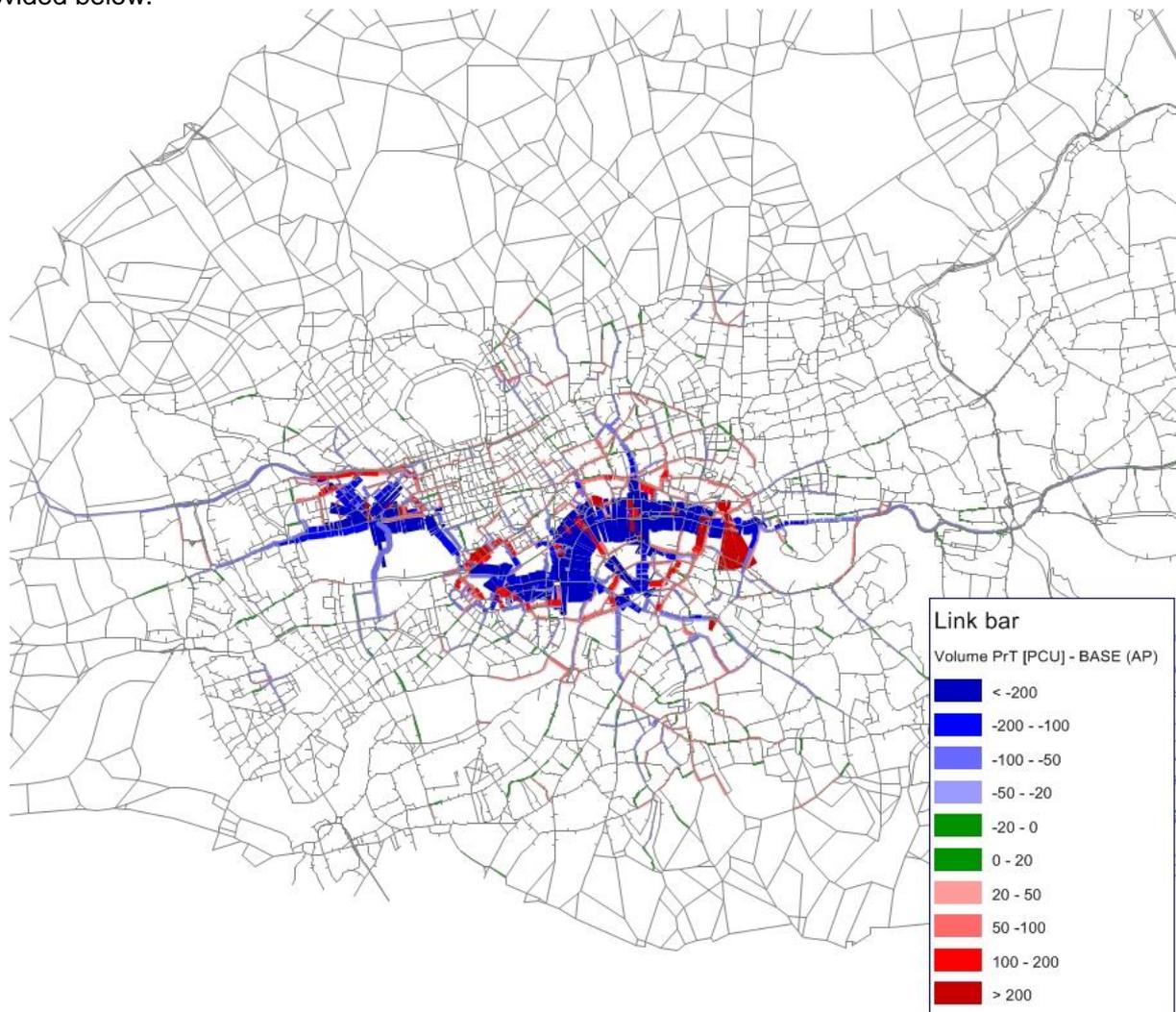
In the PM peak hour, all 4 key journey time routes pass the 15% threshold. As such it is considered that journey times along or crossing the proposed routes are well represented in the model.

Question.

What is the total zone of influence of the Future Base and Future with scheme (links/ junctions where change in delay/ flow/ DoS is greater or equal to 10%)? (Not just Westminster, but for whole area affected).

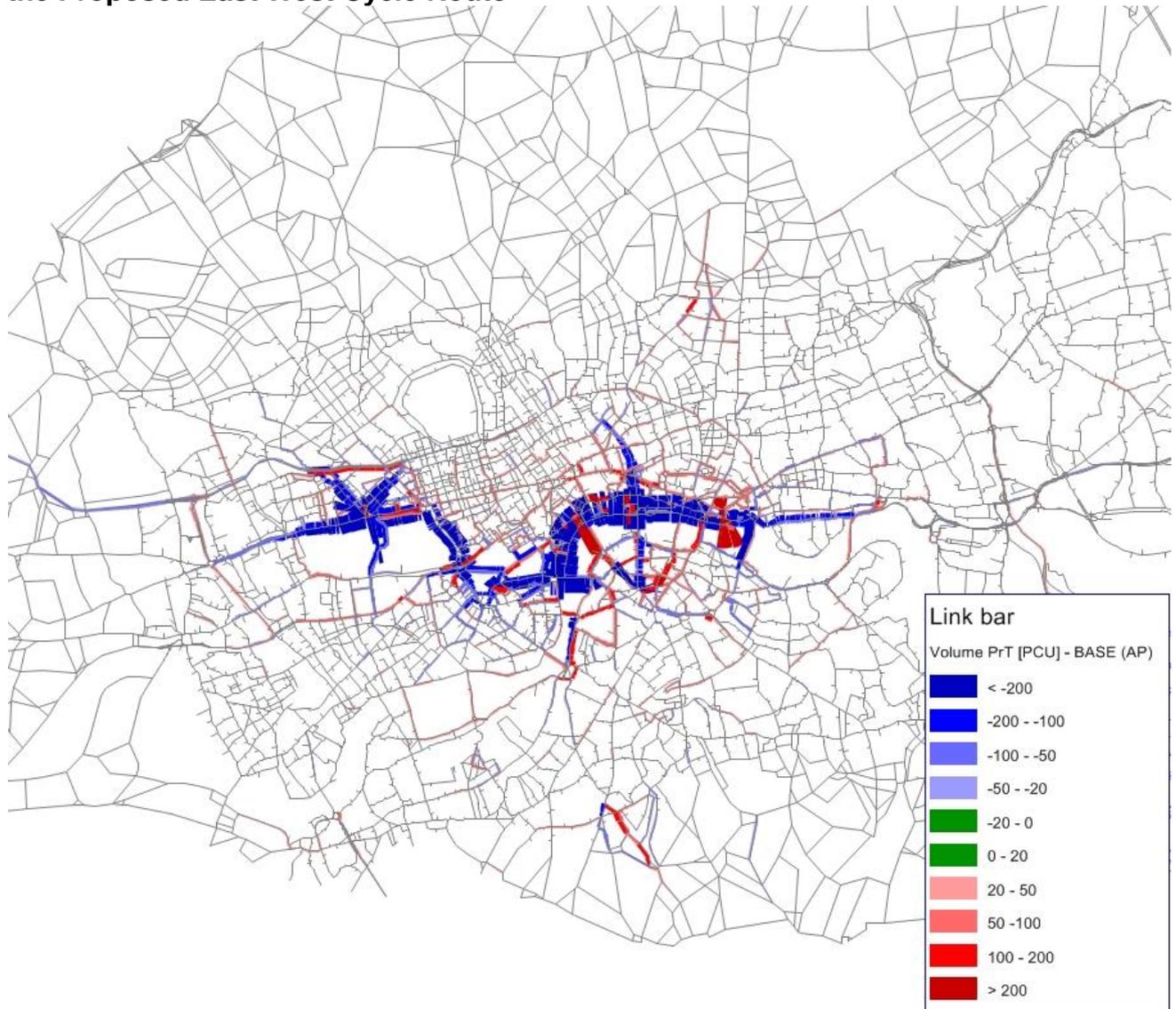
Draft Response

Flow difference plots between Future Base and Do Something (i.e. Future Base and the network incorporating the E-W & N-S schemes) have been produced to illustrate the area of impact. These are provided below.



Flow Difference Plots – Future Base to Do Something AM Peak

**TfL RSM Outcomes Delivery
Response to Westminster City Council Consultation information requests concerning
the Proposed East West Cycle Route**



Flow Difference Plots – Future Base to Do Something PM Peak

Question.

Are there differences between demand / actual flows - are JTs reflecting demand or actual flow results?

Response

The differences between demand flows and actual flows are represented by queuing at junctions in the model. Demand flows are given by the total demand independent of when the flow arrives at its destination, whereas actual flows correspond to the actual flow during the modelled time period; i.e. vehicles that are queued up and will not reach downstream links within the modelled hour are not counted in actual flows.

TfL RSM Outcomes Delivery
Response to Westminster City Council Consultation information requests concerning the Proposed East West Cycle Route

Question.

Can we have screenline flows for the bridges between Tower Bridge and Wandsworth Bridge? Any others where a change of more than 10% expected?

Response

The modelled Thames screenline flows, between Tower Bridge and Wandsworth Bridge, for the four scenarios are presented in Tables 4 and 5 for the AM and PM peak hours.

Table 4: Thames Screenline Flows Comparison - AM Peak Hour

Direction	Base	Sensitivity	Base vs Sensitivity
Northbound	11061	9619	-13.0%
Southbound	7645	7373	-3.6%

Table 5: Thames Screenline Flows Comparison - PM Peak Hour

Direction	Base	Sensitivity	Base vs Sensitivity
Northbound	8651	7896	-8.7%
Southbound	10326	9533	-7.7%

Question

Data required for zone of influence, the E-W corridor itself, on the SRN routes and all bus routes, but particularly those within Westminster. Journey times for all bus routes are requested.

Response.

Bus journey time information has been provided for a representative number of bus routes within the E-W corridor. A separate workstream has been established within TfL to identify areas where measures may be introduced that will achieve bus journey time savings that will potentially mitigate the impacts of the proposed schemes.

Question

Within zone of influence (or perhaps a cordon you have already identified) - what are results for average speed, total journey times, total travel distance?

Response.

The modelled level of delay across WCC area increases by 24% in the 'am peak' (0800 to 0900) and 32% in the 'pm' peak (1700 to 1800) per Km travelled. Average journey times across WCC increase by approximately 12% in the 'am' peak and 17% in the 'pm' peak per Km travelled.

Question

For all junctions along corridor, what are the turning movements in each of the scenarios, to identify key changes and banned turns. Can we identify the particular impact of the banned turns?

Response.

Traffic flow/ turning count information will be issued for released for base and proposed situation on Monday 20th October.

TfL RSM Outcomes Delivery
Response to Westminster City Council Consultation information requests concerning the Proposed East West Cycle Route

Question

Is there air quality/ emissions output?

Response.

This information request should to be responded to by RSM Sponsorship Team.

Question

In terms of local modelling we need as much detail as you can provide for all scenarios- method of control, signal timings, performance (the usual delay, queue, DoS).

Response.

Transyt models will be made available for off-site analysis. Vissim model outputs have and are being collated. This request will therefore be addressed during the Jacobs / TfL model review meeting scheduled for 15 October '15

Question

Demonstration of how the network performs and operates (in terms of linked operation at all the major intersections) - understand that we may need to visit offices to look at VISSIMs.

Response.

Demonstration will be shown during the Jacobs / TfL model review meeting on the 15th October 2014.

**TfL RSM Outcomes Delivery
Response to Westminster City Council Consultation information requests concerning
the Proposed East West Cycle Route**

Request from Keith Firth (Jacobs) on behalf of WCC:

In addition, I would like to receive the TRANSYT modelling files (if possible) for each of the scenarios, or appropriate data to review input parameters and results.

Response

Information and models will be provided as previously stated.

Request from Keith Firth (Jacobs) on behalf of WCC on 8 October 2014

Question

1. *Peter and I had a meeting on Monday to discuss model outputs that Westminster would like to receive in addition to those set out in Peter's email following last week's meeting. As it is evident that the scheme creates wider impact on the network, it will be necessary to understand the full extent of impact on journey times, and at what points on the network significant traffic congestion is expected, and where traffic restraint is likely to occur (or indeed the level of traffic reduction that is required for the scheme to operate successfully). For this reason, we would like to receive data on general traffic and bus journey times, changes in flow and areas of congestion between points beyond the immediately affected area. This will mean further locations, and so I've altered the list accordingly (shown in red). Nevertheless, without access to the full results I can only estimate where these should be and so would appreciate your review and suggestion on whether this coverage is likely to capture the full extent of the impact, or if it requires extending further. I expect that the data I requested on Monday 6 will identify in more detail the extent of the impact.*

Response

The list of locations on pages 1 - 3 of this document has been updated to accommodate this and further requests for data.

Question

2. *I have also requested further bus journey time data for additional routes on the network:*
 - Sussex Gardens/ Westbourne Terrace in order to capture the impact of the changes to Lancaster Gate gyratory
 - Kensington High Street - Hyde Park Corner
 - Marble Arch – Victoria
 - Routes through Parliament Square (Charing Cross Road, Vauxhall Bridge, Victoria)

Response

This request is being reviewed. Available information will be provided in a separate bus impact statement.

Question

3. *For the purposes of assessing impact on taxi journey times, can you please provide general traffic journey time contour maps for each of the modelling scenarios, similar to the example attached. Although maps centred on a number of key origin/ destination points would be useful, perhaps the 4 most important would be for Paddington Station, Marylebone Station, Victoria Station and Waterloo Station.*

TfL RSM Outcomes Delivery

Response to Westminster City Council Consultation information requests concerning the Proposed East West Cycle Route

Response

This request has been investigated and RSM Outcomes has concluded it would take a considerable amount of time to turn this information around. At the moment we advise this is not viable to produce.

Question

4. *We wish to understand the impact of the merging of cyclists around Parliament Square. A count carried out in 2012 identified over 1000 cyclists northbound on Abingdon Street approaching the Square, and there are already high volumes on Westminster Bridge and Victoria Street. As these will converge at Parliament Square, with short links around the gyratory and possibly short green times for the cycle early-start facilities, it is necessary to understand how and how well this will operate. There is a risk that key cycle movements carrying high volumes are not adequately catered for with the scheme design, and so we would be grateful for demonstration that this has been considered. It is possible that northbound cyclists from Abingdon Street would simply mount the footway on the east side of the central island at Parliament Square and bypass the circumnavigation.*

Response

We will show the Vissim models of Parliament Square to Jacobs on the 15th October. At present 100% of cyclists have been modelled using the segregated facilities to replicate the highest possible impact of the proposed facilities. Observations of CSHR2 extension on Stratford High Street show that approx 10% of cyclists remain in the carriageway and therefore the current modelling approach is regarded as robust.

Question

5. *Can you please clarify if the right-turn from Storey's Gate onto Great George Street is to be banned for all traffic (including cyclists), as the consultation material showing the details of the scheme (Section 12) does not match Map 3.*

Response

The model replicates the current RSM design of a right turn prohibition.

Question

6. *Can you please clarify what the intended signed routes would be for traffic on the TLRN that would be affected by the proposed banned turns at the Victoria Embankment/Bridge Street junction. It would seem that for northbound traffic from Westminster Bridge to Victoria Embankment, it will be necessary to circumnavigate Parliament Square and either return on Bridge Street or use Whitehall, and for southbound traffic from Victoria Embankment to Westminster Bridge, it will be necessary to join Whitehall either via Northumberland Avenue or Horse Guards Avenue.*

Response

This further request for information is being reviewed and available information will be provided.

**TfL RSM Outcomes Delivery
Response to Westminster City Council Consultation information requests concerning
the Proposed East West Cycle Route**

Request from Keith Firth (Jacobs) on behalf of WCC on 14th October 2014

In advance of tomorrow's meeting, I attach our draft scheme design options for a possible alternative route for the East-West Cycle Superhighway using Northumberland Avenue, Trafalgar Square and The Mall. Alan issued the draft Appraisal Matrix that was based on these options (attached), and we wish to discuss these proposals and the evaluation at the meeting, and to understand how this compares to the appraisal of the published route through Parliament Square. There may also be issues that have already been considered for this alternative route, that hopefully Gillian might be able to advise on, that might result in modifications being made.

In order to develop these options further, I appreciate that we will need to look at the issue of capacity for cyclists, and how this would then impact upon the timings and operation of the junctions along the corridor. An understanding of the provision at Parliament Square would help with this (in terms of green time for cycle stages).

We would also like to undertake some modelling of the scheme, and so access to the Future Base TRANSYT (without and with scheme) models for Trafalgar Square and Northumberland Avenue/ Victoria Embankment would enable this.

Response

RSM Outcomes have 2009 base Transyt models for Northumberland Avenue, Trafalgar Square and The Mall, which we will provide. These do not have current flows in them and would need to be updated.

Verbal Request from Keith Firth (Jacobs) on behalf of WCC on 15th October 2014

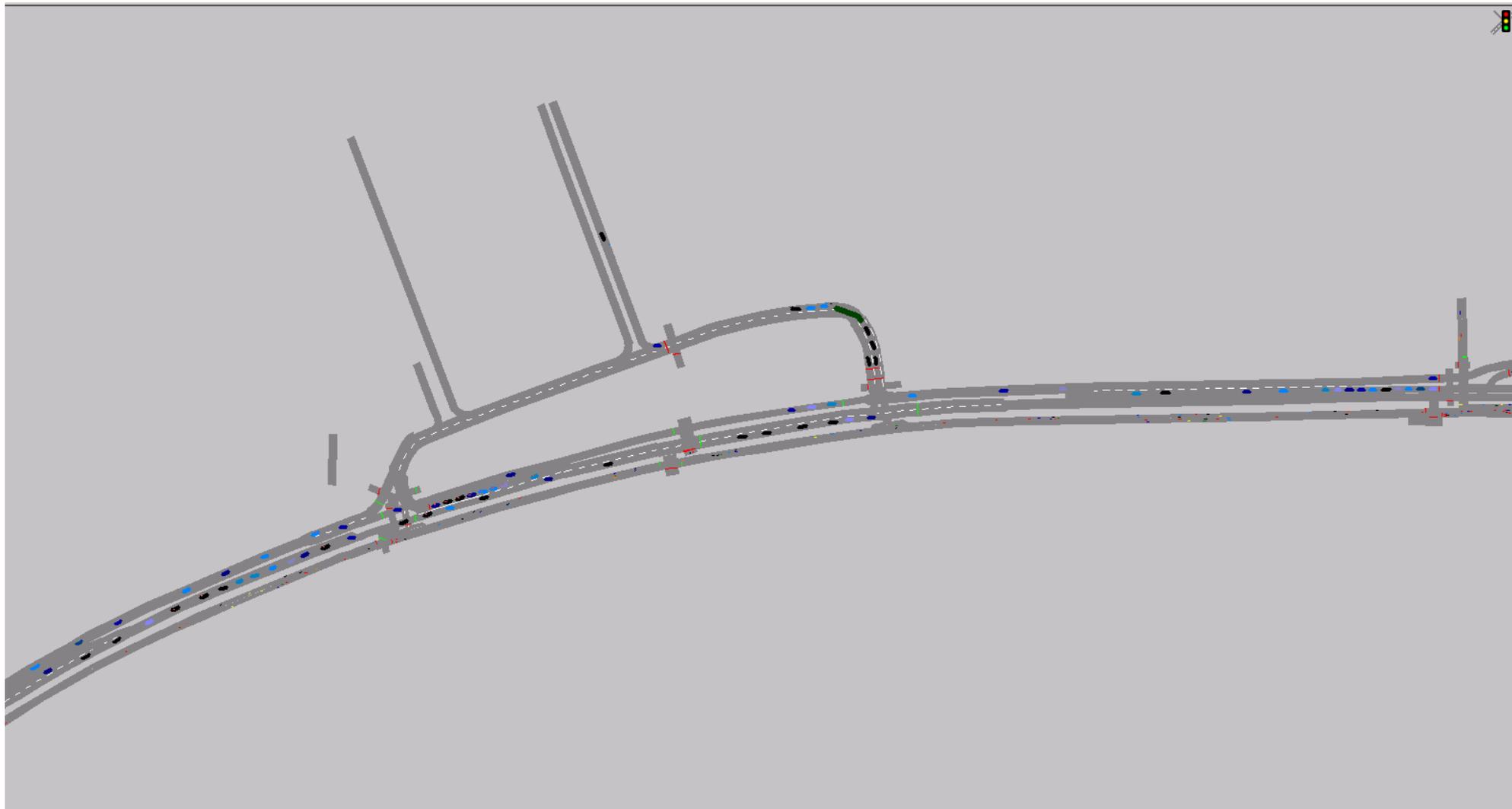
On reviewing the Vissim files on screen on 15 October, Keith Firth has asked whether 'screen shots' of the latter part of the modelled hours can be provided.

Response

A sample of 'am' and 'pm' peak Vissim screen shots of all approach arms to Parliament Square, Trafalgar Square, Lancaster Gate and Victoria Embankment/ Northumberland Avenue and Victoria Embankment/ Temple Place

TfL RSM Outcomes Delivery
Response to Westminster City Council Consultation information requests concerning the Proposed East West Cycle Route

Page 84



Victoria Embankment Temple Avenue to west of Temple Place (am peak)

TfL RSM Outcomes Delivery
Response to Westminster City Council Consultation information requests concerning the Proposed East West Cycle Route



Victoria Embankment by Northumberland Avenue (am peak)

TfL RSM Outcomes Delivery
Response to Westminster City Council Consultation information requests concerning the Proposed East West Cycle Route

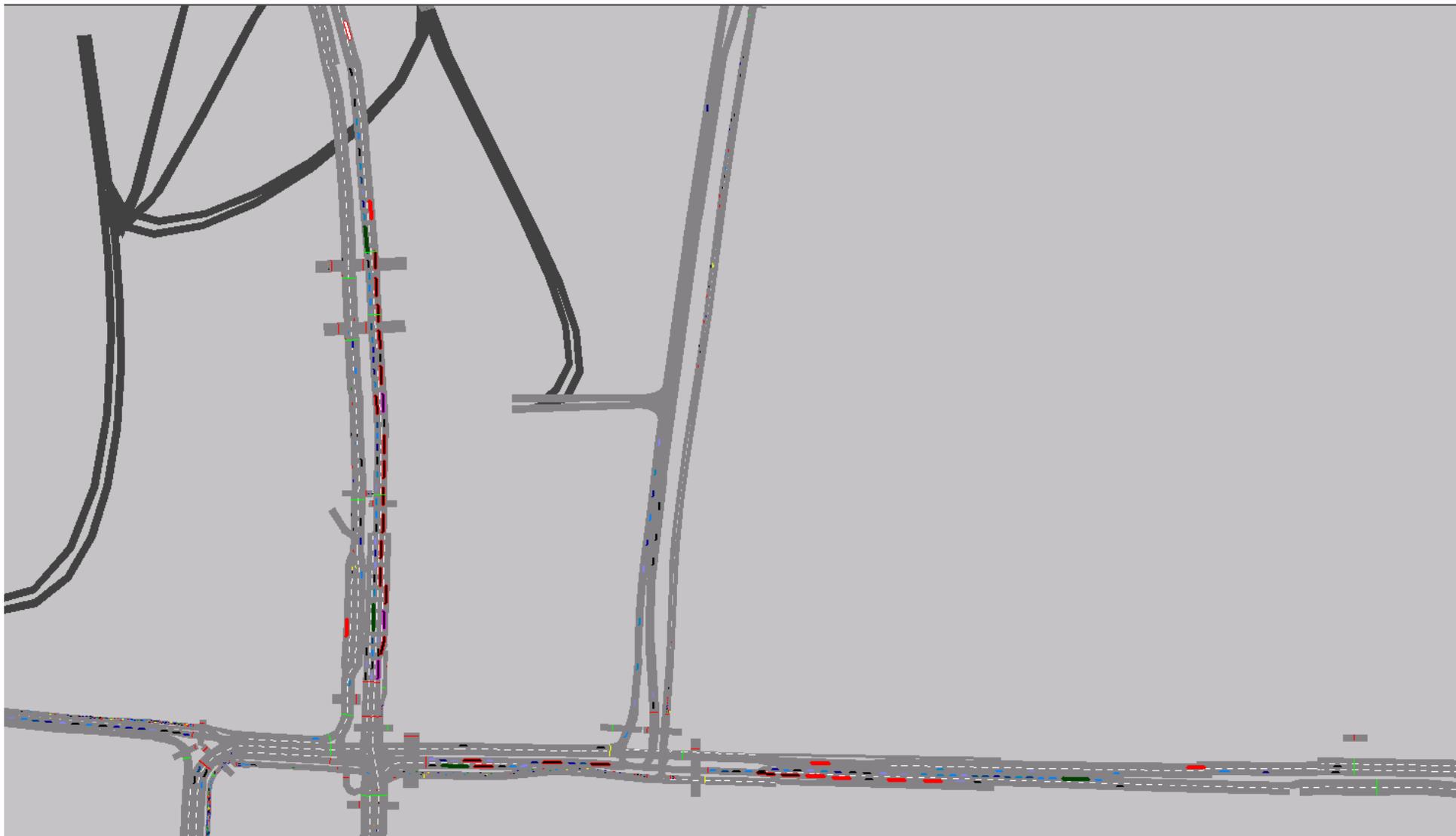
Page 86



Northumberland Avenue/ Trafalgar Square/ The Stand (am peak)

**TfL RSM Outcomes Delivery
Response to Westminster City Council Consultation information requests concerning the Proposed East West Cycle Route**

Page 87



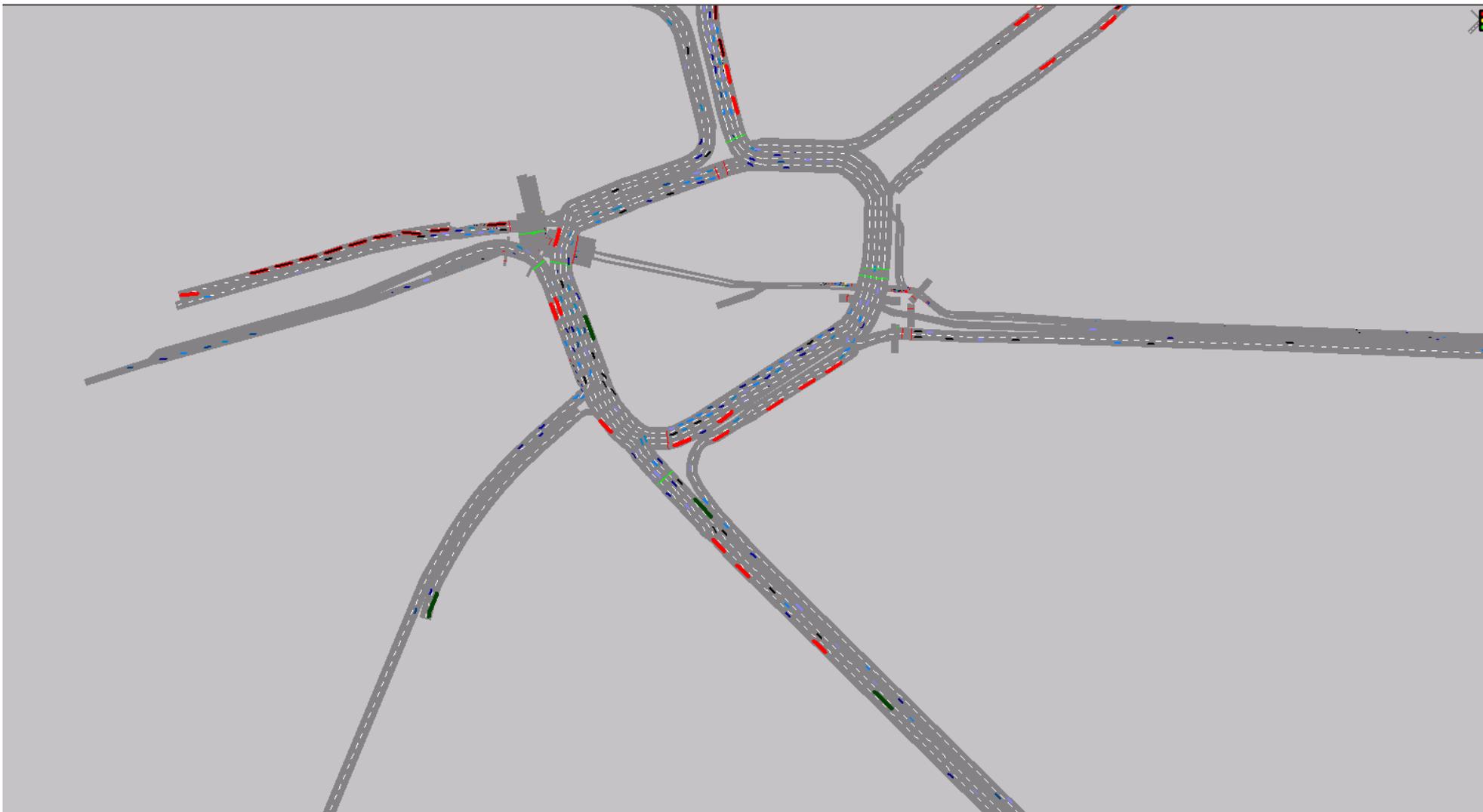
Victoria Embakment/ Westminster Bridge/ Parliament Street (am peak)

TfL RSM Outcomes Delivery
Response to Westminster City Council Consultation information requests concerning the Proposed East West Cycle Route



Parliament Sq/ Parliament Street/ Westminster Bridge (am peak)

TfL RSM Outcomes Delivery
Response to Westminster City Council Consultation information requests concerning the Proposed East West Cycle Route



Hyde Park Corner (am peak)

TfL RSM Outcomes Delivery
Response to Westminster City Council Consultation information requests concerning the Proposed East West Cycle Route

Page 90



Lancaster Gate (am peak)

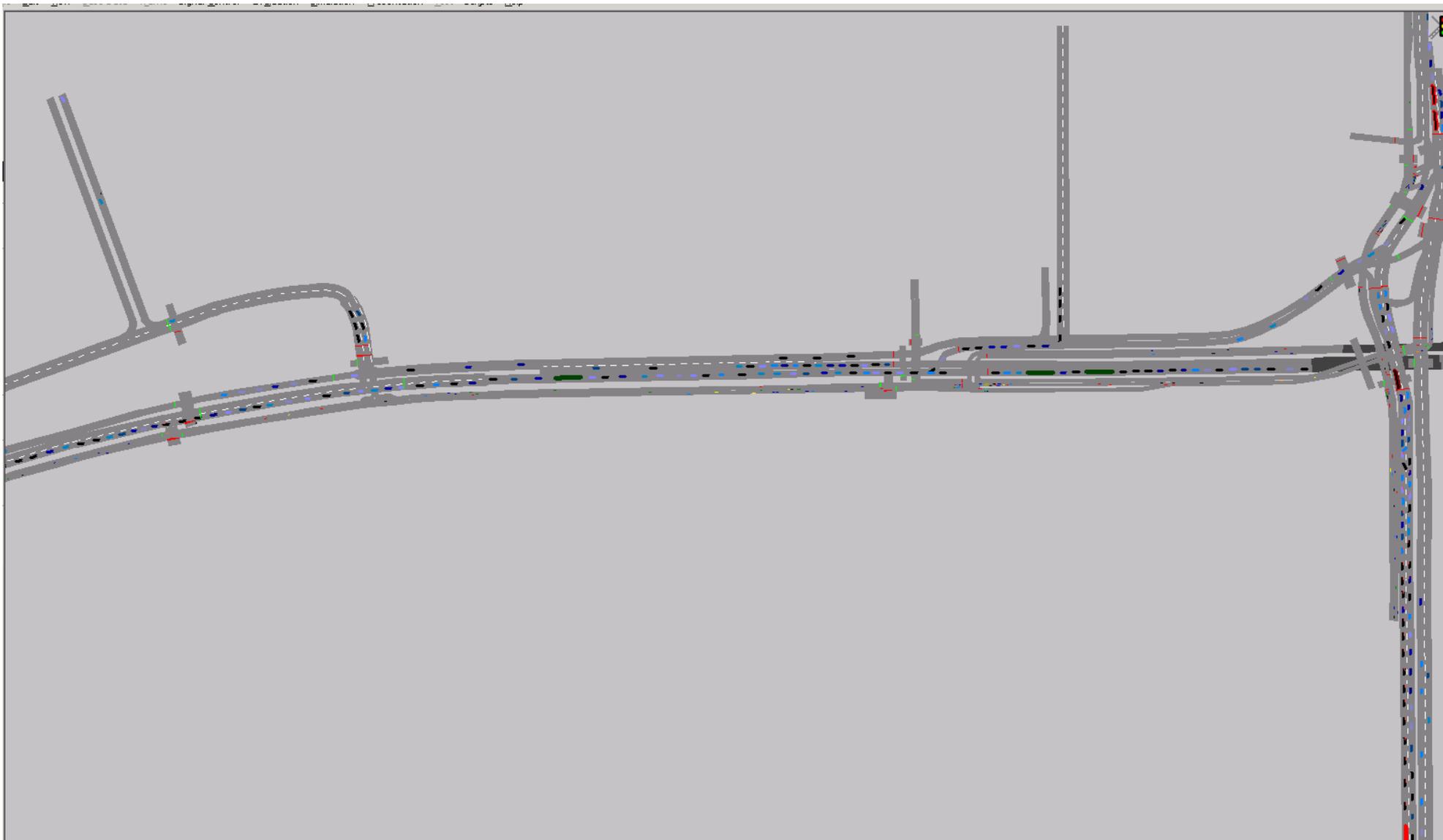
TfL RSM Outcomes Delivery
Response to Westminster City Council Consultation information requests concerning the Proposed East West Cycle Route

Page 91



(am Westbourne Terrace (am peak))

TfL RSM Outcomes Delivery
Response to Westminster City Council Consultation information requests concerning the Proposed East West Cycle Route



Victoria Embankment Temple Avenue to west of Temple Place (pm peak)

TfL RSM Outcomes Delivery
Response to Westminster City Council Consultation information requests concerning the Proposed East West Cycle Route

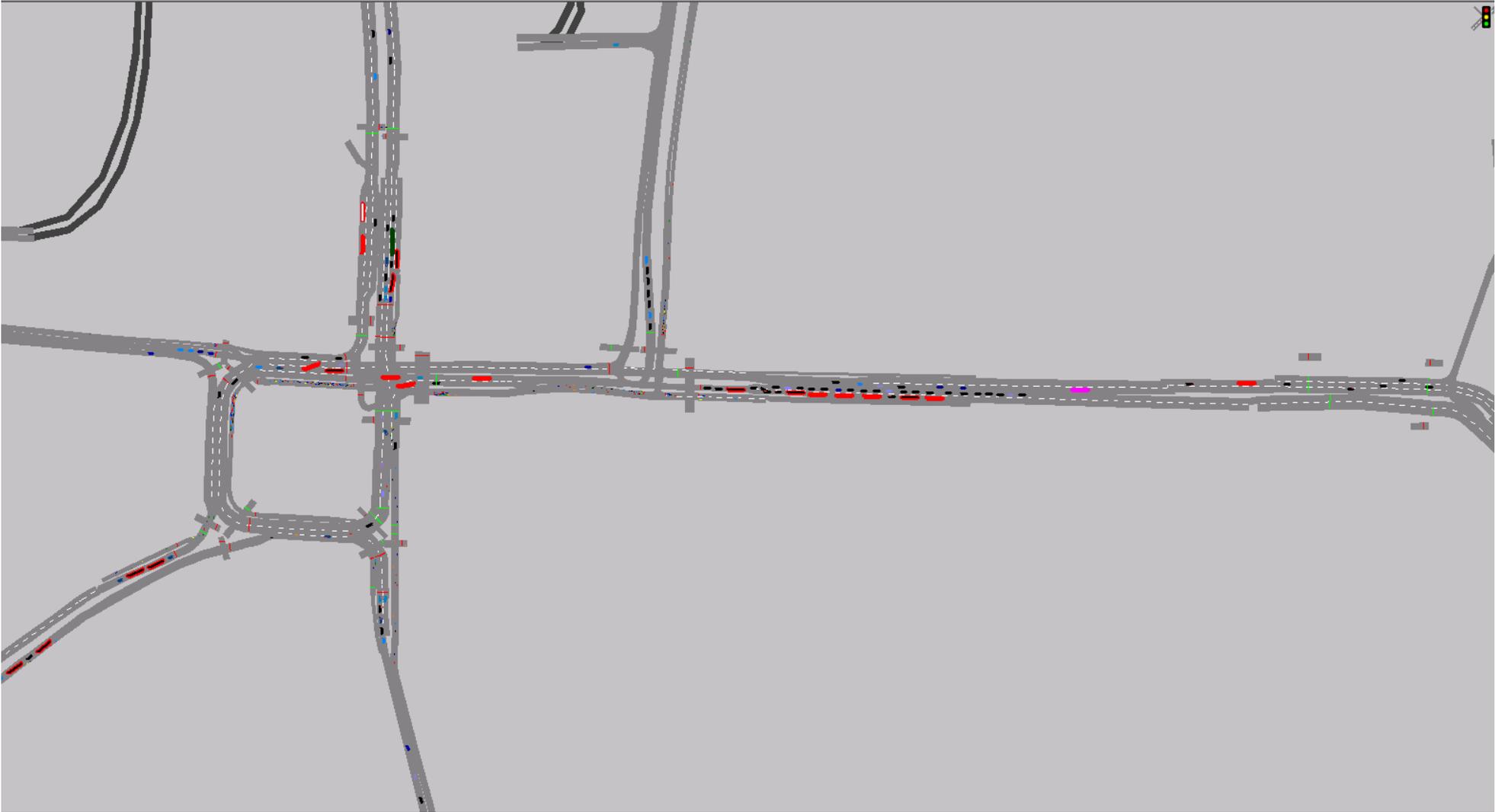
Page 93



Northumberland Avenue/ Trafalgar Square/ The Stand (pm peak)

TfL RSM Outcomes Delivery
Response to Westminster City Council Consultation information requests concerning the Proposed East West Cycle Route

Page 94



Parliament Sq/ Parliament Street/ Westminster Bridge (pm peak)

TfL RSM Outcomes Delivery
Response to Westminster City Council Consultation information requests concerning the Proposed East West Cycle Route

Page 95



Lancaster Gate (pm peak)

TfL RSM Outcomes Delivery
Response to Westminster City Council Consultation information requests concerning
the Proposed East West Cycle Route

Request from Keith Firth (Jacobs) on behalf of WCC on 24th October 2014

Question

1. I requested clarification on the right-turn prohibition from Storey's Gate - this is because the published material seems to show different information. The detailed plan (below) show the ban for all traffic, yet Map 3 (attached) shows this ban except for cyclists. I'd appreciate confirmation of whether or not this is to be prohibited for cyclists.

Response

The two published maps do not intend to present different information. The more detailed map does show a gap in the segregated island to permit cyclists to turn into the segregated facility, but no note is provided. The correct information is that Cyclists are permitted to turn right at this junction into the segregated facility.

Question

2. One immediate comment regards the response on the details of the modelling methodology - we didn't have time at the meeting last week to cover this, so a description/ flow diagram to set out the process and data transfer between the models would be very useful.

Response

The development of the EWCSH has progressed through a number of tactical iterations, by introducing early designs into TfL's ONE model as a standalone scheme in order to assess where capacity restraints would exist along the scheme corridor in order to inform its continued design and Governance decision making.

In parallel to this Transyt and Vissim models were developed to code designs and inform on appropriate Methods of Control. This included an independent operational review to ensure the efficiency of all junctions was achieved end to end.

Refined work was undertaken, particularly with regard to cycle/ cycle interaction to ensure the Vissim models reflected their performance levels as accurately as possible.

The combined Transyt and Vissim designs were interfaced with the tactical ONE model to further refine designs to reinforce decision for:

- Identification of key additional movement prohibitions;
- Carriageway widening, particularly to the east (where 3 lanes or more were critical to the corridors performance)
- Identifying key MOC junctions' where some form of restriction may be critical;
- Identifying level of traffic flow that may need to be held upstream;
- Optimising the performance of the corridor.

To ensure the scheme was not only understood in isolation, but also with all other major committed schemes, by the end of defined period, a +2 year time line was agreed (i.e. end of 2016) to ensure the cumulative combined impacts and possible inter-dependencies could be identified and mitigated.

Question

3. I requested data on the proposed method of control, signal timings, etc. for the scheme proposals. This was so that we could understand how the proposed scheme is expected to operate, and establish precisely the levels of forecast capacity both for cyclists and general traffic, and to

TfL RSM Outcomes Delivery

Response to Westminster City Council Consultation information requests concerning the Proposed East West Cycle Route

identify cycle times and thus impact on pedestrians at each of the junctions. The detailed layout plans show us the staging arrangements, but we have no data yet that allows us to review the rest of the operational details.

Response

Attached are linsig files for each junction to assist your understanding of the proposed operational details.

Question

4. The reason for requesting turning count information was to identify the precise changes in traffic volumes between the various scenarios. This was so that we could understand the difference between the ONE model outputs of flow changes, and how this is then transferred to the local operational models. The ONE model outputs show band widths indicating a loss of traffic of 'greater than 200', however the precise volumes are not identified. Is there a scale to the band widths that will allow us to understand the actual predicted volumes of flow (in reality, capacity) loss?

Response

The turning count information is provided in the same linsig files provided.

TfL RSM Outcomes Delivery
Response to Westminster City Council Consultation information requests concerning
the Proposed East West Cycle Route
Request from Keith Firth (Jacobs) on behalf of WCC on 15 October 2014

Question

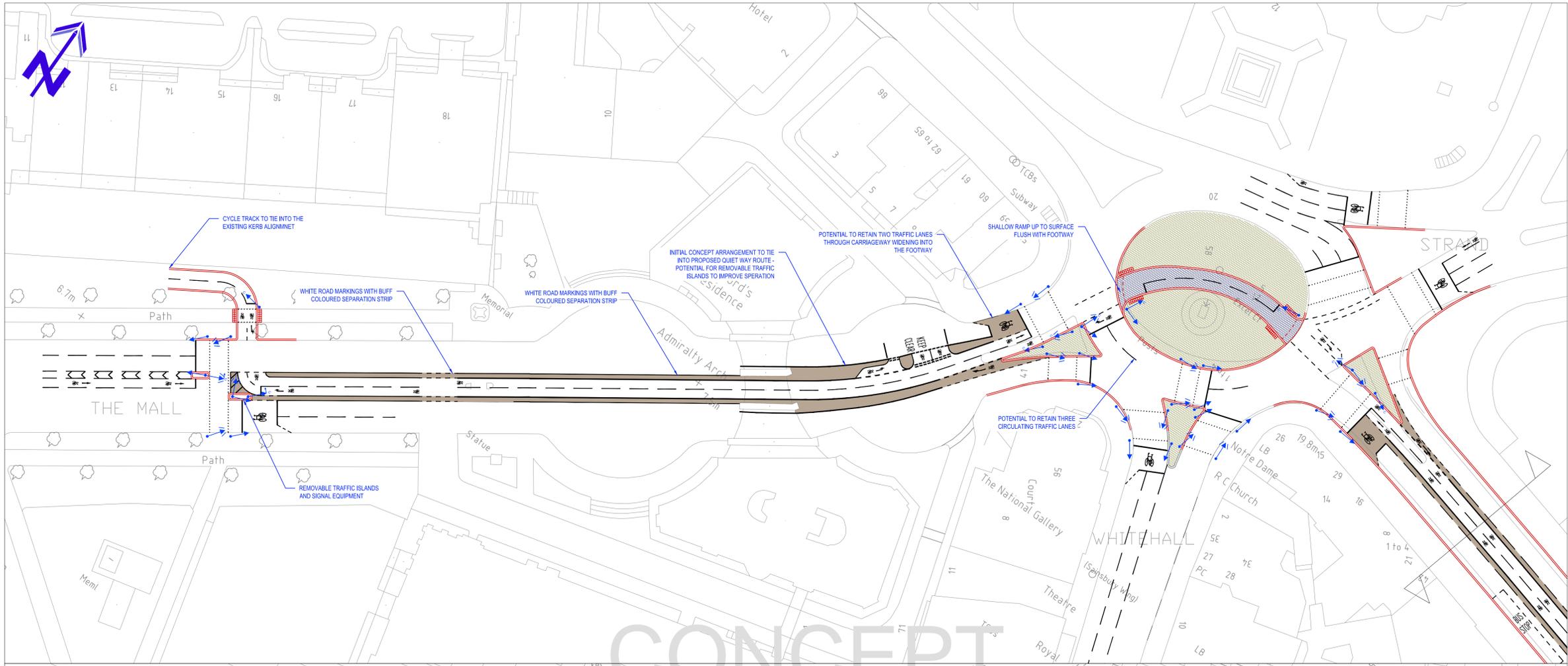
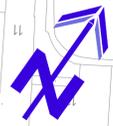
Could I please have a list of the schemes that have been included in the ONE model future base - specifically, does this include Marble Arch Better Junctions scheme?

Response

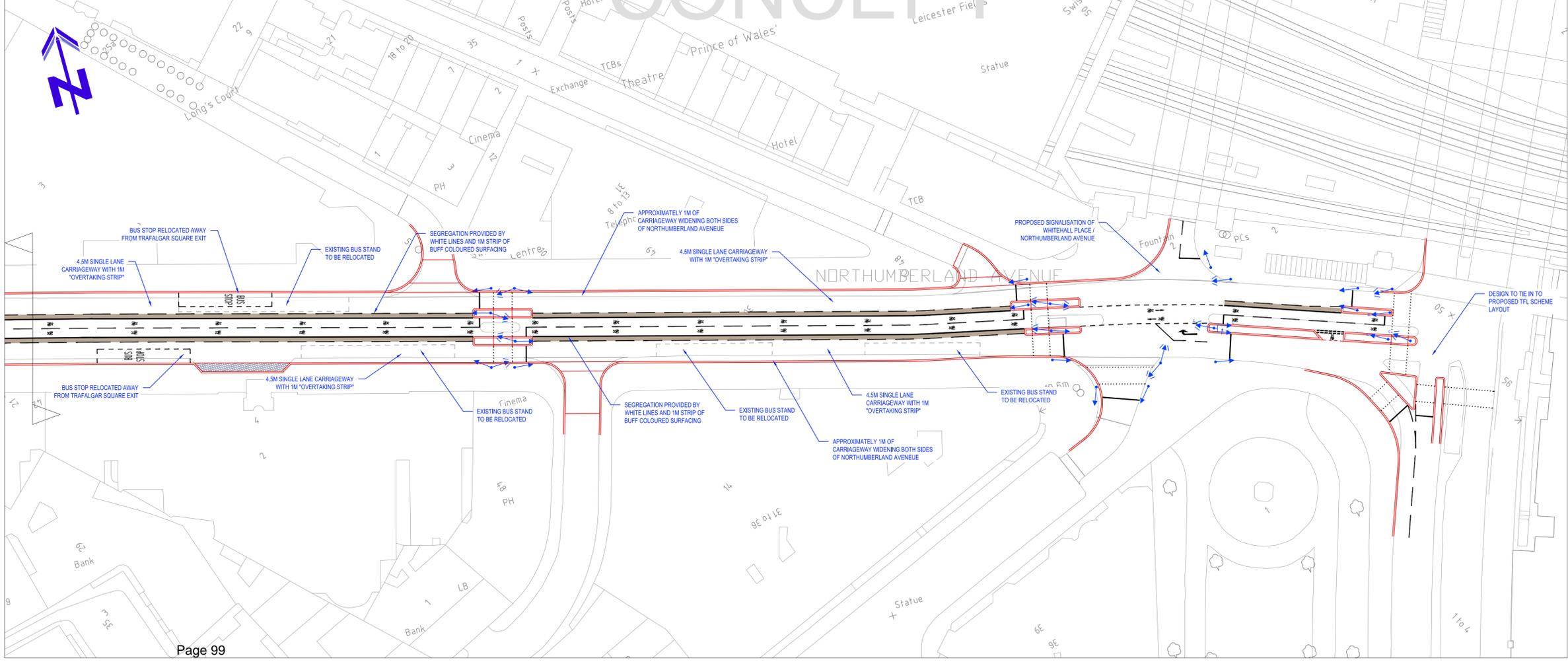
The schemes included are those that were programmed to be completed or substantially completed by December 2016. This assumption was correct as per July 2014 when this assessment work was instructed.

- Aldgate gyratory
- Haymarket (Piccadilly 2-way)
- Kings Cross Interim Scheme
- East-West Cycle Route
- North-South Cycle Route
- Cycle superhighway Route 1 (Apex Corner)
- Cycle Superhighway Route 2 Upgrade
- Cycle Superhighway Route 5 (Inner)
- Lambeth Bridge Northern roundabout
- Lambeth Bridge southern roundabout
- Westminster Bridge South
- LB Camden West End Project – Tottenham Court Road - 2 Way
- LB Westminster Baker Street 2-way
- Elephant & Castle Northern roundabout
- Oval Better Junctions Scheme
- Stockwell Better Junctions scheme
- Old Street Better Junctions scheme
- Victoria Nova
- Archway
- Swiss Cottage
- Lewisham Gateway

Marble Arch is not included as it is not programmed for a Dec 2016 completion.



CONCEPT



NOTES:
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REV	DATE	DRAWN	REVD	APPD	REVISION

DRAWING STATUS
- DRAFT -

JACOBS
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 20 St Thomas Street
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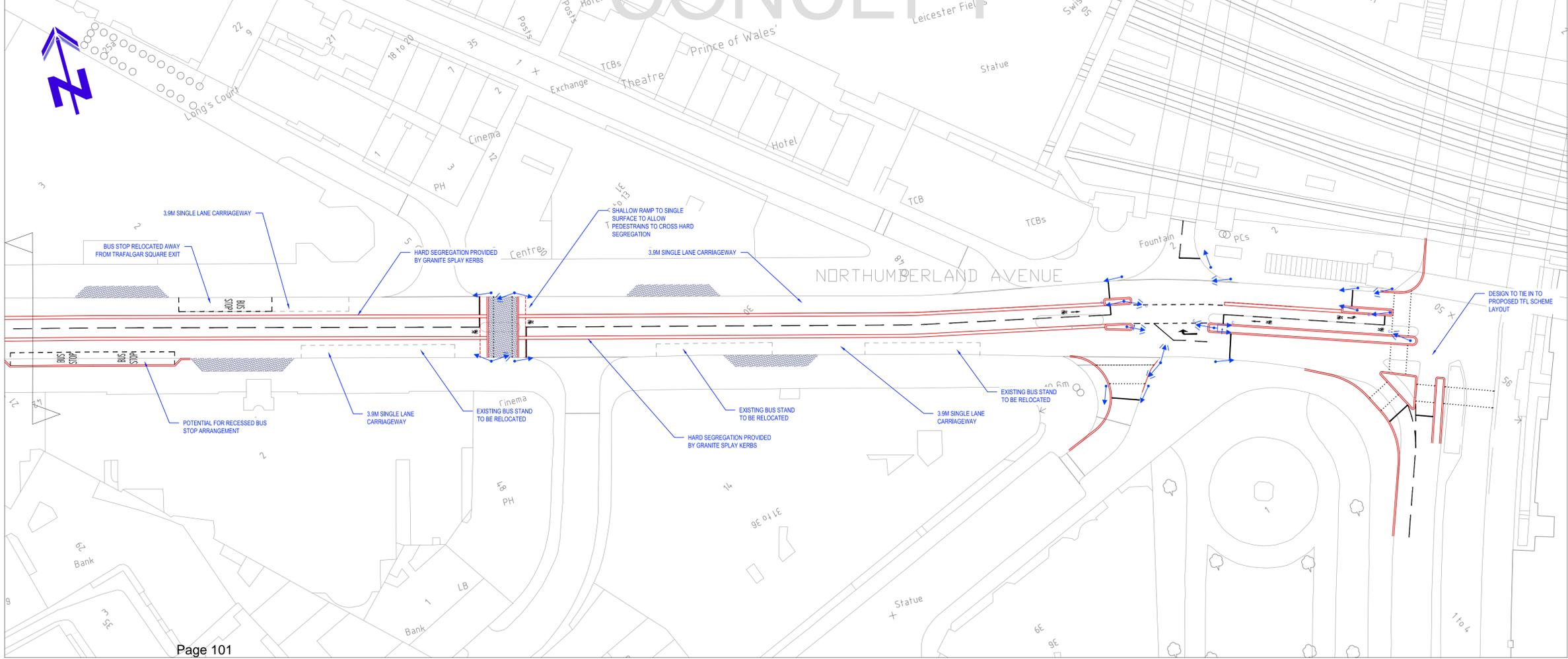
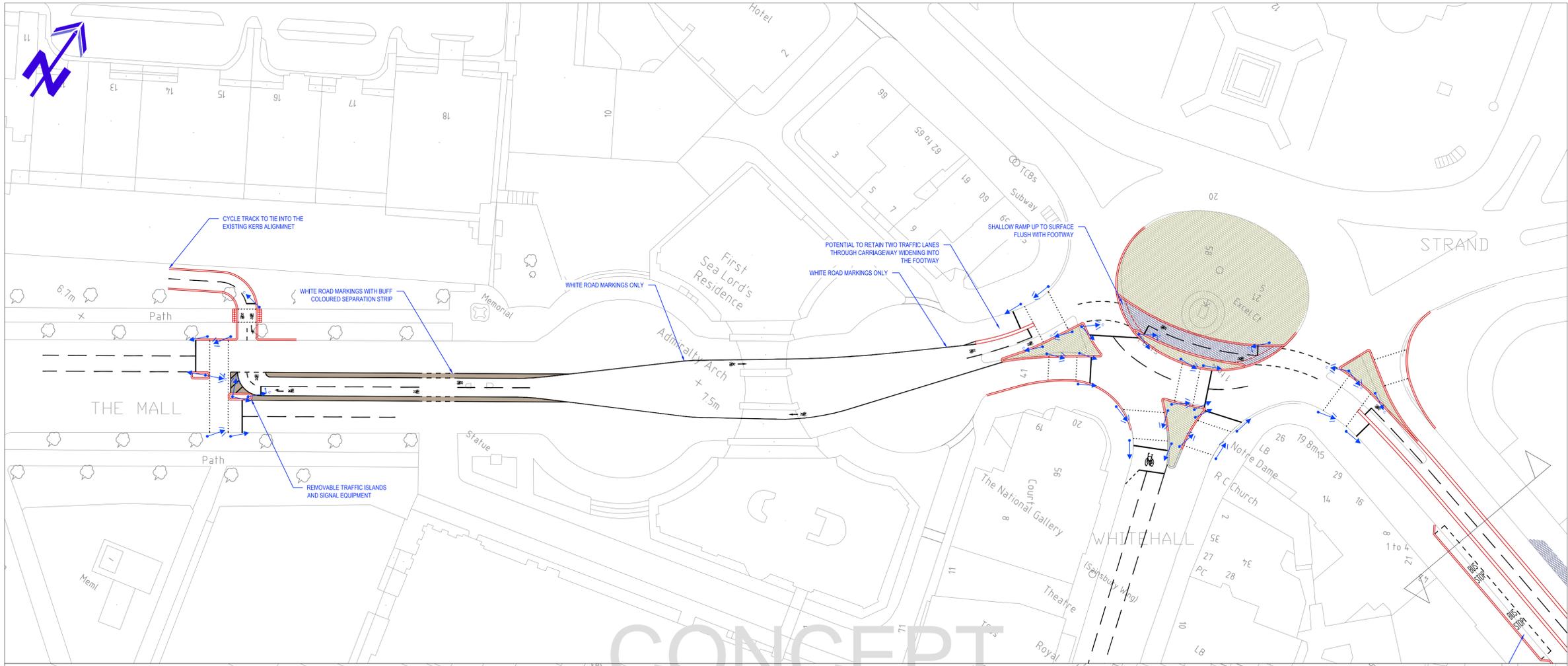
CLIENT THE CITY OF WESTMINSTER			
PROJECT E/W CSH REVIEW			
DRAWN TR	DRAWING CHECK TR	REVIEWED KF	APPROVED KF
DESIGNED TR	DESIGN REVIEW TR	DATE 10/2014	DATE 10/2014

TITLE
THE MALL, TRAFALGAR SQUARE & NORTHUMBERLAND AVENUE
ALTERNATIVE E/W CSH - CONCEPT ALIGNMENT 1

SCALE 1:500@A1	DRAWING No B1731301/DG/001	REV 0.2
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PROJECT WESTMINSTER QUIETWAY GRID			
DRAWN TR	DRAWING CHECK TR	REVIEWED KF	APPROVED KF
DESIGNED TR	DESIGN REVIEW TR	DATE 10/2014	DATE 10/2014

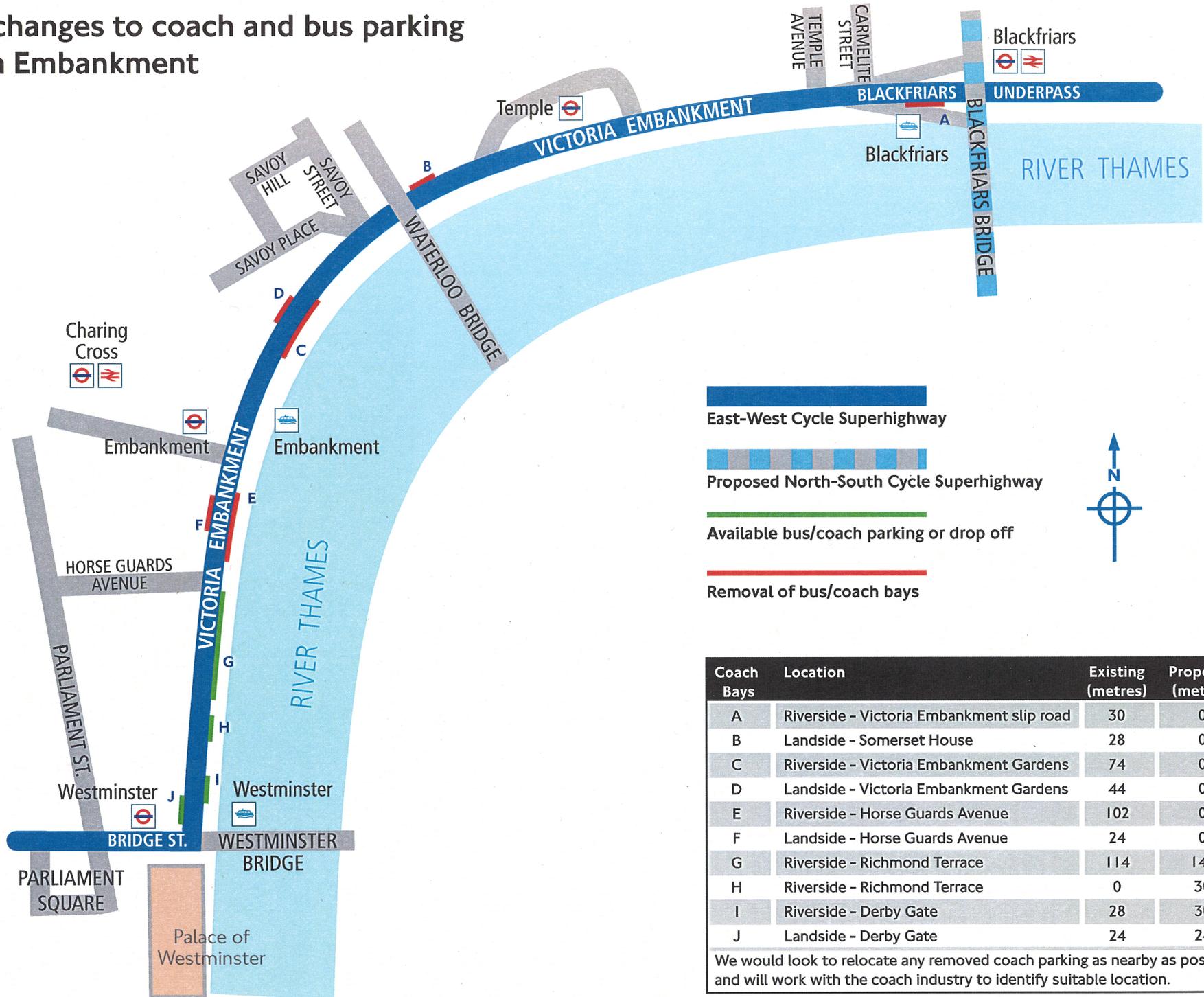
TITLE
THE MALL, TRAFALGAR SQUARE & NORTHUMBERLAND AVENUE
 ALTERNATIVE E/W CSH - CONCEPT ALIGNMENT 2

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 Page 101

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Proposed changes to coach and bus parking on Victoria Embankment



-  East-West Cycle Superhighway
-  Proposed North-South Cycle Superhighway
-  Available bus/coach parking or drop off
-  Removal of bus/coach bays



Coach Bays	Location	Existing (metres)	Proposed (metres)
A	Riverside - Victoria Embankment slip road	30	0
B	Landside - Somerset House	28	0
C	Riverside - Victoria Embankment Gardens	74	0
D	Landside - Victoria Embankment Gardens	44	0
E	Riverside - Horse Guards Avenue	102	0
F	Landside - Horse Guards Avenue	24	0
G	Riverside - Richmond Terrace	114	143
H	Riverside - Richmond Terrace	0	30
I	Riverside - Derby Gate	28	30
J	Landside - Derby Gate	24	24

We would look to relocate any removed coach parking as nearby as possible, and will work with the coach industry to identify suitable location.

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City of Westminster

Environment Policy and Scrutiny Committee

Date:	10th November 2014
Classification:	For General Release
Title:	Update on the progress of the development of a Westminster Community Infrastructure Levy (CIL)
Report of:	Operational Director City Planning
Cabinet Member Portfolio	Councillor Robert Davis, Deputy Leader and Cabinet Member for the Built Environment
Wards Involved:	City Wide
Policy Context:	Westminster's City Plan (2013)
Financial Summary:	There are no financial implications arising directly from this report which is a factual update on the consultation of the council's preliminary draft charging schedule pursuant to the development of a Westminster Community Infrastructure Levy (CIL).
Report Author and Contact Details:	Rachael Ferry-Jones, Principal Planning Officer, City Planning rferry-jones@westminster.gov.uk 020 76412418

1. EXECUTIVE SUMMARY

- 1.1 The council has started the process to enable it to exercise its powers as a 'Charging Authority' under the Planning Act 2008 for the purposes of levying a Westminster Community Infrastructure Levy (CIL) as soon after 1 April 2015 as the legal process allows. A CIL can be charged on developments in a local authority's area with the money raised being used to pay for the provision, improvement, replacement, operation or maintenance of infrastructure that is needed to support the City's development as set out in the council's strategic plan. Infrastructure funded through a Westminster CIL would be directed towards projects that the council, local community and neighbourhoods consider are required to help support, and address the demands of, new growth from development.
- 1.2 In September 2014 the council initiated the first stage of consultation on the proposals for introducing a Westminster CIL through the publication of its Preliminary Draft Charging Schedule (PDCS). The PDCS sets out the council's proposed CIL rates and charging zones based on the type, size and location of development across Westminster. Published alongside the PDCS is a series of

evidential documents which support the council's proposals and outline the rationale for bringing forward a Westminster CIL. The consultation period on the PDCS was for 6 weeks and ended on the 31st October 2014.

- 1.3 The Environment Policy and Scrutiny Committee have considered periodic reports on the background to CIL as well as on the development of a Westminster CIL. At the 1st April 2014 meeting of the Committee it was agreed that a further briefing would be provided when the council had published a PDCS for consultation and comments from interested parties had been received.
- 1.4 This briefing has therefore been prepared to update the Committee on the consultation of the PDCS. Notwithstanding, because of the timings for publishing the papers for this Committee the consultation period had not actually finished at the time of preparing this briefing. A verbal presentation on the PDCS and consultation responses will therefore be provided to the Committee at their meeting on 10th November 2014. Given that the subsequent meeting of the Committee is in January 2015, when it is anticipated that the council will be further along in the development of a Westminster CIL, it was considered important that the Committee are given the earliest opportunity to consider the consultation responses on the PDCS.

2. KEY MATTERS FOR THE COMMITTEE'S CONSIDERATION

- 2.1 The Committee are asked to note and comment on the issues that are arising through consultation on the council's preliminary draft charging schedule (PDCS) which was published pursuant to the development of a Westminster Community Infrastructure Levy (CIL). The Committee are asked to consider in particular the feedback from the consultation on the future spend and governance of a Westminster CIL. Detail on the comments received to date is set out in bullet point 2 of paragraph 4.7 (a verbal report will be made on comments received after this report goes to press). The effective governance of a Westminster CIL is currently a key consideration for officers, and the work being done on this issue is described at paragraph 4.10. The Committee is therefore asked to consider how the particular concerns raised on these issues may be addressed.
- 2.2 The consultation on the PDCS is the first of two formal rounds of consultation on the council's CIL proposals and it is important that the Committee are briefed on the matters arising. As the consultation period did not end until the 31st October 2014 a verbal update on any further consultation responses will be provided at the Committee meeting.

3. BACKGROUND

What is the Community Infrastructure Levy (CIL)

- 3.1 The Planning Act (2008) and Community Infrastructure Levy (CIL) Regulations (2010 and as amended) provide the powers for local authorities to choose to develop and levy their own CIL. The Government considers that development should make a contribution to the cost of the infrastructure needed to support cumulative growth and development through the CIL, rather than through planning obligations (section 106 agreements). It has made clear its intention that local authorities should adopt a CIL as swiftly as possible.
- 3.2 To encourage local authorities to adopt a CIL, the CIL Regulations determine that from April 2015 (or on adoption of a local CIL if sooner), the use of section 106 planning obligations to provide infrastructure will be restricted. They will no longer be able to be taken into account in determining individual planning applications where contributions from five or more developments in an

authority's area have been secured for the same infrastructure project or type of infrastructure since April 2010. This effectively prevents use of section 106 agreements to "pool" contributions from a number of developments in order to address the cumulative impact of development on the City's infrastructure – in Westminster it is estimated that this provision will result in the council foregoing £2.3 million each year.

- 3.3 CIL is, therefore, a part replacement for the use of Section 106 planning obligations in securing infrastructure that is required to support development on anything wider than a site-specific basis. Planning policy requirements which cannot be defined as infrastructure, for example affordable housing, will continue to be negotiated through Section 106 planning obligations in the same manner. Restrictions will also apply to the use of agreements under section 278 of the Highways Act 1980 (which allow the council to seek funding for highway improvements) to stop them and CIL being used to pay for the same projects.
- 3.4 CIL liability is triggered by most development comprising buildings that includes an increase of new build floorspace of 100 square metres, or more, of gross internal (GIA) floorspace. For developments that comprise a residential dwelling the amount of new build floorspace is irrelevant; CIL is triggered on any scheme involving a dwelling whether this is from new build or existing floorspace (although the Regulations provide exemptions or reliefs for self-built housing, for residential extensions or annexes and for affordable housing). Notwithstanding, providing that a building has not been left vacant the GIA of any existing buildings on the site which are due to be demolished, or which will form part of the new development, would normally be deducted from the chargeable area.
- 3.5 The CIL Regulations provide exemptions and reliefs from payment of the levy for certain forms of development. In some cases these are mandatory forms of relief, which must be applied by the charging authority and in other cases they are discretionary where the council must decide whether to make them available in their area. In summary the different forms of relief relate to development that comprises social housing, charitable development, self-build homes, residential extensions and residential annexes.
- 3.6 A chargeable development, for the purposes of determining a CIL liability, is the development for which planning permission is granted. This includes development where planning permission is granted by way of a "general consent" (such as permitted development) if it is of a sufficient scale or type which would trigger liability to pay CIL. CIL is a mandatory payment that becomes payable on commencement of development by the party who has assumed liability

Setting a Community Infrastructure Levy

- 3.2 To charge a CIL the local authority must produce and adopt a 'charging schedule' which sets out the levy rate or rates for the area. Rates can be differentiated by location, land use and size of development – but only on the basis of impacts on development viability and as such any differential rates need to be justified on the basis of viability evidence. . The charging schedule must be based on evidence consisting of:
- (i) An up to date version of Westminster's Infrastructure Plan to demonstrate demand across service areas, funding, and any funding gaps;
 - (ii) Viability evidence on different development scenarios across the city, taking account of spatial differences in values and development costs (land purchase, construction, planning policy requirements (particularly those on affordable housing), Mayoral CIL).

- 3.3 Using this evidence the authority must strike an appropriate balance in setting the levy rates between the desirability of funding from CIL (in whole or in part) the actual and expected estimated total cost of infrastructure required to support the development of its area, taking into account other actual and expected sources of funding, and the potential effects (taken as a whole) of the imposition of CIL on the economic viability of development across its area.
- 3.4 Charging schedules should be consistent with, and support the implementation of, up-to-date relevant Plans which for Westminster is Westminster's City Plan (2013), the saved policies of Westminster's Unitary Development Plan (2007) and the London Plan (2011 and as altered 2013). The process for preparing a charging schedule is similar to that which applies to relevant Plans including stages of consultation and finally a public examination of the charging schedule by an independent person (most likely a Planning Inspector).

Further background detail on CIL

- 3.7 Further detail on the background of CIL, and the progress on developing a Westminster CIL, was included in the reports to the Environment Policy and Scrutiny Committee on the 1st April 2014, 5th November 2013 and in December 2011. Further detail was also provided in these reports on the relationship of CIL and the use of Section 106 Planning Obligations and on the council's role as a collecting authority for the Mayor of London's CIL. At the end of September 2014 the council had collected a total of £10.5 million of Mayoral CIL since it was implemented on 1st April 2012.

4 ISSUES FOR THE COMMITTEE'S CONSIDERATION FOLLOWING THE PUBLICATION OF WESTMINSTER'S PRELIMINARY DRAFT CIL CHARGING SCHEDULE

Westminster's Preliminary Draft CIL Charging Schedule

- 4.1 On 19th September 2014 the council started the first of two rounds of public consultation required under the CIL Regulations by publishing a Westminster Preliminary Draft Charging Schedule (PDCS) which sets out the initial proposals for charging a Westminster CIL. The PDCS, included as **Appendix 1**, was published alongside a number of associated documents which together provide the evidence base required to justify bringing forward a CIL in Westminster and at the levy rates proposed. The documents published by the council for consultation included:
- Westminster's Community Infrastructure Levy - Preliminary Draft Charging Schedule, Westminster City Council, (September 2014)
 - Information and evidence to support the development of the City of Westminster's Preliminary Draft Charging Schedule, Westminster City Council, (September 2014)
 - City of Westminster Community Infrastructure Levy, Viability Assessment (BNP Paribas Real Estate, August 2014)
 - Addendum to the Westminster Infrastructure Plan: Technical Assessment 2006-2026 (CIL Knowledge, August 2014)
- 4.2 The published document 'Information and evidence to support the development of the City of Westminster's Preliminary Draft Charging Schedule' (September 2014), included as **Appendix 2**, provides an overview of the entire CIL setting process. It is therefore a useful document to refer to alongside the council's PDCS as it seeks to set out why the council has chosen to develop a CIL, explain in more detail what CIL is, summarise the evidence that has been used to inform the proposed levy charging rates, describe the relationship of CIL and Section 106 planning obligations / agreements to fund highway works under section 278 of the Highways Act 1980 and consider some of the operational issues that will require further consideration by the council. This document also

seeks to demonstrate how a Westminster CIL would support the implementation of the council's relevant Plan and what type of infrastructure may be funded through the CIL.

- 4.3 At the 1st April meeting of the Environment Policy and Scrutiny Committee it was agreed that following the publication of a Preliminary Draft CIL Charging Schedule (PDCS) any comments received as part of the consultation would be reported to the Committee. The following section of this report summarises what consultation and engagement on the PDCS has been undertaken and, at the time of writing, what initial feedback had been received.

Feedback on Consultation and Engagement on the PDCS

- 4.4 The consultation on Westminster's PDCS took place over a period of 6 weeks ending on 31st October 2014. Comments were invited from local residents, businesses, voluntary organisations, the Mayor of London and Transport for London, adjoining London Boroughs, statutory organisations and any other bodies which represent the interests of persons carrying on business in Westminster. Comments were also invited from all of Westminster's Councillors and service areas across the council which may be affected by the adoption of a Westminster CIL.
- 4.5 All of the consultation documents were, and still are, available on the council's website and a dedicated email address was provided for comments to be made. Paper copies of the PDCS and supporting evidential documents were made available at all Westminster libraries and at City Hall. Press notices were published inviting comments for 3 consecutive weeks.
- 4.6 Officers have also undertaken a series of meetings and presentations, both externally and internally within the council, in the lead up to the publication of the PDCS and more recently following the publication of the PDCS. This has included appointments with:
- Members of the council's Cabinet and former Strategic Executive Board (now the Executive Management Team);
 - Members of the council's Majority Party (scheduled during November 2014);
 - Members of the council's Minority Party;
 - The council's Environment Policy and Scrutiny Committee;
 - Westminster's Development Planning and City Planning delivery units;
 - Tri-Borough Property, Planning and Housing;
 - Westminster Amenity Society Forum;
 - Westminster Property Association (meeting with representatives of Westminster Property Association on at least 5 occasions prior to the publication of the PDCS to discuss the methodology for the viability assessment and gather their input in to this process and a further seminar was held in September 2014 with approximately 70 WPA Members to present and discuss the PDCS consultation, a further meeting was offered during the consultation period);
 - Turley's (Planning Agents) and their clients (attendance of approximately 30)
- 4.7 To date there has been limited feedback on the consultation however; the series of meetings and presentations have proved a useful forum for issues to be raised and discussions to take place. The main issues that have arisen so far include:
- Several comments of **support for a Westminster CIL** have been received from organisations and businesses that could potentially benefit from the future allocation of CIL receipts. Comments of support have been received from Natural England, The Theatres Trust and owner of a Public House in Westminster.

- Developers are generally concerned over the **future governance arrangements for the spending of CIL** and **how and where the money will be spent**. Section 106 planning obligations have allowed some developers to negotiate the delivery of specific projects, for example public realm improvements, which are associated with and which benefit a particular development. This explicit link is weakened through the introduction of a CIL as it is within the council's discretion to determine how the CIL receipts are applied to infrastructure in the City, providing of course that the infrastructure funded support development within Westminster. The exception to this is the neighbourhood portion of CIL which is ring fenced for spend within the neighbourhood within which it was derived and on projects that are agreed with local communities as being required to support the development of their area. Developers are therefore showing concern that they potentially have less of a role in being able to direct the allocation of CIL on infrastructure that they determine is required to support their development proposals. Officers are looking in detail at future governance arrangements for administering the CIL and overseeing how it is spent, ensuring that these decisions are taken alongside those on other resources raised through the planning system.
- The impact of charging a CIL on the **delivery of affordable housing**. The PDCS has been based on the assessment of scheme viability assuming full planning policy compliance including a 30% provision of onsite affordable housing. A number of those commenting have expressed concerns about the risk that introduction of a CIL will lead to less available funding for affordable housing, which remains a policy requirement that will continue to be secured through section 106 planning obligations. The concern arises because payment of CIL is mandatory and affordable housing may in many cases be the matter which developers will seek to negotiate over. The viability evidence commissioned by the council is that the rates proposed should not have this kind of impact. Officers have specifically asked developers to provide any evidence they might have to show that contrary to the council's evidence, this may be an issue. Officers will ensure that any evidence received is fully reviewed and assessed before responding to this concern.
- Some have suggested that lower CIL rates in adjoining boroughs might encourage developers to **locate their developments outside of Westminster**, particularly for office development. Again, the evidence available to date suggests this should not be the case. Discussions with developers suggest that there are a number of factors that influence a developer's decision on where to locate a project (particularly the locational preferences of occupiers and the availability of suitable sites) and that the proposed Westminster CIL should not be a major factor.
- The CIL Regulations require that a proportion of CIL collected in each neighbourhood must be spent on local priorities. For areas like Queen's Park which have a community council, this would involve passing 15% of CIL generated locally to the council; in others the council retains the money but agrees how the 15% should be spent in discussion with neighbourhoods (in either case, the percentage increases to 25% should a neighbourhood plan be put in place). There is wider discretion about the things this "neighbourhood portion" can be spent on than there is for the rest of the CIL collected - both infrastructure and "anything else that is concerned with addressing the demands that development places on an area". As part of the consideration of governance arrangements mentioned earlier, officers are developing proposals about how this neighbourhood portion will be administered and how decisions about its spending will be taken.

Next steps and timetable

- 4.8 The council will consider comments received on the PDCS, and supporting evidence documents, when drafting the Draft Charging Schedule (DCS) for further consultation and finally an examination

of the Charging Schedule by an independent examiner. The consultation on the DCS is anticipated to be in November / December 2014.

- 4.9 The Community Infrastructure Levy Regulations (2010 and as amended) dictate the stages that a charging authority must go through before adopting a charging schedule. The following timetable summarises the stages of preparation that the council must go through to adopt a Westminster CIL and provides anticipated dates alongside:

Stage of development of a Westminster Community Infrastructure Levy	Proposed Date
Executive decision to publish a Preliminary Draft Charging Schedule	September 2014
Preliminary draft charging schedule (PDCS) published for consultation (Minimum period of 6 weeks)	September/ October 2014
Publication of a Draft Charging Schedule (DCS) for consultation having taken account any comments received on the PDCS	November/ December 2014
Subject to the responses received on the DCS the council may publish a 'statement of modifications' for further consultation	January 2015
An independent person (the "examiner") examines the charging schedule in public	Early 2015
The examiner's recommendations are published	Early 2015
Consideration of the examiner's recommendations	Early 2015
Providing that the examiner has not rejected the charging schedule full council decision required to approves the charging schedule for adoption.	April 2015 (or as close to this date as possible)
Post adoption Review	2 year review cycle?

This timetable is necessarily indicative. The timing of the examination, for example, depends on the availability of an inspector to conduct it and how many representations it has to consider.

- 4.10 Alongside this work, officers are considering the arrangements that need to be put in place for governance of the CIL – the arrangements needed at member and officer levels to ensure CIL is collected, administered and spent effectively to deliver the council's objectives and in accordance with the relevant legislation. The links between CIL, section 106 and 278 agreements referred to earlier in this report mean that these arrangements will need to oversee and coordinate all these funding sources. Further reports will be made to the Scrutiny Committee as this work proceeds.
- 4.11 A further area being progressed is preparation of a draft supplementary planning document which will make clear how the council will use CIL and agreements under sections 106 and 278 respectively to deliver the policy objectives set out in the local plan. This will give developers and others an overview of the council's requirements and enable them to take these into account in bringing their projects forward. This document will also provide part of the evidence base for the Westminster CIL. Again, further reports will be made to the Scrutiny Committee as this work proceeds.

5. FINANCIAL IMPLICATIONS

- 5.1 From 6th April 2015 the council's ability to leverage funding for infrastructure from s106 planning obligations (as secured through Section 106 agreements) will be severely restricted. Because of the restrictions on the future use of s106 planning obligations if the council does not implement a CIL in a timely fashion it could potentially lose £2.3 million per annum towards the delivery of infrastructure. This figure has been based on an average of what was received through financial s106 planning obligations (not 'in kind'), for infrastructure, during the period 2008 to 2013.
- 5.2 Officers have considered the income that might be raised from CIL by looking retrospectively at levels of development coming forward in the period 2005/2006 – 2012/2013. The proposed Westminster CIL rates have been applied to developments that had the CIL then been in place, would have triggered liability to pay CIL. Discounts have then been applied to take account of social housing relief and credits for existing floorspace. This exercise demonstrated that had a CIL been in place the proposed rates would have generated an annual average of circa £18.5 million in CIL receipts. This is a significant increase over the financial receipts from section 106 objectives. When considering this it should be borne in mind that delivery of in kind infrastructure through section 106 obligations will also be restricted from April 2015. This projection must be considered illustrative only; the amount collected each year is dependent on the level of development coming forward, and this tends to be cyclical. The eight year period considered does cover a complete development cycle, taking in both recession and recovery and there were significant differences in the amounts that would have been collected between years.
- 5.3 There are currently no financial impacts for the council in association with the work being undertaken by officers to develop a Westminster CIL as staff activity is being undertaken through current resources. On adoption of a CIL the council will be able to retain up to 5% of its CIL receipts (plus 4% of the Mayoral CIL collected) to be applied to administrative expenses, including any expenses incurred before the CIL is adopted (on the basis of the annual average referred to above these could together amount to around £1 million per year) Some of the basic machinery for CIL collection has already been put in place to implement the Mayoral CIL. So whilst preparing and implementing a CIL requires some up front funding by the council in the long term this could be clawed back from CIL receipts.

6. LEGAL IMPLICATIONS

- 6.1 The legislation governing the development, adoption and administration of a Community Infrastructure Levy (CIL) is contained within the Planning Act (2008) and the Community Infrastructure Levy Regulations (2010 and as amended). The associated CIL Guidance (DCLG, 2014) is also important in guiding this process. There are other areas of law which should be considered when assessing certain developments for CIL liability and determining the appropriate sum due. These include matters relating to social housing, procurement, charitable institutions' and state aid. As mentioned elsewhere in the report, officers are developing governance arrangements to ensure that the legal issues relating to the collection and spending of CIL are clearly identified and dealt with appropriately.
- 6.2 Further legislative reforms to the CIL regulations are expected in 2015 as part of a whole scale review of CIL by government.

Appendix 1 Westminster's Community Infrastructure Levy - Preliminary Draft Charging Schedule, Westminster City Council, (September 2014)

Appendix 2 Information and evidence to support the development of the City of Westminster's Preliminary Draft Charging Schedule, Westminster City Council, (September 2014)

If you have any queries about this Report or wish to inspect any of the Background Papers please contact: Rachael Ferry-Jones, Principal Planning Officer, City Planning rferry-jones@westminster.gov.uk 020 76412418

BACKGROUND PAPERS

City of Westminster Community Infrastructure Levy, Viability Assessment (BNP Paribas Real Estate, August 2014)

Addendum to the Westminster Infrastructure Plan: Technical Assessment 2006-2026 (CIL Knowledge, August 2014)

Report to Environment Policy and Scrutiny Committee dated 1st April 2014 on the development of a Westminster Community Infrastructure Levy

Minutes of the 1st April 2014 Environment Policy and Scrutiny Committee

Report to Environment Policy and Scrutiny Committee dated 5th November 2013 on the development of a Westminster Community Infrastructure Levy

Minutes of the 5th November 2013 Environment Policy and Scrutiny Committee

Report to Environment Policy and Scrutiny Committee dated December 2011 on the development of a Westminster Community Infrastructure Levy

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**ENVIRONMENT POLICY AND SCRUTINY COMMITTEE
10TH NOVEMBER 2014**

APPENDIX 1

**Planning Act 2008
Community Infrastructure Levy Regulations 2010 (and as amended)**

**WESTMINSTER COMMUNITY INFRASTRUCTURE LEVY
PRELIMINARY DRAFT CHARGING SCHEDULE**

September 2014

SECTION ONE: INTRODUCTION

(For the avoidance of doubt, this section does not form part of the preliminary draft charging schedule)

Purpose of the Preliminary Draft Charging Schedule (PDCS)

Westminster City Council intends to levy a Community Infrastructure Levy (CIL) in Westminster. A CIL can be charged on developments in a local authority's area with the money raised being used to pay for the **provision, improvement, replacement, operation or maintenance of infrastructure** that is needed as a result of development. Infrastructure funded through a Westminster CIL would be directed towards projects that the council, local community and neighbourhoods consider are required to help accommodate new growth from development.

This Preliminary Draft Charging Schedule (PDCS) sets out the initial proposals for charging a Westminster CIL. It has been published for consultation alongside the following associated documents which provide the evidence base required to justify the draft charging rates included in the PDCS:

- Addendum to Westminster Infrastructure Plan Technical Assessment 2006-2026 (August 2014)
- Community Infrastructure Levy: Viability Assessment prepared for Westminster City Council (August 2014)
- Information and evidence to support the development of the City of Westminster's Preliminary Draft Charging Schedule (September 2014)

This document

Section Two of this document sets out the format the Council intends to use for its charging schedule. It sets out the information required by regulation 12 of the Community Infrastructure Levy Regulations 2010 (as amended) namely:

- The name of the charging authority
- The rates at which the CIL is to be charged in the City Council's area
- An explanation of how the chargeable amount will be calculated
- Details of the dates on which the charging schedule will be approved and when it will take effect
- A statement that it has been issued and approved in accordance with Part II of the Planning Act 2008 (as amended) and the Community Infrastructure Levy Regulations 2010 (as amended).

Section Three contains some explanatory information about the PDCS.

Date of Effect

This is a Preliminary Draft Charging Schedule (PDCS) that has been published for public consultation. The PDCS has no effect at this stage in the process on the level of financial contributions that will be sought from development through the planning process. **It does not affect the operation of the Mayor of London's CIL within the City of Westminster which will continue to be levied and collected until such time as the Mayor of London decides to withdraw its current CIL Charging Schedule or replace it with a revised charging schedule.**

How to comment on this Preliminary Draft Charging Schedule

The consultation on Westminster's PDCS, and associated evidence based documents, will take place for a period of 6 weeks between 19th September 2014 and 31st October 2014. Comments are invited from local residents, businesses, voluntary organisations, adjoining London Boroughs, the Mayor of London and Transport for London, and any other bodies which represent the interests of persons carrying on business in Westminster. Comments should be received by the council by 1800 hours on 31st October 2014.

All of the consultation documents are available on the council's website at www.westminster.gov.uk/cil . Comments on the PDCS and supporting evidence can be made by email to cil@westminster.gov.uk or in writing to the following address:

CIL Consultation, City Planning, 11th Floor, City Hall, Westminster City Council, 64 Victoria Street, London, SW1E 6QP

Paper copies of the PDCS and other relevant documents and alternative formats are available on request at cil@westminster.gov.uk or by telephoning 020 7641 3052. They can also be viewed on request at the council's offices at the above address or at the following libraries in Westminster:

- Mayfair Library 25 South Audley Street, London W1K 2PB
- Charing Cross Library 4-6 Charing Cross Road, London WC2H 0HF
- Victoria Library 160 Buckingham Palace Rd, London SW1W 9UD
- Pimlico Library Pimlico Academy, Lupus Street, London SW1V 3EY
- Westminster Reference Library 35 St. Martin's Street, London WC2H 7HP
- Westminster Archive Centre 10 St Ann's Street, London SW1P 2DE
- Paddington Library Porchester Road, London W2 5DU
- Queens Park Library 666 Harrow Road, London W10 4NE
- St John's Wood Library 20 Circus Road, London NW8 6PD
- Marylebone Library Macintosh House, 54 Beaumont Street, London, W1G 6DW
- Maida Vale Library Sutherland Avenue, London W9 2QT
- Little Venice Sports Library 10 Compton Street, London W2 1ND
- Church Street Library 67 Church Street, London NW8 8EU

SECTION TWO: PRELIMINARY DRAFT CHARGING SCHEDULE

**WESTMINSTER CITY COUNCIL
PLANNING ACT 2008 (AS AMENDED)
COMMUNITY INFRASTRUCTURE LEVY REGULATIONS 2010 (AS AMENDED)**

PRELIMINARY DRAFT CHARGING SCHEDULE

The Charging Authority

Westminster City Council is a charging authority for the purposes of Part 11 of the Planning Act 2008 (as amended) and may therefore charge the Community Infrastructure Levy in respect of development in the City of Westminster.

Rates

Westminster City Council intends to charge the Community Infrastructure Levy at the rates shown in Table 1 (expressed as pounds per square metre) in respect of the different types of development in each of the Charging Zones identified in Westminster, as shown on the maps in Appendix 1. **It is important to note that there are different zones for each type of land use identified as being chargeable in Table 1.**

Table 1: Proposed Westminster CIL charging rates (per square metre)

Area	Prime	Core	Fringe
Residential	£550	£400	£200
Offices	£250	£200	£50
Hotels	£200	£150	£50
Retail (all 'A' use classes and sui generis retail), Nightclubs, Casinos.	£200	£150	£50
Other uses	Nil		

The amount to be charged for each development will be calculated in accordance with regulation 40 of the Community Infrastructure Levy Regulations 2010 (as amended) or any provision which amends or replaces it for the purpose of calculating the chargeable amount of CIL payable. For these purposes, the relevant rate (R) is the Rate for each charging zone shown in Table 1 above.

This Schedule has been issued, approved and published in accordance with Part 11 of the Planning Act 2008 and the Community Infrastructure Regulations 2010 (as amended).

This Schedule was approved by the Council of the City of Westminster on **TO BE INSERTED ON APPROVAL TO ADOPT A WESTMINSTER CHARGING SCHEDULE** and takes effect on **TO BE INSERTED**

SECTION THREE: PRELIMINARY DRAFT CHARGING SCHEDULE: EXPLANATORY NOTES

(For the avoidance of doubt, this section does not form part of the preliminary draft charging schedule)

Liability to pay CIL

A chargeable development, for the purposes of determining a CIL liability, is the development for which planning permission is granted. This includes development where planning permission is granted by way of a general consent if it is of a sufficient scale or type which would trigger liability to pay CIL.

CIL will be chargeable on most development of buildings that include an increase of new build floorspace of 100 square metres, or more, of gross internal (GIA) floorspace. For developments that comprise a residential dwelling the amount of new build floorspace is irrelevant as liability to pay CIL is triggered on any scheme that comprises a residential dwelling whether this is from new build or existing floorspace (although development comprising residential extensions or residential annexes may in some circumstances qualify for an exemption to pay CIL). Notwithstanding, providing that a building has not been left vacant the GIA of any existing buildings on the site which are due to be demolished, or which will form part of the new development, would normally be deducted from the chargeable area (See Regulation 40 of the CIL regulations (2010 and as amended)).

CIL will not be payable in respect of development that comprises buildings in to which people do not normally go, buildings in to which people go only intermittently for the purpose of inspecting or maintaining fixed plant or machinery and structures which are not buildings such as pylons and wind turbines.

Exemptions and reliefs

Relief from payment of the levy can be granted for certain forms of development. In some cases these are mandatory exemptions (for development by charities for charitable purposes, domestic extensions or annexes, for example) or reliefs (for social housing, for instance), which must be applied by the charging authority. There are also a number of discretionary reliefs (for exceptional circumstances or development by charities for investment purposes, for example), where the council must decide whether to make them available in their area. The Council is considering its approach to these, having regard to the fact that to date, the Mayor has decided not to make any of the discretionary reliefs available in respect of his CIL.

Calculating the chargeable amount

The amount to be charged for each development will be calculated in accordance with regulation 40 of the Community Infrastructure Levy Regulations 2010 (as amended). For the purposes of the formulae in paragraph 5 of regulation 40, the relevant rate (R) is the Rate for each specified use in the allocated charging zone as shown in the PDCS and map at Appendix 1.

Charging Zones

The charging zones shown in the maps forming part of the preliminary draft charging schedule, and included as Appendix 1, reflect the differing development viability conditions in different parts of the City of Westminster, informed both by the Viability Assessment produced by BNP Paribas Real Estate and by the Council's own monitoring of development trends in different parts of its area. In general, the principle has been adopted of identifying "prime" areas where the viability fundamentals are particularly strong for each type of development, a "core" area, and then an area where development essentials are comparatively less robust. It has not proved possible to produce common charging areas for all uses; although this option was examined the viability evidence available suggested that this would have unnecessarily constrained the Council's ability to secure infrastructure funding from CIL – particularly in respect of residential development in parts of the north of the City (such as St John's Wood).

How a Westminster Community Infrastructure Levy will be used

The City Council will use the sums collected to fund the provision, improvement, replacement, operation or maintenance of infrastructure required to support the development of its area in accordance with the policies set out in its local plan (Westminster's City Plan: Strategic Policies, the saved policies in City's Unitary Development Plan and the Mayor of London's London Plan). It will outline the infrastructure projects or types of infrastructure it

intends will or may be funded wholly or in part by CIL in a list that will be published alongside the charging schedule. Things on this list, formally published under regulation 123 of the CIL Regulations, will be funded through CIL. Infrastructure not on the list will continue to be secured through section 106 planning obligation agreements where appropriate.

This list will form part of the evidence base to inform the preparation of the council's charging schedule. It will be informed by the council's infrastructure planning and will underpin supplementary planning guidance which will set out the council's intended future use of section 106 planning obligation agreements. It will be kept under regular review and may be altered from time to time, subject to appropriate local consultation.

Indexation

Cost changes are taken into account when the chargeable amount is calculated as set out in regulation 40, of the CIL Regulations, by reference to the national All-in Tender Price Index figure published by the Building Cost Information Service (BCIS) of the Royal Institution of Chartered Surveyors for 1 November of the preceding year. In practice, the BICS initially publishes a forecast figure, which may then be revised before a final figure is published. As set out in the Mayor of London's Supplementary Planning Guidance on Crossrail (2013), Westminster will apply indexation on the basis that until a final figure for the period including 1 November of the preceding year is published, the relevant figure is the most recent "final" one.

Instalments

Under the CIL Regulations, the council can decide to put in place a policy allowing payment of CIL by instalment. Such a policy must state the date from which it will operate, the number of instalment payments allowed, the amount or proportion of CIL to be paid in each instalment, the time (to be calculated from the date the development concerned is commenced) that the first instalment and any subsequent instalment is due and any minimum amount of CIL below which payment may not be made by instalment. This is a matter solely for the council to decide. It can put a policy in place, replace its policy or withdraw it at any time after it has adopted a CIL. Instalment policies need not be examined as part of the process for setting the CIL.

The council is considering what instalments policy, if any, it will apply. In doing so it will have regard to the instalments policy adopted by the Mayor of London which allows payment in two instalments where the payable amount of CIL is £500,000 or more, with the first instalment being the greater of £500,000 or half the total amount and the second (not more than 240 days after commencement) of the remainder.

Date of Approval

Westminster City Council's Cabinet Member for Built Environment approved the publication of this Preliminary Draft Charging Schedule (PDCS) for the purposes of public consultation on 4th September 2014.

Legislation

This preliminary draft charging schedule has been issued, approved and published in accordance with Part 11 of the Planning Act 2008 and the Community Infrastructure Regulations 2010 (as amended).

Further Information

Further background information on the Community Infrastructure Levy, and on the council's development of a PDCS, is available in the published document 'Information and evidence to support the development of the City of Westminster's Preliminary Draft Charging Schedule (September 2014)'. Detailed guidance on CIL can also be found on the Government's Planning Practice Guidance website pages (June 2014).

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**ENVIRONMENT POLICY AND SCRUTINY COMMITTEE
10TH NOVEMBER 2014**

APPENDIX 2

The Community Infrastructure Levy

Information and evidence to support the development of the City of Westminster's Preliminary Draft Charging Schedule (September 2014)

Contents

1	Introduction.....	5
	Westminster’s proposals to develop a Community Infrastructure Levy (CIL)	5
	Purpose of this supporting evidence base document.....	6
	How can you make comments on Westminster’s Preliminary Draft Charging Schedule? ...	7
	What are the next steps in the process of adopting a Westminster CIL?.....	7
2	Background on the Community Infrastructure Levy (CIL).....	9
	What is the Community Infrastructure Levy (CIL)?	9
	What types of development trigger liability to pay CIL?.....	9
	How are CIL rates set and how is liability calculated?	10
	How is CIL collected?	10
	How can CIL be used by a Charging Authority?	11
	What is the relationship between CIL Funding & Neighbourhoods?.....	11
	The Mayor of London’s CIL.....	11
3	Summary of evidence on Westminster’s infrastructure needs - Addendum to the Strategic Infrastructure Plan: Technical Assessment 2006-2026 (CIL Knowledge, 2014).....	12
	The CIL Regulations and associated guidance.....	12
	Defining Infrastructure	12
	Infrastructure in Westminster.....	13
	The evidence to demonstrate infrastructure demands in Westminster	14
	Identification of the Infrastructure Funding Gap.....	14
	CIL income projections for Westminster.....	15
4	Summary of the assessment of development viability in Westminster – Westminster CIL Viability Study (BNP Paribas, 2014)	16
	The CIL Regulations and associated guidance.....	16
	The nature of development in Westminster.....	16
	The methodology undertaken for assessing viability	17
	Viability appraisal inputs and development costs.....	18
	Stakeholder engagement	18
	Development and site sampling / proxy framework.....	19
	Proposed CIL Rates for Westminster	20
5	How CIL will support the implementation of Westminster’s relevant development plan	22
	Westminster’s Built Environment and anticipated development growth.....	22
	The ‘relevant’ development plan	22
	Relevant Infrastructure Related Planning Policies	23
	The relationship to evidence and the balance struck	27
6	The Relationship of CIL, Planning Obligations and Section 278 Agreements in the funding and delivery of infrastructure in Westminster	28
	What infrastructure will a Westminster CIL fund (The Regulation 123 list)?	28
	What is the relationship between the Regulation 123 list and the use of planning obligations in delivering infrastructure?.....	29

	How will planning obligations be used in Westminster on adoption of a CIL?.....	30
	The use of Section 278 Highways agreements on adoption of a CIL	31
7	Some considerations on the operation of a Westminster CIL	33
	Opportunities for relief on the payment of CIL.....	33
	Instalment policies for payment of CIL	37
	Indexation.....	37
	The stages of the CIL collection process.....	37
	Review of the CIL Charging Schedule	38
	Application of a Westminster CIL.....	38
	Payment of CIL Liability 'In Kind'	39
	Appendices.....	41

1 Introduction

Westminster's proposals to develop a Community Infrastructure Levy (CIL)

- 1.1 The City of Westminster's role and continued success as a world city revolves around its simultaneous local, national and international functions as a place to live, a commercial centre, seat of national government and administration, and as a tourist attraction. This places heavy demands on the infrastructure that is required to support that role. Residents and businesses alike need good utilities provision, transport networks, public realm, open spaces and social and community facilities. The influx of workers and visitors also places considerable demands on public spaces, and relies on the transport infrastructure to support the 24 hour nature of this activity.
- 1.2 These demands will be intensified in the coming decades by continuing growth. The Greater London Authority suggests that the City's population may increase by 41% by 2050, adding over 2,300 residents each year. Over the same period employment may increase by at least 15%, or over 2,500 new jobs each year – even more if the City matches the London average employment growth projected at 29%. At the same time the City will be adjusting to a changing climate, to new demands on the transport network to support activity around the clock and to the needs of a growing and changing residential community. These pressures make planning for, and implementing, infrastructure a pressing concern, to ensure the City of Westminster provides both a high quality environment for living, working and enjoying and a globally competitive heart for the UK's world city. In a challenging funding climate, the Community Infrastructure Levy will play a vital role in supporting the City Council's strategic approach to growth and development into the 2030s.
- 1.3 Managing the impact of development on the socio-economic, natural and built environment is essential to ensure that development in Westminster is sustainable. Westminster's City Plan: Strategic Policies (2013) recognises that planned development growth will increase the pressures on existing infrastructure. The council and its partners, including other infrastructure providers, therefore have a critical role to play in addressing these pressures by delivering high quality services and ensuring that the city's infrastructure is maintained, improved and where necessary, expanded.
- 1.4 It is the council's intention that, from April 2015, it will use its powers under the Planning Act 2008 to become a 'Charging Authority' for the purposes of levying a Westminster Community Infrastructure Levy (CIL). A CIL can be charged on developments in a local authority's area with the money raised being used to pay for the **provision, improvement, replacement, operation or maintenance of infrastructure** that is needed as a result of development. Infrastructure funded through a Westminster CIL would be directed towards projects that the council, local community and neighbourhoods consider are required to help accommodate development. It will do this by going through the steps set out in the Community Infrastructure Levy (CIL) Regulations (2010 and as amended) to put in place a "charging schedule" – the legal document setting out the CIL rates to be paid.
- 1.5 On 19th September 2014 the council published for consultation a preliminary draft charging schedule (PDCS) which sets out the initial proposals for charging a Westminster CIL. The PDCS has been published alongside a number of associated documents, including this supporting information document, which together provide the evidence base required to justify the draft charging rates set out in the PDCS. The documents published by the council for consultation include:
 - Westminster's Community Infrastructure Levy - Preliminary Draft Charging Schedule, Westminster City Council, (September 2014)

- Information and evidence to support the development of the City of Westminster's Preliminary Draft Charging Schedule, Westminster City Council, (September 2014)
- City of Westminster Community Infrastructure Levy, Viability Assessment (BNP Paribas Real Estate, August 2014)
- Addendum to the Westminster Infrastructure Plan: Technical Assessment 2006-2026 (CIL Knowledge, August 2014)

Other documents that should be considered in support of the above evidence base include:

- The City of Westminster's Authority Monitoring Reviews (AMR) published on an annual basis;
- The relevant plan. In relation to CIL, the relevant Plan is Westminster's City Plan: Strategic Policies (2013), the saved policies in Westminster's Unitary Development Plan (2007) and the London Plan (published in July 2011 and altered in 2013);
- The National Planning Policy Framework (2012) and relevant parts of the National Planning Practice Guidance (June 2014)
- CIL Regulations 2010 (as amended).

Purpose of this supporting evidence base document

1.6 The Department for Communities and Local Government (DCLG) guidance document on the [Community Infrastructure Levy \(June 2014\)](#) states that a PDCS should go beyond broad proposals for the levy. To support the publication of a PDCS Government encourage charging authorities to publish evidence on the infrastructure needs of the local authority area and on the ability of development in that area to fund the infrastructure in whole or in part. It is considered that by providing sufficient detail, particularly about on the evidence has informed the draft charging rates, at the PDCS stage the need for later amendments will be reduced.

1.7 The purpose of this supporting information document is therefore to set out a summary of the evidence that has been used to inform the proposed charging rates included in the PDCS. The evidence, and this supporting document, have been drafted in full accordance with the relevant legislation on CIL and in line with Government guidance. In summary this document :

- In section 1, sets out why the council is seeking to introduce a Westminster CIL and explains what the next steps in developing a Westminster CIL will be;
- In section 2, sets out the background on the CIL , explaining what it is, what type of developments would be liable for the charge and what evidence is required to develop a CIL;
- In section 3, summarises Westminster's infrastructure needs to support development in the City and identifies the funding gaps for that infrastructure, taking in to consideration other known sources of funding;
- In section 4, summarises the economic viability evidence which has informed and supported the proposed CIL charging rates set out in the PDCS. This will demonstrate how, having used appropriate available evidence, the proposed levy rates set an appropriate balance between the need to fund infrastructure and the potential implications for the economic viability of development across the area in the way required by the CIL regulations;
- In section 5, demonstrates how the proposed levy rates are consistent with, and how they would support, the implementation of Westminster's City Plan: Strategic Policies (2013), the saved policies of Westminster's Unitary Development Plan (2007) and the London Plan (published in July 2011 and altered in 2013) and are consistent with the National Planning Policy Framework (2012) and National Planning Practice Guidance (2014) ;

- In section 6, explains how CIL relates to other developer contributions and the council's proposals for varying the current planning obligations requirements on adoption of a Westminster CIL. This section also includes a draft regulation 123 list which will set out what projects or types of infrastructure the council intends to fund, or may fund, in whole or in part through the levy.
- In Section 7, considers some of the operational issues that the council will need to address in the operation of a Westminster CIL. This will include considerations on reliefs, payment policies and the application and spend of CIL receipts.

How can you make comments on Westminster's Preliminary Draft Charging Schedule?

1.8 The consultation on Westminster's PDCS, and associated evidence based documents, will take place for a period of 6 weeks between 19th September 2014 and 31st October 2014. Comments are invited from local residents, businesses, voluntary organisations, the Mayor of London and Transport for London, adjoining London Boroughs and any other bodies which represent the interests of persons carrying on business in Westminster. Comments should be received by the council by 1800 hours on 31st October 2014.

1.9 All of the consultation documents are available on the council's website at www.westminster.gov.uk/cil . Comments on the PDCS and supporting evidence can be made by email to cil@westminster.gov.uk or in writing to the following address:

CIL Consultation, City Planning, 11th Floor, City Hall, Westminster City Council, 64 Victoria Street, London, SW1E 6QP

1.10 Paper copies of the PDCS and other relevant documents and alternative formats are available on request at cil@westminster.gov.uk or by telephoning 020 7641 3052. They can also be viewed on request at the council's offices at the above address or at the following libraries in Westminster:

- | | |
|---------------------------------|--|
| • Mayfair Library | 25 South Audley Street, London W1K 2PB |
| • Charing Cross Library | 4-6 Charing Cross Road, London WC2H 0HF |
| • Victoria Library | 160 Buckingham Palace Rd, London SW1W 9UD |
| • Pimlico Library | Pimlico Academy, Lupus Street, London SW1V 3EY |
| • Westminster Reference Library | 35 St. Martin's Street, London WC2H 7HP |
| • Westminster Archive Centre | 10 St Ann's Street, London SW1P 2DE |
| • Paddington Library | Porchester Road, London W2 5DU |
| • Queens Park Library | 666 Harrow Road, London W10 4NE |
| • St John's Wood Library | 20 Circus Road, London NW8 6PD |
| • Marylebone Library | Macintosh House, 54 Beaumont Street, London, W1G 6DW |
| • Maida Vale Library | Sutherland Avenue, London W9 2QT |
| • Little Venice Sports Library | 10 Compton Street, London W2 1ND |
| • Church Street Library | 67 Church Street, London NW8 8EU |

What are the next steps in the process of adopting a Westminster CIL?

1.11 The council, in its role as a charging authority, is at the preliminary stages of preparing a Westminster CIL charging schedule. The Community Infrastructure Levy Regulations (2010 and as

amended) dictate the stages that a charging authority must go through before adopting a charging schedule. In summary, a charging schedule is prepared and adopted as follows:

- The charging authority prepares its evidence base in order to prepare its draft levy rates
- The charging authority prepares a preliminary draft charging schedule (PDCS) and publishes this for consultation
- Consultation on the PDCS takes place – **This is the stage that Westminster had reached as of 19th September 2014**
- The charging authority prepares and publishes a draft charging schedule (DCS) for consultation having taken account of any comments received on the PDCS
- If necessary – for example as a result of comments on the draft schedule - the council may publish a ‘statement of modifications’ for further consultation
- Submission of the DCS to an independent person appointed by the Council (the “examiner”), who examines the charging schedule, usually through a public examination hearing
- The examiner’s recommendations are published
- The charging authority considers the examiner’s recommendations
- Providing that the examiner has not rejected the charging schedule the charging authority, in the form of a full council decision, approves the charging schedule for adoption.

1.12 The council will take in to account any comments received on the PDCS, and supporting evidence documents, when drafting the DCS for consultation and finally examination.

2 Background on the Community Infrastructure Levy (CIL)

What is the Community Infrastructure Levy (CIL)?

- 2.1 The Planning Act (2008) and Community Infrastructure Levy (CIL) Regulations (2010 and as amended) provide the powers for “charging authorities” (in London, these are the London boroughs and the Mayor of London) to choose to develop and levy their own CIL. The Government believe that the infrastructure needed to support cumulative growth and development should be funded from developments through the levying of a CIL, instead of the current use of planning obligations, and they have made it clear that it is their ambition for local authorities to adopt a CIL as swiftly as possible.
- 2.2 To encourage local authorities to adopt a CIL, the CIL regulations determine that from April 2015, or on adoption of a local CIL if sooner, planning obligations (more commonly known as “section 106 agreements”) will no longer be able to be taken in to account in the determination of individual planning applications in certain circumstances. The type of planning obligations that will be restricted in this manner are those which are typically used to “pool” contributions from a number of developments in order to address the cumulative impact of development on the city’s infrastructure. In Westminster this includes, for example, the requirement for some developments to make a financial contribution towards addressing the needs associated with an increase in the demand for educational provision.
- 2.3 The Government’s Planning Practice Guidance was published in February 2014, and updated in June 2014 to include guidance about the Community Infrastructure Levy (DCLG 2014). This web based document consolidates and replaces earlier CIL guidance notes published by DCLG in 2010, 2011, 2013 and February 2014. The June 2014 guidance attempts to give further explanation on the CIL regulations by providing details on what the CIL is, who has to pay, how CIL rates are set, the collection process, how and by whom CIL can be spent, enforcement measures and its relationship with other developer contributions. The council has had regard to this guidance in the preparation of Westminster’s Preliminary Draft Charging Schedule (PDCS) and it is recommended that the DCLG guidance is read in association with this supporting evidence base document. It is not the purpose of this supporting evidence based document to repeat the extent of the guidance that is given in DCLG’s June 2014 publication.

What types of development trigger liability to pay CIL?

- 2.4 CIL liability is triggered by most development comprising buildings that includes an increase of new build floorspace of 100 square metres, or more, of gross internal (GIA) floorspace. For developments that comprise a residential dwelling the amount of new build floorspace is irrelevant as liability to pay CIL is triggered on any scheme that comprises a residential dwelling whether this is from new build or existing floorspace (but note what is said below about exemptions for residential extensions and annexes). Notwithstanding, providing that a building has not been left vacant the GIA of any existing buildings on the site which are due to be demolished, or which will form part of the new development, would normally be deducted from the chargeable area.
- 2.5 The CIL regulations provide relief from payment of the levy for certain forms of development. In some cases these are mandatory forms of relief, which must be applied by the charging authority and in other cases they are discretionary where the council must decide whether to make them available in their area. The different forms of relief are covered in more detail in section 7 of this report but in short relate to development that comprises social housing, charitable development, self build homes, residential extensions and residential annexes.

- 2.6 The CIL Regulations also determine that CIL will not be payable on development that comprises buildings in to which people do not normally go, buildings in to which people go only intermittently for the purpose of inspecting or maintaining fixed plant or machinery and structures which are not buildings such as pylons and wind turbines (more commonly found in areas outside of central London, of course).
- 2.7 A chargeable development, for the purposes of determining a CIL liability, is the development for which planning permission is granted. This includes development where planning permission is granted by way of a general consent if it is of a sufficient scale or type which would trigger liability to pay CIL.

How are CIL rates set and how is liability calculated?

- 2.8 To charge a CIL the council is required to produce a CIL charging schedule (setting rates per square metre) that must be the subject of thorough consultation and an examination by an independent Inspector. The charging schedule must be based on evidence consisting of:
- (i) An up to date version of Westminster's Infrastructure Plan to demonstrate demand across service areas, funding, and any funding gaps;
 - (ii) Viability evidence on different development scenarios across the city, taking account of spatial differences in values and development costs (land purchase, construction, planning policy requirements, affordable housing, Mayoral CIL).
 - (iii) A "draft Regulation 123 infrastructure list" (see section 6 of this document)

Subject to the CIL rate(s) being approved the CIL Regulations prescribe how the CIL liability is calculated on individual developments. The charge(s) will be set at a rate per square metre and an authority may choose to charge differential rates determined by land use, size of development and geographical area. Any variations in rates across these areas must be supported by robust viability evidence. Sections 3 and 4 of this report summarise the infrastructure and viability evidence that has been developed to justify implementing a Westminster CIL whilst section 5 demonstrates how the levy would support the implementation of the council's 'relevant' plan, Westminster's City Plan: Strategic Policies (2013).

How is CIL collected?

- 2.9 CIL is a mandatory payment that becomes payable on commencement of development by the party who has assumed liability. The usual payment period is within 60 days of commencement however the regulations allow for charging authorities to put in place an instalments policy to allow for staged payments. Subject to a series of documents that must be completed by the developer, the council will notify the liable party of their liability as soon as is practical after the grant of planning permission. There are provisions allowing the council to accept payment of CIL "in kind" (see section 7 of this document).
- 2.10 DCLG's CIL Guidance offers further detail on the various stages of the CIL collection process. Whilst not attempting to repeat the guidance, Section 7 of this document covers some of the more detailed aspects of the collection process that are specific to the implementation of a Westminster CIL.

How can CIL be used by a Charging Authority?

- 2.11 The receipts from charging a CIL must be spent on infrastructure to support the demands generated from development, with a requirement to report on the infrastructure that is likely to be funded and the annual accounts of spend. Local charging schedules, and by virtue the use of any CIL receipts, should support the implementation of up-to-date Local Development Plans which for Westminster is the Westminster City Plan: Strategic Policies (November 2013), the policies in Westminster's Unitary Development Plan (2007) which have been "saved" by the Council, and the London Plan (2011 and amended in 2013) .

What is the relationship between CIL Funding & Neighbourhoods?

- 2.12 The CIL Regulations put into legislation a duty to pass a proportion of CIL receipts on to local councils, of which there is only currently one in Westminster - Queen's Park Community Council. There is no regulatory requirement to pass on a proportion of CIL funding to areas outside of a local council area, however Government guidance states that charging authorities should engage with the communities where development has taken place and agree with them how best to spend the neighbourhood funding proportion.
- 2.13 The proportion of CIL receipts that should be ring fenced for the areas within which they were derived is dependent upon (i) whether the area has a parish/community council and (ii) whether there is a neighbourhood plan in place but ranges from 15% (where there is no neighbourhood plan in place but capped at £100 per dwelling) to 25% (where there is a neighbourhood plan in place) with no cap. It is worth noting that the neighbourhood funding can be applied to a wider range of spending to include... *"anything else that is concerned with addressing the demands that development places on an area"*. There are currently no neighbourhood plans in place in Westminster.

The Mayor of London's CIL

- 2.14 Unlike anywhere else in the country the Mayor of London is also empowered to establish a CIL for strategic transport in London. The Mayor of London's CIL Charging Schedule came into force on 1 April 2012 which imposes a mandatory charge of £50 per square metre in Westminster against all but health and education floorspace. In accordance with legislation (see section 7), relief from payment of the Mayoral CIL may be granted in certain circumstances for development by charitable organisations, affordable housing, self build housing and residential annexes and extensions. The council, as a London local authority, is required to collect the Mayoral CIL. The proceeds of the Mayor's CIL are currently being used to help fund the delivery of Crossrail.
- 2.15 The CIL Regulations determine that in preparing a local CIL the Charging Authority must have regard to the CIL rates being charged, or as in draft, of the Mayor of London (regulation 14(1)). The council has therefore taken these rates in to consideration when preparing the viability evidence that justifies Westminster's draft CIL rates and they are fully reflected in the Viability Assessment. The council has also had due regard to the Mayor's policy for using planning obligation to help fund Crossrail which for certain types and scale of development requires a top up financial contribution to be made. To maintain the ability to utilise planning obligations in addition to CIL to raise monies for Crossrail, the legislative restrictions on pooling planning obligations (as explained in section 6) do not apply to planning obligations that relate to the funding of Crossrail.
- 2.16 The Mayor of London is not required to allocate any levy receipts to neighbourhoods. The Mayor must only spend the levy on strategic transport infrastructure. To date he has indicated that all proceeds of his CIL will be spent on Crossrail.

3 Summary of evidence on Westminster's infrastructure needs - Addendum to the Strategic Infrastructure Plan: Technical Assessment 2006-2026 (CIL Knowledge, 2014)

The CIL Regulations and associated guidance

- 3.1 Regulation 14 of the CIL Regulations requires a charging authority to strike an appropriate balance between the desirability of funding from CIL (in whole or in part) the actual and expected estimated total cost of infrastructure required to support the development of its area, taking into account other actual and expected sources of funding, and the potential effects (taken as a whole) of the imposition of CIL on the economic viability of development across its area. The Government has published guidance (to which the Council has had appropriate regard) to give more detailed advice on how this should be done.
- 3.2 Both the legislation and the guidance make clear that there is a direct link to infrastructure planning when setting CIL rates. The charging authority must identify the total cost of infrastructure they wish to fund wholly or partly through the CIL, based on appropriate evidence including the infrastructure assessment undertaken to inform local plan development, as this assessment directly relates to infrastructure need resulting from local development. In Westminster, this was originally undertaken by consultants URS in 2009 to underpin the development of Westminster's Local Development Framework. Subsequently, an update to the Westminster Strategic Infrastructure Plan (SIP) was undertaken by appointed consultants CIL Knowledge in 2013. This addendum to the SIP can be viewed in full on the council's website www.westminster.gov.uk
- 3.3 The update of the infrastructure plan allows more up to date population, employment and other growth projections to be considered as an input into the assessment process, alongside up to date infrastructure evidence around funding, future need and projects to make this information as current and relevant as possible. In total four different information streams have been used to forecast development in Westminster, consisting of population projections and employment projections alongside the development pipeline in the form of the housing trajectory and five to fifteen year housing supply schedule, and the corresponding commercial development pipeline. Therefore development and growth is quantified both in the form of modelled projections, and actual planning permission/development pipeline information where this is available. These have been confirmed against medium- and long-term projections by the Mayor of London produced to inform the further alterations to the London Plan (February 2014) and the consultation on the London Infrastructure Plan 2050.
- 3.4 The Planning Practice Guidance (DCLG June 2014) states that charging authorities should consider known and expected infrastructure costs and other possible sources of funding to meet those costs, which will help the charging authority to identify a levy funding target and determine the size of the infrastructure funding gap (ID 25-016-20140612).

Defining Infrastructure

- 3.5 There are several different definitions of infrastructure, from sources such as the Planning Act, National Planning Policy Framework and others. The definition in the CIL legislation is deliberately indicative and not exclusive. Westminster's definition of infrastructure uses the 2008 Planning Act as a starting point, where the definition includes:

- Roads and other transport facilities.

- Flood defences.
- Schools and other educational facilities.
- Health facilities.
- Social care and community safety facilities.
- Sporting and recreational facilities.
- Open spaces.

3.6 In addition to the broad categories above, more detailed categories have also been included to Westminster's infrastructure classification, including amongst other things the Public Realm, Waste and Recycling, Utilities, and the Emergency Services. CIL can be used to fund or partially fund the provision, improvement, operation, or maintenance of these types of infrastructure.

Infrastructure in Westminster

- 3.7 The existing provision of infrastructure in Westminster reflects its World City function and status and the fact that it is home to a growing and increasingly diverse population. An extensive and multi-modal transportation network serves the 1.1 million daytime population of Westminster, with supporting public realm and open space, utilities, and social and community facilities.
- 3.8 Westminster is home to 32 London Underground Stations (four of the top ten busiest in London) serving 10 of the 12 London Underground lines, 4 mainline railway stations (three of which are in the top ten busiest in the UK, Victoria is second) including the Heathrow Express connection, around 80 bus routes serving all parts of the capital and an extensive and growing cycle network in addition to river and other transport. Westminster is also a key focus of Crossrail Line 1 which is currently under construction and will provide three new stations in Westminster at Tottenham Court Road, Bond Street and Paddington. These new stations are essential to accommodate ongoing demand and mitigate current overcrowding.
- 3.9 Public realm and open spaces are key parts of Westminster's infrastructure, with five royal parks in the City, in addition to 19 historic squares and gardens. Recent investment continues to improve the quality, capacity and legibility of the public realm in the West End and other parts of the City, with recent high profile examples including Leicester Square, the Oxford Street diagonal crossing and the reinstatement of two-way traffic and improvement of Piccadilly and St James's, and wider Crown Estate investment on and around Regent Street.
- 3.10 Social and community infrastructure is also important, with hospitals such as the St Mary's teaching hospital at Paddington, and numerous private health care facilities. Educational facilities are numerous and improving, with the recent redevelopment of several academies and schools, and the ongoing expansion and improvement of Westminster's world renowned Universities (London School of Economics, King's College, Imperial College)and other national and local further education facilities.
- 3.11 The key issue is of exceptionally high usage, ongoing demand and future need, in addition to the constraints presented by the age of some of the infrastructure and engineering constraints given the history of Westminster and nature of development. This is set against a backdrop of Westminster not only being home to 230,000 residents but also 692,000 jobs and the location for over 70 million tourist trips per year. Both resident and employee numbers are projected to grow over the lifetime of Westminster's City Plan, and visitor numbers continue to grow. The result is a unique pattern and intensity of use of infrastructure.

The evidence to demonstrate infrastructure demands in Westminster

- 3.12 The process for updating the infrastructure plan focused around internal and external information sharing and gathering. Each service area that is responsible for the provision, maintenance, improvement or operation of any of the classes of infrastructure detailed above was contacted as part of the exercise.
- 3.13 Each service area was provided with a set of baseline statistics and additional information about projected development and growth in Westminster (population, jobs etc as discussed above) to inform the discussion over the trajectory of associated need. In response, the service areas provided service plans or information around the associated infrastructure need, providing a list of projects that are required to meet anticipated growth. This sets out the type and detail of the infrastructure project, the estimated cost, existing funding (if any), and the funding gap.
- 3.14 For example, education provided information on schools and other educational facilities that are required as a result of population increases and an increase in demand for school places based on household projections. This encompassed new facilities, in addition to upgrades and the redevelopment or replacement of existing facilities.
- 3.15 In addition to internal Westminster service areas, external infrastructure providers such as Transport for London, Thames Water and other utilities companies were contacted to get their input and assessed need, which encompasses a wide range of costly and large scale infrastructure.
- 3.16 Meetings were held with Council service areas to explain the project and CIL process to them, in addition to the likely impact of the introduction of CIL. In addition, an infrastructure board was set up for a similar purpose, consisting of all service areas and infrastructure providers.
- 3.17 The Mayor of London published his consultation on a London Infrastructure Plan 2050 after this work had been completed. This confirmed the scale of need for new and improved infrastructure and the existence of a funding gap, particularly for public sector provision.

Identification of the Infrastructure Funding Gap

- 3.18 The evidence gathering stage led to the collation of all service area infrastructure projects and requirements, in addition to their funding situation. This information was aggregated to formulate a Westminster wide picture on infrastructure funding, giving a total for existing funding and total project costs. From this, a funding gap was identified over the life of Westminster's City Plan: Strategic Policies of circa £2.6bn, with a short term five year funding gap between 2012/13 and 2017/18 of around £645m. This gap is likely to persist into the medium term given what is known about likely reductions in Government grant to the City Council and resource constraints across the public sector.
- 3.19 The demonstration of this funding gap justifies the introduction of a CIL in Westminster, to be balanced against Westminster wide viability considerations as detailed in a separate study undertaken by BNP Paribas Real Estate, which is summarised in section 4 of this report. The viability study analyses area wide viability and gives recommendations for appropriate CIL rates by use and area if appropriate.
- 3.20 The infrastructure study also informs the future use of planning obligations in Westminster, and will lead to the publication of a revised Supplementary Planning Document on Planning Obligations (see section 6), alongside the eventual CIL charging schedule. In addition, the evidence base work leads

to the formulation of what is known as the Regulation 123 list, which sets out the type of infrastructure, and / or a list of infrastructure projects, that the council may fund through CIL. The role of the Regulation 123 list is discussed in more detail in section 6 of this report along with details of the council's draft Regulation 123 list, a copy of which is included as Appendix 1.

CIL income projections for Westminster

- 3.21 Because of legislative restrictions that come in to force on the 1st April 2015 the council's ability to leverage funding for infrastructure from planning obligations (as secured through Section 106 agreements) will be severely restricted. Because of these restrictions if the council does not implement a CIL in a timely fashion it could potentially lose £2.3 million per annum towards the delivery of infrastructure. This figure has been based on an average of what was received through financial s106 planning obligations (not 'in kind'), for infrastructure, during the period 2008 to 2013.
- 3.22 It is widely accepted that whilst CIL income can make a significant contribution towards the provision of infrastructure that is required to support development it is clear that it will not fund the entire infrastructure funding gap that has been identified. The council has taken a conservative approach to CIL income projections, based on completed developments in Westminster between 2005/06 and 2012/13 (a period covering one development cycle). Had a CIL been in place during this period these developments would have been CIL liable based on the current regulations. The total income was derived using Westminster's draft CIL rates as contained in the PDCS (September 2014). This suggests that an annual income of around £18.5 million of CIL receipts could potentially be achieved across a typical cycle.
- 3.23 The addendum to the IDP also included short term CIL income projections based on the proposed CIL rates. The projections were modelled using data from the 5-15 year housing supply as well as a limited commercial development pipeline. This forecast an annual income between 2014 and 2016 of £13.3 million.

4 Summary of the assessment of development viability in Westminster – Westminster CIL Viability Study (BNP Paribas, 2014)

The CIL Regulations and associated guidance

- 4.1 Regulation 14 of the CIL Regulations sets out the requirement for charging authorities when rate setting to consider the potential effects (taken as a whole) of the imposition of CIL on the economic viability of development across its area. Charging authorities in London must do this while also having regard to CIL rates set by the Mayor of London.
- 4.2 The Planning Practice Guidance (June 2014) states that a charging authority should use an area based approach to undertake a broad test of viability across their area as the evidence base to underpin their charge (ID 25-019-20140612), using the valuation model and methodology of their choice. Through this analysis the charging authority must show why they consider that the proposed levy rate or rates set an appropriate balance between the need to fund infrastructure and the potential implications for the economic viability of development across their area. This is the key test in the rate setting process as set out in CIL Regulation 14 .
- 4.3 The CIL legislation and Planning Practice Guidance require that proposed CIL rates have to be based on appropriate available evidence, considering values of land and property prices for both existing and proposed uses. An appropriate range of types of site should be sampled to supplement existing data, with a focus on strategic sites of importance for the delivery of the charging authority's local plan, and on those sites where the impact of the levy on economic viability is likely to be most significant (such as brownfield sites).
- 4.4 The setting of differential rates may require a more fine grained analysis on a higher proportion of sites, particularly to help estimate boundaries for differential rates. The same is required for differentiation between categories or scale of intended use. The sampling exercise should provide a robust evidence base about the potential effects of the rates proposed. Rates should be reasonable but there is no need for them to exactly mirror the evidence, and it would be appropriate to ensure that a buffer or margin is included to accommodate changes in economic circumstances.
- 4.5 Assumptions and inputs should be considered carefully, such as build and other development costs and Local Plan policy requirements that are necessary to the grant of planning permission and which may be secured through planning conditions and / or planning obligations.
- 4.6 To undertake the evidence on viability for the development of a Westminster CIL the council appointed BNP Paribas who published their final report for the council in August 2014 following consideration of the February 2014 amendment CIL Regulations and associated guidance. The full report can be considered in detail on the council's website www.westminster.gov.uk

The nature of development in Westminster

- 4.7 Westminster is the busiest planning authority in the country by some way, and the nature of development in Westminster is complex and unique. There are no developable greenfield sites and the City as a whole is already intensively developed, with generally high existing use values of buildings and sites . There are also heritage issues including a large number of listed buildings, extensive conservation area coverage, and strategic viewing corridors amongst other things. Development proposals therefore tend to consist of redevelopments, extensions and

refurbishments, and changes of use in line with market demands and cycles, with mostly marginal overall gains in net floor space.

- 4.8 Westminster is extremely diverse, and development and planning policy is reflective of this, requiring a mix of uses to meet a range of conflicting and simultaneous demands for space from a range of uses and industries.
- 4.9 There are however three opportunity areas in Westminster (Paddington, Tottenham Court Road and Victoria), as set out in the London Plan and Westminster's City Plan: Strategic Policies, which are the foci for large scale development in the short and medium term, and a series of strategic sites which are earmarked for redevelopment, again all consisting of brownfield sites. It should be borne in mind for the purposes of testing the viability on strategic sites that Westminster's opportunity areas are either already predominantly redeveloped, such is the case at Paddington, or have developments that are already under construction and / or have planning permission in the pipeline.
- 4.10 Westminster contains many world city functions, being the centre of national government, the church, a major international tourist destination containing some of the country's most popular visitor destinations, while having internationally renowned and world leading retail and office markets in the West End, four royal parks, and a growing and buoyant residential market. Westminster also contains over 223,000 residents and a wide range of social and community uses supporting its residents.
- 4.11 Westminster is also one of the most accessible and well connected cities in the world, and will be home to three Crossrail stations opening in 2018, in addition to its existing 32 London Underground stations, four mainline rail stations, river transportation, high speed airport connections, cycle network and extensive bus network alongside a legible walking network. The West End and central part of Westminster is London's commercial centre, containing Theatreland, many of the world's most renowned hotels and restaurants alongside a wealth of other entertainment uses, iconic international retail streets including Oxford Street and Bond Street, and department stores such as Selfridges and Fortnum and Mason.
- 4.12 Street and place names evoke their character and function, with distinct urban villages such as Soho and Covent Garden standing alongside concentrations of uses found only in Westminster such as Savile Row's bespoke tailors, and St James's and Mayfair's art galleries and private members clubs. These sit alongside national public galleries, museums and performance spaces, international head offices, universities and other international institutions, world leading creative industries, and large residential communities.
- 4.13 However Westminster is much more than its central area, containing large and diverse residential communities in the north and south of the borough, with extreme wealth sitting alongside deprivation in parts of the city, creating challenges for development and city planning. The northern part of the city also contains Lords Cricket Ground, a large teaching hospital at Paddington, and a range of other social and community uses, while the south of the city contains the Tate Gallery and other key uses for local residents.

The methodology undertaken for assessing viability

- 4.14 The CIL legislation does not mandate a particular method to be used to assess the effect of proposed CIL rates on the economic viability of development, and the planning practice guidance is

clear that the method to be used is for each charging authority to decide. The area wide viability assessment undertaken by BNP Paribas uses the same kind of residual value (RV) approach to assessing viability as most developers. The RV is the sum that is left after all development costs have been deducted from the overall value of a proposed development, and guides the land value/purchase price of the site. It also indicates whether a site is likely to come forward for development or not (i.e. if it is viable), because if the RV for a particular proposal is lower than the value of the use already on the site (known as “the Existing Use Value”(or EUV)) it is unlikely to come forward for development .

- 4.15 This approach is considered to be appropriate for Westminster for several reasons. Firstly it is the accepted approach for undertaking area wide viability tests, as detailed in the Local Housing Delivery Group ‘Viability Testing Local Plans’ guidance from 2012. This is the approach that has been most widely used at CIL examinations, including that of the Mayor of London. In addition, this approach is considered to be appropriate for Westminster because of the use of existing use values in the methodology. As discussed, Westminster is already extensively developed and on the whole existing use values are high, making this a representative and appropriate approach to use when sensitivity testing and appraising scheme and area wide viability.

Viability appraisal inputs and development costs

- 4.16 The value of proposed schemes is determined for CIL purposes by appropriate and available market information. For example for proposed residential uses this will be determined by appropriate achieved sales values, or capitalised rental values based on the location and type of residential development (flat/house etc) proposed. For commercial uses such as retail or offices, values will be determined and presented in the form of capitalised rents (annual per square foot rent combined with the yield value and converted into a capital figure).
- 4.17 The development costs used as inputs include build costs (informed by cost information submitted by developers for actual schemes in Westminster and including a premium for heritage considerations and central London build inflation), developer profit (around 20%), professional fees such as marketing and legal fees, stamp duty and acquisition costs, financing and interest costs, a fully policy compliant on site provision of affordable housing (30% in line with adopted planning policy), additional planning obligations, and inclusion of the Mayor of London’s CIL and planning obligations for funding Crossrail.
- 4.18 Therefore the deduction of the development costs from the proposed scheme value gives the residual value and is an indicator of the viability (or not) of proposed developments.
- 4.19 The inputs are sensitivity tested to account for market cycles and fluctuations, such as predicted ongoing increases in residential sales values in Westminster, but also account for market downturns. However the approach recommended is to review CIL rates every few years in any case, including viability research, therefore this is an inherent part of the process, to adapt to changes in the economy and individual markets.

Stakeholder engagement

- 4.20 The development industry was comprehensively engaged with in the early stages of the viability assessment process for several reasons. Firstly to share the methodology with these vital stakeholders, but also to access their considerable expertise and firsthand experience in terms of the real value of the appraisal inputs and development costs, based on actual developments and

recent planning applications. Officers held briefings and numerous workshops with representatives of the Westminster Property Association (a group representing many of the larger and more active developers in the City) on these matters to ensure that the appraisal inputs were as accurate as possible. It is intended to maintain this engagement through the CIL-setting process.

- 4.21 Westminster gathered a series of individual site viability appraisals from recent planning permissions, to extract the appraisal inputs to use in the modelling process. The sites were chosen to be representative of development in Westminster, covering all areas of the city and a range of development types based on use, scale and the nature of the proposal.

Development and site sampling / proxy framework

- 4.22 71 proxies were tested across six key geographical areas of Westminster, based on actual planning permissions granted since 2010. The proxies are deemed to be representative of development typologies most typical to Westminster, and were selected from a list of over 1000 permissions granted since 2010 that would have potentially been CIL liable. In addition, twenty hypothetical development scenarios/proposals have also been tested to supplement these planning permissions and to test a wider range of development typologies across the City. This is a larger sample than commonly used by charging authorities, reflecting the diversity of Westminster's neighbourhoods and patterns of development.
- 4.23 Underpinning the testing are data and assumptions taken from over 20 actual site specific viability assessments submitted by applicants and commissioned by the City Council between 2012 and 2013, in addition to other appropriate available market data and evidence around transactions, values and costs. These reports give valuable baseline data around development costs and values in different scenarios and in different parts of Westminster, which is then used to inform the proxy testing set out above. This is particularly important in somewhere like Westminster, where the high number of listed buildings, conservation areas and other designations mean that build costs can fluctuate and be more locally specific compared to other parts of London.
- 4.24 Each of these sample/proxy cases was tested using the above residual value methodology, with results showing where development was viable including a CIL, and what the maximum CIL rate was. This was then sensitivity tested as discussed to take future market fluctuation and change into consideration.
- 4.25 **Strategic Sites** identified in Westminster's City Plan: Strategic Policies (2013) form a part of this testing, as sites of importance for the delivery of plan targets. Two major residential sites were tested as part of this exercise, Chelsea Barracks and St John's Wood Barracks, both of which have recent planning permissions. In addition, baseline costs and values data from the viability assessments for two other strategic sites was used to inform the entire testing process (Middlesex Hospital and North Westminster Community School).
- 4.26 Many of the strategic sites in Westminster are relatively small, particularly those in the central part of the city, and many of them are also planned to be mixed use in nature in line with local plan policies, and are located on or around long term strategic transportation sites such as Crossrail stations or mainline station upgrade sites, and can therefore contain as much or more commercial floorspace than residential. Westminster is therefore not as reliant on strategic sites for housing delivery when compared to some other London Boroughs.

- 4.27 This is reinforced by housing delivery statistics, which shows the proportion of housing (planned and delivered) that comes from strategic sites against other forms of delivery. In the last three years, only 5 of the completed 696 residential sites in Westminster have been strategic sites, and of the 100 sites on the 5-15 year housing supply schedule, 31 are on strategic sites. In terms of residential unit numbers, in the last three years the strategic sites provided 12 units out of a total of 2251 completed units over that time. Looking forward to the 5-15 year housing supply schedule, the strategic sites are forecasted to provide 2682 residential units out of a total of 6083.
- 4.28 This illustrates the nature of development in Westminster, and of the built environment in the City overall. Westminster does not contain any developable greenfield sites, with all development effectively being smaller brownfield site redevelopments and not large scale regeneration sites that are found elsewhere in London. This therefore relates to the number and nature of strategic sites in Westminster. Many of the strategic sites also have importance beyond housing delivery in terms of providing significant transportation upgrades, social and community facilities and other local plan objectives.

Proposed CIL Rates for Westminster

- 4.29 In the case of most charging authorities, the results of this exercise are combined to give a “maximum CIL figure” to which a “buffer” is applied to allow for market fluctuation to enable the rate to be appropriate for both market upturns and downturns, room for site-specific requirements and to prevent the market being “shocked” by introduction of the CIL. The Planning Practice Guidance (DCLG 2014) states that it would be appropriate to ensure that a buffer or margin is included, so that the levy rate is able to support development when economic circumstances adjust (ref ID 25-019-20140612). However, in Westminster’s case the maximum CIL rate was so high in a lot of cases that instead of allowing a “buffer”, a yardstick of a CIL rate being set at approximately 5% of development costs has been used. This is equivalent to the amount developers typically allow to cover contingencies, and which has become an accepted “benchmark” in CIL-setting thus far when other local authorities have gone through CIL examinations. This approach is unique to the circumstances in Westminster, which justify an approach different from other local authorities. It ensures that there is substantial room to allow for market fluctuations.
- 4.30 The eventual results suggest that although the viability of development may be more challenging in some individual cases, the levying of a CIL at the rates proposed is not the determining factor that challenges the viability of these schemes. In many cases it is high existing use values that determine viability. Varying build cost assumptions has shown that these have a far more significant effect on viability than either CIL or affordable housing requirements.
- 4.31 The viability assessment work has also highlighted some additional distinctive characteristics of development in Westminster. Of the proxies found to be “unviable” based on actual schemes, the great majority of the underlying developments are either currently under construction (20 of 33) or have been completed (a further 5). Of the remainder 4 have been superseded by later permissions and only 4 remain unimplemented. One of the reasons for this is likely to be the nature of those involved in development in Westminster – of these schemes where it is possible to identify the “developer”, 8 are individuals, 4 are estates and 2 are charities. For many developers of this kind considerations other than conventional viability ones (perhaps including a willingness to look at returns over a longer period than usual) may well influence the decision whether or not to proceed with development. This is not a factor that is being given significant weight in actually setting the proposed rates, but it is an important element of context in considering the Council’s viability evidence.

- 4.32 Finally, it should be noted that the viability assessment has been carried out on the basis that existing local plan policies (including those on affordable housing) are applied in every case. The council is currently reviewing its City Plan, and the proposed CIL rates will be taken into account as new policies are developed, and in an overall viability assessment that will be undertaken when a draft new City Plan is prepared for formal consultation later this year.
- 4.33 Taking all the factors outlined above into account, the available evidence demonstrates that for the majority of development it is possible for rates of CIL to be levied across Westminster, for development that includes residential, office, retail, hotel, and other entertainment land uses.
- 4.34 The viability evidence also justifies the use of differential rates, illustrating that different levels of CIL are appropriate for different uses and in different parts of Westminster. The charging zones shown in the maps in the preliminary draft charging schedule reflect the differing development viability conditions in different parts of the City of Westminster, informed both by the Viability Assessment produced by BNP Paribas Real Estate and by the Council's own monitoring of development trends in different parts of its area. In general, the principle has been adopted of identifying "prime" areas where the viability fundamentals are particularly strong for each type of development, a "core" area, and then a "fringe" area where development essentials are comparatively less robust. It has not proved possible to produce common charging areas for all uses; although this option was examined the viability evidence available suggested that this would have unnecessarily constrained the Council's ability to secure infrastructure funding from CIL as values between different land uses do not necessarily geographically align. For example, a high value residential area can have little or no commercial value or markets.
- 4.35 The proposed rates are not dissimilar to neighbouring boroughs where there is some synergy in terms of values and development types. Examples include the proposed residential rate in Camden (£500 per sqm for over 10 units), the proposed residential rates in Kensington & Chelsea adjacent to Westminster of between £110-£750 per sqm, and the adopted retail and hotel rates in Islington, which are between £125 and £350 per sqm. However there are many parts of Westminster, and many sub markets (particularly for commercial uses) which are not comparable to other parts of London, where the competition and comparison comes from other global cities (e.g. West End retail compares to New York, Tokyo, Hong Kong etc).

5 How CIL will support the implementation of Westminster's relevant development plan

Westminster's Built Environment and anticipated development growth

5.1 The City of Westminster covers an area of 22 square kilometres (2200 ha). Of this, 38.2% (821 hectares) comprises green space. The remaining 1,323 hectares therefore has to provide space for a range of competing development and uses on a scale, and of a diversity found nowhere else in the UK. A further consideration is that 78% of the City is covered by conservation areas. The development and current stock context is as follows, along with anticipated growth:

- **Housing:** Westminster has a resident population of 226,000, projected by the Greater London Authority to grow to 237,600 by 2020, 247,800-241,000 by 2025 and to 254,500-244,800 by 2030.
- Provisional housing targets in the draft further alterations to the London Plan suggest a need for at least 10,607 new homes between 2015 and 2025. Taking the limited land availability into account, Westminster already has a density of population comparable to that of Islington, the borough with the highest density of population in London.
- **Employment:** A workforce of 692,200 jobs in 49,852 active businesses, in both cases the most of any London borough by far (BRES, 2013). Westminster has 9 million sqm of office floor space with the highest office rents in the UK. Estimated office floor space demand of 655,000 sqm (GIA) between 2011 and 2031 (LOPR, 2012).
- A **retail and leisure offer** in the West End that is the largest in London and of international importance, with retail covering 2.2 million sqm over 8500 shops, in addition to the additional floor space provided through Westminster's 4500 restaurant, pubs, bars and other entertainment and leisure uses. There is a projected need for an increase in comparison retail floor space in the West End to meet demand, as set out in the GLA's Comparison Goods Retail Need Study (GLA, 2013) 604,000 sqm of new floor space in the West End to meet demand to 2036.
- Overall employee numbers are projected to continue growing for the foreseeable future, rising to 704,000 by 2026 and 750,000 by 2036 from the current base.

5.2 Included at Appendix 4 is a short profile of the City of Westminster. A copy of Westminster's full Local Economic Assessment is also available at www.westminster.gov.uk/lea

The 'relevant' development plan

5.3 Westminster's development plan consists of the following adopted documents:

- Westminster's City Plan: Strategic Policies (adopted November 2013)
- City of Westminster Unitary Development Plan, saved policies (adopted January 2007)
- The London Plan (published in July 2011 and altered in 2013)

5.4 The first key objective of Westminster's City Plan is to accommodate sustainable growth and change that will contribute to enhancing London's role as a sustainable world class city, including its international business, retail, cultural and entertainment functions within the Central Activities Zone; whilst maintaining its unique and historic character, mix, functions, and townscapes.

5.5 Key objective three seeks to maintain and enhance the quality of life, health and well being of Westminster's residents through better public transport and local services amongst other things.

- 5.6 Another key objective (objective 6) is to accommodate the safe and efficient movement of growing numbers of people entering and moving around Westminster by facilitating major improvements to the public transport system, improving the public realm and pedestrian movement, managing vehicular traffic, and making walking and cycling safer and more enjoyable.
- 5.7 These objectives reflect the strategic vision and objectives for London set out in the London Plan – managing growth and change in London to ensure it takes place within the current boundaries of Greater London without encroaching on the Green Belt or London’s protected open spaces and ensuring that London is a city that meets the challenges of economic and population growth, is internationally competitive and successful, with diverse, strong, secure and accessible neighbourhoods and delighting the senses, a world leader in improving the environment and somewhere where it is easy, safe and convenient for everyone to access jobs, opportunities and facilities (Policy 1.1).

Relevant Infrastructure Related Planning Policies

- 5.8 The requirements of specific policies should be read bearing in mind the summary of the infrastructure delivery plan (see Section 3), specifically the definition of infrastructure. CIL has the potential to contribute to the delivery of the following Local Plan policy objectives through the full or partial funding of infrastructure or, should the council decide to operate such a policy, through the delivery of infrastructure in kind albeit this would only be appropriate where such infrastructure is not required to make the development acceptable in planning terms (CIL Regulations 2010 and as amended). Where it is required to make the development acceptable in planning terms such infrastructure should be provided as part of the development and secured through planning conditions or planning obligations.
- 5.9 **The opportunity areas (Strategic Plan Policies S3, S4, S5):** Westminster has three designated opportunity areas recognised both in the London Plan (Policy 2.13) and Westminster’s City Plan: Strategic Policies Paddington (policy S3), Victoria (policy S4), and for Tottenham Court Road (policy S5). The opportunity areas have quantitative growth targets around employment and housing, with associated wider infrastructure improvements and provision related to this growth over the life of the development plan. CIL has the potential to fund fully or in part some of the infrastructure required, or deliver infrastructure in kind, as set out in the policy wording as follows:
- **Paddington:** 1000 new homes and 5000 new jobs between 2011 and 2031. This includes the following which could be fully or partially funded through CIL: the retention and improvement of St Mary’s Hospital facilities to provide healthcare at all levels and provision, or health care facilities elsewhere in the opportunity area. Social and community facilities are also included to support the economic and social regeneration of the area, in addition to public transport and interchange improvements including Crossrail (part funded by the Mayor’s CIL), improvements to the Underground stations, and the bus network. Other policy priorities include the development of heat and power networks including on-site energy generation capacity, public realm improvements, improvements to the cycle network and new public open and green space.
 - **Victoria:** 1000 new homes and 4000 new jobs between 2011 and 2031. This includes the following which could be fully or partially funded through CIL: Improvements within and around the Victoria Transport Interchange (mainline station, underground station, coach station, bus network, pedestrian movement), public realm and environmental improvements, publicly accessible open space provision, provision of a new library and improved sports and leisure facilities, a combined heat and power facility connected to the wider existing network.

- **Tottenham Court Road:** 420 new homes and 5000 new jobs between 2011 and 2013. This includes the following which could be fully or partially funded through CIL in addition to Crossrail which is being part-funded by the Mayor of London's CIL: London underground stations, public transport, public realm improvements to improve pedestrian movement and connectivity.

- 5.10 **The West End Special Retail Policy Area (WESRPA, Strategic Plan Policy S7 and London Plan Policy 2.11Ad):** The WESRPA policy sets out a series of priorities to maintain and enhance the unique status and offer of retail in the West End. Some of the priorities set out in policy S7 are infrastructure that could be fully or partially funded through CIL or provided as infrastructure in kind: Improved pedestrian environment to manage pedestrian flows and congestion, improved public transport provision and access, the provision of appropriate service uses where they complement the retail area.
- 5.11 **Pimlico (Strategic Plan Policy S10):** The policy for Pimlico sets development priorities for this part of the wider Central Activities Zone. Amongst these priorities are infrastructure items that could be fully or partially funded through CIL or provided as infrastructure in kind, including social and community uses.
- 5.12 **The North Westminster Economic Development Area (NWEDA, Strategic Policy S12 and London Plan Policy 2.14):** The NWEDA policy seeks to stimulate economic growth and tackle deprivation in the north of Westminster, one of the most deprived areas of London. The policy sets out a series of priorities to help deliver these aims, and includes a series of infrastructure related priorities that could be fully or partially funded through CIL or provided as infrastructure in kind:
- Improved physical connections between NWEDA and the surrounding areas such as the Paddington Opportunity Area, improved physical environment around the canal and rail and road network, and improved public realm and local environment.
 - Improved and appropriate local services including a new sports facility, education facility, children's sports centre, and facilities for local community and faith groups.
 - Redeveloped civic space at the Prince of Wales Junction for community activities.
 - Combined heat and power facility with sufficient capacity to serve other sites.
- 5.13 **Outside CAZ and NWEDA:** The policy seeks to prioritise social and community provision alongside residential uses.
- 5.14 **Delivering Infrastructure and Planning Obligations (Strategic Policy S33):** The policy states that development will be supported by upgrades to existing infrastructure and the provision of new infrastructure to enable it to be sustainable. Working with partners, the council will identify this infrastructure, its costs and any shortfalls in funding, and ensure this infrastructure is phased and delivered in a timely manner to support growth, and funded through the CIL or planning obligations where this complies with relevant legislation.
- 5.15 Policy S33 goes on to state that when negotiating planning obligations, the council will secure the mitigation of the directly related impacts of development, ensure the development complies with policy requirements within the development plan, and if appropriate seek the provision or contributions for supporting infrastructure. Planning obligations and CIL contributions will be sought at a level that ensures the overall delivery of appropriate development is not compromised.

- 5.16 Westminster's CIL will directly deliver this strategic policy S33, informed by the updated infrastructure delivery plan and area wide CIL viability assessment as detailed elsewhere in this document.
- 5.17 The following Local Plan policies set out some of Westminster's more detailed requirements relating to different types of infrastructure. This is infrastructure that a Westminster CIL could legitimately fund the provision, improvement, replacement, operation or maintenance of providing that to do so would support the development of Westminster. There is therefore a clear relationship between the infrastructure needs of Westminster, as set out in the local plan, and the potential use of a Westminster CIL. This is also reflected in the draft Regulation 123 list included at Appendix 1 and described in more detail in section 6.
- 5.18 In considering the following Local Plan infrastructure requirements it is important to be aware that there will still be instances where such infrastructure is required to be provided as part of the development in order to make it acceptable in planning terms. This could be either because the infrastructure is required to compensate for any loss of infrastructure, or because the development is of such a scale that it requires the provision of its own infrastructure to meet the demands from that particular development. In such instances there remains a role for planning conditions, or planning obligations, to be used to secure the provision or funding of that infrastructure. CIL on the other hand is more likely to be applied to infrastructure that is required to support the cumulative infrastructure demands arising from smaller developments over a wider area. In addition should the council choose to operate a policy to allow payment of CIL 'in kind', only where such infrastructure is not required to make the development acceptable in planning terms, the council may negotiate with a developer to deliver the infrastructure on site as an alternative to a cash CIL payment.
- 5.19 **Flood Risk (strategic policy S30 (and London Plan Policy 5.12)), Flood Related Infrastructure (strategic policy S45):** The policy states that new development should reduce the risk of flooding, and that essential infrastructure must pass the exception test. For some developments there will therefore be a requirement to demonstrate that the scheme meets this policy by requiring on site mitigation. The flood infrastructure policy also states that the council will work with partners to ensure that flood related infrastructure remains fit for purpose. CIL could contribute towards fully or partially funding flood related infrastructure that is required to support development over a wider and more strategic area and thereby seek to meet this policy objective.
- 5.20 **Social and Community Infrastructure (strategic policy S34 (and London Plan policies 3.16-3.19)):** The policy seeks to protect existing social and community floor space, except where it is being reconfigured, upgraded or is being re-located to improve services and meet identified needs as part of a published strategy by a local service provider. In addition, new social and community facilities will be encouraged throughout Westminster and will be provided on large scale development sites.
- 5.21 **Open Space (strategic policy S35 (and London Plan policies 2.18 and 7.18)):** The policy seeks to protect existing open space and address existing deficiency, including active play space deficiency, and current and future open space need.
- 5.22 **Blue Ribbon Network (strategic policy S37 (and London Plan policies 7.24-7.29)):** The policy seeks to protect and enhance the existing network, including biodiversity and waterside habitats, improved access and use for leisure, in addition to water based transport.

- 5.23 **Biodiversity and Green Infrastructure (strategic policy S38 (and London Plan policies 2.18 and 7.19)):** The policy seeks to protect and enhance biodiversity infrastructure, and maximise opportunities to extend and create new wildlife habitats.
- 5.24 **Decentralised Energy Networks (strategic policy S39 (and London Plan Policy 5.5)):** The policy seeks to protect heating networks, and to connect new development to existing networks.
- 5.25 **Pedestrian Movement and Sustainable Transport (strategic policy S41 (and London Plan policies 6.1, 6.9 and 6.10)):** The policy seeks to support and provide improvements to the pedestrian network and sustainable transport options including cycling facilities and other transport methods.
- 5.26 **Major Transport Infrastructure (strategic policy S43 (and London Plan Policy 6.1)):** This policy supports and promotes improvements to transport infrastructure, including public realm and servicing improvements necessary to mitigate the impacts of increased passenger numbers. This policy is therefore directly linked to development and growth. The policy also seeks to integrate major projects into Westminster over the lifetime of the plan, including Crossrail (funded through the mayor's CIL), improved stations, public realm improvements, increased cycle facilities and parking, improved way finding, improved pedestrian connectivity, improved local bus and taxi infrastructure.
- 5.27 **Sustainable waste management (strategic policy S44 (and London Plan policies 5.16-5.19)):** The policy seeks to address waste and recycling and street cleansing need through the protection of existing sites and the provision of new sites and identification of suitable locations.
- 5.28 The adopted Unitary Development Plan contains the more detailed development management policies to deliver the above strategic policies, providing more detail on how to interpret planning applications to deliver the aims of relevant policies. It is therefore not necessary to exhaustively analyse the content of the UDP in the same way as above for the City Plan - Strategic Policies document.
- 5.29 The London Plan also forms part of the local development plan for Westminster. The adopted City Plan: Strategic Policies document was found to be sound and in conformity with the London Plan and the National Planning Policy Framework (NPPF) at examination in Autumn 2013, and therefore it follows that the delivery of the City Plan: Strategic Policies as detailed above, and use of CIL as an enabling and delivery mechanism will contribute to the delivery of both the London Plan and NPPF.
- 5.30 Both the London Plan and the City Plan are currently under review, and the Mayor of London has also recently consulted on the preparation of a London Infrastructure Plan covering the period to 2050. These highlight new areas where consideration will have to be given to supporting infrastructure provision, such as that needed to ensure a resilient and reliable supply of energy (particularly electricity) and to allow digital connectivity. CIL is likely to have an important role in addressing emerging strategic priorities of this kind.
- 5.31 The Council's visionary document, Better City, Better Lives, Year 2 (for 2014/15) sets out strategic priorities for the Council and the leader's vision. The three strategic aims are to ensure a healthy, safer city, a more enterprising city, and a more connected city. In the detail of these three objectives, many of the proposed deliverables are potential infrastructure items or categories. While CIL will not be in place during the targeted life time of this strategy (financial year 2014/15) it

also indicates some of the council's strategic priorities for the delivery of infrastructure that will support the development of the city.

The relationship to evidence and the balance struck

- 5.32 As set out in the addendum to the infrastructure delivery plan, there is a projected annual income delivery stream for CIL, based on the development trajectory across the city and proposed CIL rates, which are set at an appropriate level following extensive viability analysis, as set out in other parts of this document.
- 5.33 In summary, the infrastructure plan has set out the total, substantial cost of infrastructure that is required to support growth in Westminster over the life of the local plan. It has also provided a comprehensive and varied list of projects, which can inform future governance and CIL spend. A substantial funding gap has been identified to justify having a CIL in the first place, linked to projected development and growth in Westminster on several fronts over the life of the development plan as set out in this document.
- 5.34 The recent viability assessment carried out for the Council has led to a set of proposed CIL rates for Westminster which are now set against an unprecedented "yardstick", to ensure that development will not be threatened in the City (as a whole, and in the strategic areas mentioned above in particular), while still providing a balanced level of income through CIL, which will contribute positively to narrowing the infrastructure funding gap and delivery of individual projects, by funding the provision, maintenance, improvement or operation of infrastructure.
- 5.35 The viability evidence also tested the impact of the introduction of CIL on several key sites that are vital for the delivery of the local plan (the strategic proposals sites), and showed these to be deliverable with the rates proposed. Overall, the introduction of the CIL rates proposed showed that CIL will remain a negligible development cost and will not be the development cost that is likely to affect the overall viability of individual sites or borough wide viability. There remains a substantial buffer above the CIL rates to allow for market fluctuation and marginal development to come forward, illustrating that a balance has been struck between the desirability to fund infrastructure, and the overall viability of development across Westminster.
- 5.36 The CIL rates as currently proposed will therefore have an overall positive effect on the delivery of the local plan, enabling full policy compliance with affordable housing and other on site policy requirements to be delivered, while delivering a level of CIL that will contribute positively to the strategic aims of Westminster's local plan, while leaving a substantial buffer above the rates to allow for market fluctuation and marginal development to come forward.

6 The Relationship of CIL, Planning Obligations and Section 278 Agreements in the funding and delivery of infrastructure in Westminster

What infrastructure will a Westminster CIL fund (The Regulation 123 list)?

- 6.1 The Government has intentionally allowed charging authorities the flexibility to determine what infrastructure should be funded through CIL in their area to support development growth and the delivery of their relevant plan. CIL can be used to fund a wide range of infrastructure, including roads and other transport facilities, flood defences, schools and other educational facilities, medical facilities, sporting and recreational facilities and open spaces. The levy may not however be used to fund affordable housing which will continue to be secured through planning obligations. Infrastructure to support the development of affordable housing, for example the provision of play space or social and community facilities, could however be delivered through CIL.
- 6.2 Government guidance states that CIL should focus on funding the provision of new infrastructure and should not be used to remedy pre-existing deficiencies in infrastructure provision unless those deficiencies will be made more severe by new development. This means that the levy can be used to increase the capacity of existing infrastructure or to repair failing existing infrastructure, if that is necessary to support development. In a dense built environment like Westminster opportunities for the delivery of new purpose built infrastructure may be limited and it is more likely that to support development growth existing infrastructure will be improved and enhanced. This is evidenced in the assessment of infrastructure need in Westminster as summarised in section 3.
- 6.3 As part of the evidence at the examination of draft rates charging authorities are required to provide a list of the infrastructure that they may fund in whole, or in part, by the levy. This is commonly referred to as the 'Regulation 123' list and Government considers it good practice for a draft list to be published alongside a preliminary draft charging schedule. Although the principal purpose of this list is to publish information on what type of infrastructure the levy may fund it also serves to limit what types of planning obligations can continue to be secured on adoption of a CIL. Further information on the relationship of CIL and planning obligations is provided below, but what the Government are ultimately seeking is transparency for developers on what the charging authority intends to fund through the levy and where it may continue to use planning obligations. There should be no actual or perceived 'double dipping', with developers paying twice for the same item of infrastructure.
- 6.4 Westminster's draft Regulation 123 list is included at Appendix 1. In determining what infrastructure should be included in the list the council has had regard to the infrastructure demands outlined in the addendum to Westminster's Strategic Infrastructure Plan (see section 3), the infrastructure that is required to support the delivery of the relevant plan (see section 5) and the available viability evidence (see section 4).
- 6.5 It should be borne in mind that infrastructure priorities can change over time. The draft Regulation 123 list provides some indication of what the council *currently* considers it may fund in part, or fully, through CIL. Notwithstanding, by the time a Westminster CIL is being levied, and sufficient receipts have been accrued, priorities for the use of CIL may have changed. The Government recognises that the role of the list is to help provide evidence on the potential funding gap for infrastructure, by identifying what the levy may fund, and that it is not the purpose of an examination to challenge the list. They also recognise that infrastructure priorities change over time and have allowed Regulation 123 lists to be amended, subject to appropriate consultation, without the need for a

complete review of a CIL charging schedule. The council will therefore keep the draft list under review to ensure that it reflects the priority infrastructure demands, to support development growth, at any given time.

- 6.6 At this stage in the process of developing a Westminster CIL it is therefore almost impossible to be certain about which infrastructure projects, or types of infrastructure, will be funded through CIL. Because of this it is not considered appropriate at this time to identify specific detailed infrastructure projects within the draft Regulation 123 list. The list is therefore based on the generic types of infrastructure that have been identified as being required to support development in both the relevant plan and within the addendum to the Strategic Infrastructure Plan. The list will be kept under review during the process for preparing a Charging Schedule, and changes will be made as appropriate.
- 6.7 There may be instances where a development necessitates the delivery of an infrastructure project in order to be able to grant planning permission and ensure that the development is sustainable. This could be because the scale of development gives rise to its own infrastructure demands, or because the development needs to compensate for any loss of infrastructure on the site. The council will ensure that the Regulation 123 list still allows for such infrastructure to be negotiated through planning obligations. It is not however the council's intention to mislead developers in to making double payments for the same items of infrastructure. By introducing a CIL the council will ultimately be accepting that CIL will be used as the main planning tool for addressing the cumulative demand for additional infrastructure arising from new development. The council will therefore endeavour to provide a clear and transparent system on how developer contributions will be secured through the publication of a revised Supplementary Planning Document (SPD) on planning obligations and by keeping the Regulation 123 list under review. In addition site specific infrastructure requirements will normally be identified at the pre planning application stage taking account of the council's detailed local plan policies which will reflect the adoption of a CIL in Westminster.

What is the relationship between the Regulation 123 list and the use of planning obligations in delivering infrastructure?

- 6.8 As set out above a charging authority may publish a Regulation 123 list of infrastructure projects or types of infrastructure that it intends will be, or may be, wholly or partly funded by CIL. The CIL regulations state that a planning obligation may not constitute a reason for granting planning permission to the extent that it provides for the funding or provision of an infrastructure project, or type of infrastructure, that is included in the list. If an authority has a CIL in place and no list is published the regulations determine that no planning obligations for the provision of infrastructure can be taken in to consideration when determining whether to grant planning permission. It is therefore in the authority's interest to publish a Regulation 123 list if it wishes to retain the ability, in appropriate circumstances, to use planning obligations to secure infrastructure required to make a development acceptable in planning terms.
- 6.9 This means that planning obligations can continue to be used for infrastructure that is not included on the Regulation 123 list, albeit only where it is clearly necessary to the grant of planning permission for a particular development. It is important to note however that where a Regulation 123 list has been published, the regulations place limitations on the ability of charging authorities to pool planning obligations from all or a number of developments for the funding or provision of infrastructure that is not included on the list. This is because CIL is the Government's preferred

vehicle for collecting pooled contributions and they have therefore developed a system which prevents the unrestricted pooling of planning obligations for the provision of infrastructure. Where infrastructure is secured through a planning obligation no more than five planning obligations for the provision of that infrastructure project, or type, can be taken in to consideration when deciding whether to grant planning permission. This limit is irrespective of whether a development is actually implemented.

- 6.10 In summary the CIL regulations seek to prevent charging authorities entering in to planning obligations for the provision of an infrastructure project, or type of infrastructure, that is included on their list for CIL funding. For other types of infrastructure a charging authority will be restricted to entering in to a maximum of five planning obligations to secure the delivery of an infrastructure project, or type of infrastructure. Planning obligations to secure non infrastructure planning policy requirements **will not** be restricted in the same manner and will continue to be secured through the use of Section 106 agreements and unilateral undertakings.
- 6.11 The relationship between CIL and non-CIL infrastructure is therefore crucial in ensuring that there is a clear and transparent system for developers to make contributions. CIL is intended to provide infrastructure to support the development of an area rather than to make individual planning applications acceptable in planning terms. Consequently, there will be circumstances where certain site specific impact mitigation is necessary in order for a development to be granted planning permission. The Government therefore considers that there is still a legitimate role for development specific planning obligations to enable a local authority to be confident that the specific consequences of a particular development can be mitigated.

How will planning obligations be used in Westminster on adoption of a CIL?

- 6.12 When a CIL is introduced planning obligations, as secured by a section 106 agreement, should be scaled back to those matters that are directly related to a specific site and which are not set out in a regulation 123 list. For transparency, government requires charging authorities to set out at examination how their planning obligations, or section 106, policies will be varied along with information on the extent to which planning obligations targets have been met. They also believe that it is good practice to publish proposed policies on the scaling back of planning obligations alongside the PDCS.
- 6.13 The NPPF advises that strategic sites and the scale of development identified in local plans should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. It recognises that supplementary planning documents (SPD) should be used where they can help applicants make successful applications or aid infrastructure delivery, but that they should not be used to add unnecessarily to the financial burdens on development.
- 6.14 In order to meet the above requirements, and ensure that there is clarity about what will be funded by CIL and what planning policy requirements will be delivered through planning obligations, the council intends to publish alongside its Draft CIL charging schedule a revised planning obligations SPD. The SPD will seek to provide transparency in the operation of both systems, and will be consulted on in the way specified by legislation for the production of documents of this kind.
- 6.15 To assist in the development of the detailed SPD the council has published alongside the PDCS, at Appendix 2, an overview of the mechanisms that it proposes should be used for the delivery of infrastructure and planning policy requirements on adoption of a Westminster CIL. The table included in the appendix takes the current heads of terms that are used in securing planning

obligations and shows whether they will be secured through CIL or planning obligations. As mentioned above, there will be instances where an infrastructure project, or an infrastructure type that is included on the Regulation 123 list, may be necessary to make a development acceptable in planning terms and therefore need to be secured through a planning obligation. The council will use the Regulation 123 list, local plan policy and the revised SPD, to make clear the circumstances where this may apply.

6.16 Appendix 2 has been drafted in full accordance with the CIL Regulations which from 6 April 2010 have required that a planning obligation can only be taken into account when determining a planning application for a development if the obligation meets all of the following three tests:

- (a) necessary to make the development acceptable in planning terms
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

The use of Section 278 Highways agreements on adoption of a CIL

6.17 Section 278 agreements (under the Highways Act 1980) are made between a highway authority and a person who agrees to pay all or part of the cost of highways works. The CIL regulations impose restrictions on the use of planning obligations and conditions so that they should not be used to require a developer to enter into section 278 agreements to provide items that appear on the Regulation 123 infrastructure list. These restrictions do not however apply to highways agreements drawn up by Transport for London or the Highways Agency relating to the highways or other infrastructure they are responsible for.

6.18 Contributions for any Westminster or TfL highways works that are secured through section 278 of the Highways Act, but which are not required through a Section 106 agreement, are not subject to the same pooling restrictions as applied to the use of planning obligations for the provision of infrastructure.

Demonstrating whether the council has met its planning obligation targets

6.19 The negotiation of planning obligations in Westminster forms part of the assessment of the related planning application, taking into consideration relevant planning policies (including the NPPF and the London Plan) and the guidance set out in the council's Supplementary Planning Guidance (SPG) on Planning Obligations (2008). The extent to which contributions have been secured from development can provide useful context to considering CIL proposals, although in doing this the differences between the two systems must be borne in mind (for example planning obligations are agreed by a process of negotiation and tend to be used for larger developments only, while CIL operates as a mandatory tax and is applied to a much wider range of developments).

6.20 Appendix 3 summarises the financial contributions that have been secured through planning obligations following the adoption of the council's current Supplementary Planning Guidance (SPG) on Planning Obligations in 2008 to the end of the financial year 2012/13. It should be borne in mind that planning obligations are also secured through the SPG for in kind works and other mitigation measures pursuant to the relevant planning policies contained in the council's statutory land use plan.

6.21 In some instances developers may not agree to enter into planning obligations as required by planning policy. This could be because of issues such as scheme viability or because they do not

agree that the obligation is necessary to make the development acceptable in planning terms. In such instances the planning case officer will put forward the applicant's case to the Planning Committee with a recommendation on whether they consider the applicant's grounds to be reasonable. In other instances the case officer, or the Planning Committee, may consider that a particular development gives rise to other requirements / needs that should be addressed through the use of planning obligations.

- 6.22 Broken down, Appendix 3 shows that on an annual basis the Section 106 financial receipts for planning obligations that constitute 'infrastructure' for the period 2008 to 2013 equates to an average of £2.3 million per annum. These financial receipts have been pooled from numerous developments and as described above from April 2015, or if earlier on adoption of a CIL, this type of pooling would be restricted (to a maximum of 5 planning obligations). Whether or not a CIL is implemented in Westminster what is clear is that, as a consequence of the pooling restrictions, this level of receipts could not be obtained after April 2015.
- 6.23 The addendum to the Infrastructure Plan includes CIL income projections based on the council's development pipeline. Because much of the development in Westminster is however delivered through windfall sites, and therefore not necessarily included in the pipeline, the council has supplemented this by considering CIL income projections that are based on past patterns of completed development. This exercise suggests that allowing for the development cycle, an average annual income of £18.5 million of CIL receipts could potentially be achieved. This demonstrates that if the council did not implement a CIL it is likely to witness a significant decrease in funding from development towards infrastructure.
- 6.24 Each year the council publishes an Authority Monitoring Report (AMR) for the City of Westminster. This report is produced in accordance with section 35 of the Planning and Compulsory Purchase Act 2004 (as amended) and regulation 34 of the Town and Country Planning (England) Regulations 2012. The report sets out commentary on the extent to which planning policies are being achieved and, where they are not, the steps being taken to secure policy implementation. The reports also provide annual figures on the provision of all new dwellings, and in particular affordable housing dwellings. Given that planning obligations are used to secure the delivery of planning policy requirements the AMRs provide a comprehensive evidence base to demonstrate, as required by government, to what extent the council has met its planning obligations targets. The AMRs are published on the council's website www.westminster.gov.uk

7 Some considerations on the operation of a Westminster CIL

Opportunities for relief on the payment of CIL

- 7.1 The Community Infrastructure Levy Regulations make a number of provisions for charging authorities to give relief from payment of CIL (this is different from allowing payment by instalment, which is dealt with in section 7). Some types of relief are compulsory; others are offered at the charging authority's discretion. 'Community Infrastructure Levy relief' means any exemption or reduction in liability to pay the levy. Table 7.1 overleaf, provides a description of the different reliefs that are available in the regulations denoting by type whether it is a mandatory or discretionary relief. Further guidance on each of the relief types, along with the criteria and process for applying for them, can be considered in DCLG's CIL guidance (June 2014).
- 7.2 For each of the discretionary policies listed in Table 7.1 the charging authority has to decide whether they should be made available in their area. The authority can choose to operate one, or more, of the discretionary reliefs and must publish, in accordance with the relevant regulations, a policy for each relief that it chooses to make available. A collecting authority must not consider claims for discretionary relief where no policy has been published. For some types of discretionary reliefs, such as exceptional circumstances relief, the mere fact that an authority has made it available in its area is not sufficient to guarantee relief being offered. In this example each case would be considered individually by the authority and it is at their discretion whether they wish it to apply the relief or not.
- 7.3 The powers to offer discretionary forms of relief can be activated and deactivated at any point after the charging schedule is approved. They are quite separate from the charging schedule, and the council can make decisions about whether to make them available at any time, without the need for public examination. With this flexibility in mind the council has not at this stage decided whether it will offer any form of discretionary reliefs. Of particular concern to the council is that a collecting authority must satisfy itself that by granting relief or an exemption it is not breaching European Union State aid rules. These rules are intended to prevent public authorities from distorting trade within the EU by giving firms a selective advantage (such as a subsidy or favourable tax treatment). They can be extremely complicated and there is a serious lack of both government guidance and case law as to what the implications of this are for the development and operation of an authority's CIL. The council will therefore continue to consider its position in relation to this matter and as part of the consultation process would welcome comments from third parties on their considerations of the appropriateness of operating discretionary forms of relief in Westminster and any associated state aid limitations.
- 7.4 In respect of whether the council will offer exceptional circumstances relief it will take in to consideration the rigorous area wide viability assessment that has been undertaken to determine the CIL rates. This evidence demonstrates that CIL will remain a very small percentage of total development costs and will not be the factor that is likely to affect the overall viability of individual sites or borough wide viability. On this basis the council is concerned that if an exceptional circumstances policy is offered there would be significant administrative demand for the council to assess individual cases for viability which, based on the current available and appropriate evidence, would predominantly be refused. This undermines the benefits of setting a fixed CIL charge, which was accepted by the development industry as a preferable tool to negotiating planning obligations, and has the potential to undermine the levy's ability to support and deliver the infrastructure requirements of the development plan.

- 7.5 The Council is considering the approach it intends to make to the discretionary reliefs allowed by the CIL Regulations and will state its position at a later stage in the CIL process. In doing so, it will have regard to the fact that to date , the Mayor of London has chosen not to make any of the discretionary reliefs available.

Table 7.1 - The forms of relief that are available in the CIL regulations to exempt or reduce the value of CIL liability

NAME OF RELIEF AND CIL REGULATIONS REFERENCE	DESCRIPTION OF THE RELIEF AND ELIGIBILITY CRITERIA (DCLG CIL Guidance document February 2014)	IS IT A MANDATORY OR DISCRETIONARY RELIEF?
Minor development exemption (Regulation 42)	Minor development, with a gross internal area of less than 100 square metres, is generally exempt from the levy. However, where minor development will result in a new dwelling, it will be liable for the levy unless it is built by a 'self builder'.	Mandatory
Mandatory charitable relief (Regulations 43, 47 & 48)	A charitable institution which owns a material interest in the land (a charity landowner) will get full relief from their share of the liability where the chargeable development will be used 'wholly, or mainly, for charitable purposes' and they meet the requirements of Regulation 43	Mandatory
Mandatory social housing relief (Regulations 49,49C, 50, 51, 52, 53 & 54)	Social housing relief is a mandatory discount that will benefit most social rent, affordable rent, intermediate rent provided by a local authority of Private Registered Provider, and shared ownership dwellings. Regulation 49 defines where social housing relief applies. The 2014 Regulations now provide relief for communal areas that are associated with social housing developments. Regulation 49C sets out the formula for calculating this.	Mandatory
Self build exemption (for a whole house) (Regulations 54A, 54B, 54C and 54D)	The exemption will apply to anybody who is building their own home or has commissioned a home from a contractor, house builder or sub-contractor. Individuals claiming the exemption must own the property and occupy it as their principal residence for a minimum of three years after the work is completed.	Mandatory
Self build exemption (for a residential annexe or extension) (Regulations 42A & 42B)	People who extend their own homes or erect residential annexes within the grounds of their own homes are exempt from the levy, provided that they meet the criteria laid down in Regulations 42A and 42B.	Mandatory
Discretionary charitable relief (Regulations 44, 45, 46, 47 & 48)	A charging authority can also choose to offer discretionary relief to a charity landowner where: <ul style="list-style-type: none"> • a charitable institution will claim the relief, and the whole or greater part of that institution's share of the chargeable development will be held as a charitable 	Discretionary

	<p>investment, or</p> <ul style="list-style-type: none"> • a charitable institution has been refused a mandatory charitable exemption on state aid grounds, but granting relief for the institution's share of the chargeable development would not constitute a notifiable state aid 	
<p>Discretionary social housing relief (Regulations 49A, 49B, 50, 51, 52, 53 & 54)</p>	<p>A charging authority may offer discretionary relief for affordable housing types which do not meet the criteria required for mandatory social housing relief and are not regulated through the National Rent Regime.</p> <p>Discretionary social housing relief will apply to affordable dwellings which meet the criteria set out in Regulation 49A (Discounted Market Sales). Anyone can provide these homes, as long as measures are in place to ensure that the homes, if sold, will continue to be affordable for future purchasers at a maximum of 80% of market price.</p>	Discretionary
<p>Exceptional circumstances relief (Regulations 55, 56, 57 & 58)</p>	<p>Charging authorities may offer relief from the levy in exceptional circumstances where a specific scheme cannot afford to pay the levy.</p>	Discretionary

Instalment policies for payment of CIL

- 7.6 The CIL Regulations set out the requirements for payment of the CIL. In most cases payment is to be made at the end of a 60 day period beginning with the commencement date of the development, although for phased development each phase is effectively treated as a separate planning permission.
- 7.7 The Regulations also allow CIL charging authorities to put in place policies allowing payment of CIL in instalments. In London, the position will be that in boroughs where the Mayor's CIL applies but there is no borough CIL, any instalment policy put in place by the Mayor will apply. In boroughs where there is a borough CIL and they have their own instalment policy, it is the borough policy that will apply.
- 7.8 Under the Mayor's policy:
- Where the payable amount of CIL is £500,000 or less, the whole amount shall be paid in a single instalment not more than 60 days after commencement of the development
 - Where the payable amount is more than £500,000, developers should have the option to pay two instalment payments:
 - (i) The greater of £500,000 or half the value of the total payable amount 60 days after commencement, and
 - (ii) The remainder 240 days after commencement.
- 7.9 Should the council determine that it is appropriate to impose a different instalments policy to that of the Mayor it will publish this intention as part of the information supporting a Draft Charging Schedule (DCS). In the meantime comments are invited on this matter as part of the consultation on the Preliminary Draft Charging Schedule (PDCS).

Indexation

- 7.10 Cost changes are taken into account when the chargeable amount is calculated as set out in Regulation 40, of the CIL Regulations, by reference to the national All-in Tender Price Index figure published by the Building Cost Information Service (BCIS) of the Royal Institution of Chartered Surveyors for 1 November of the preceding year. In practice, the BCIS initially publishes a forecast figure, which may then be revised before a final figure is published. As set out in the Mayor of London's Supplementary Planning Guidance on Crossrail (2013), Westminster will apply indexation on the basis that until a final figure for the period including 1 November of the preceding year is published, the relevant figure is the most recent "final" one.

The stages of the CIL collection process

- 7.11 Part 8 of the CIL Regulations sets the legal framework for calculating and collecting CIL. This process is more complicated than applicants may imagine when dealing with their first, and indeed subsequent, developments that trigger CIL liability. At all stages of the collection process the regulations place the emphasis on the developer, or the person who has assumed liability to pay the CIL, to notify the charging authority with the relevant information that initiates the next stage.
- 7.12 It is not the purpose of this supporting evidenced based document to list all of the stages in the CIL collection process however, if considered necessary, on adoption of a CIL the council may publish an applicant user guide to the CIL collection process. This will be informed by the council's experiences in collecting the Mayoral CIL and will address the matters that frequently cause confusion. The DCLG [CIL Guidance](#) (June 2014) sets out in more detail what the steps in the

collection process are. This is reflected on the website of the [Planning Portal](#) which provides access to the various forms that should be completed by an applicant for the purposes of calculating the CIL liability and triggering the various stages of the collection process.

Review of the CIL Charging Schedule

- 7.13 Whilst Government does not prescribe when reviews should take place following adoption of a Westminster CIL the council will ensure that the charging schedule is kept under evaluation and that levy charges remain appropriate over time. DCLG guidance requires charging schedules to take account of market conditions and the council considers that it has addressed this by including a substantial buffer in setting the draft CIL rates to allow for market fluctuation and marginal development to come forward. The addendum to the Strategic Infrastructure Plan includes a project list that will also be kept under review. This meets the requirement to ensure that the schedule remains relevant to the funding gap for the infrastructure needed to support the development of the area.
- 7.14 Charging authorities may revise their charging schedule in whole or in part. Any revisions must follow the same processes as the preparation, examination, approval and publication of a charging schedule (as specified under the Planning Act 2008 and the CIL Regulations). The council is currently working on detailed City Management policies for inclusion in its City Plan, and the proposed CIL rates and supporting viability evidence will be taken into account as part of this exercise. It will also consider whether a review of the CIL charging schedule is necessary to take account of any changes in planning policy requirements.
- 7.15 The council is considering the approach it will take to a formal review of the CIL rates. The Mayor has announced his intention to do so on a biennial basis, with the first review in 2014 . One option is for the City Council to follow a similar two year review cycle with the first in 2017. This would mean that each review could take account of the outcome of the Mayoral one the previous year .

Application of a Westminster CIL

- 7.16 As set out in section 6, charging authorities have the flexibility to determine what infrastructure should be funded through CIL in their area to support development growth and the delivery of their relevant plan. Appendix 1 sets out the Regulation 123 list which includes the infrastructure that the council currently considers may be funded, in part or in whole, by the levy. As Westminster moves towards the adoption of a CIL it will ensure that there is a robust governance process in place to administer both the prioritisation and funding of infrastructure projects. The council has already established an infrastructure board with representation from service areas across the council. It is anticipated that this group will have a fundamental role in helping to determine infrastructure funding priorities.
- 7.17 Charging authorities can pass on CIL receipts to third parties providing that the funding is spent on infrastructure to support the development of its area and providing that the appropriate procurement rules are adhered to. A charging authority may also apply CIL funding to infrastructure outside of its area but only where to do so would support the development of its own area.
- 7.18 The regulations include a provision to enable the Secretary of State to direct that authorities may 'prudentially' borrow against future income from the levy. However this is dependent upon the Secretary of State issuing a figure for the relevant percentage of CIL that may be borrowed. No such figure has been issued to date and therefore the percentage rate for borrowing is currently 0%.

- 7.19 To ensure that the levy is open and transparent, the council will be required to prepare a short annual report on the levy. Where a charging authority, as will be the case in Westminster, holds and spends the neighbourhood portion on behalf of the local community, it will be required to ensure that it reports this as a separate item.
- 7.20 On adoption of a CIL the charging authority will be able to retain up to 5% of Westminster CIL receipts (plus 4% of the amounts collected by the Council for the Mayoral CIL) to be applied to administrative expenses including any expenses incurred before the charging schedule was published. After an initial period of three years the funding retained for administrative purposes must be spent within the year in which it was collected, failing this the funds should be diverted to the main CIL account for the funding of infrastructure.

Payment of CIL Liability ‘In Kind’

- 7.21 The CIL regulations now allow for the council, at its discretion, to accept a CIL liability payment through the transfer of land or the delivery of infrastructure instead of money. The Government recognise that where an authority has already planned to invest levy receipts in a project there may be time, cost and efficiency benefits in accepting completed infrastructure from the party liable for payment of the levy. Payment in kind can also enable developers, users and authorities to have more certainty about the timescale over which certain infrastructure items will be delivered. Payment delivered in this way must be for infrastructure that has been included in the council’s Regulation 123 list.
- 7.22 The council has not yet decided whether it should adopt a policy of accepting infrastructure payments in lieu of money. Given that the CIL regulations allow CIL receipts to be passed on to third parties for the delivery of infrastructure, in an agreement separate to the grant of planning permission, it is questionable whether this provision is entirely necessary. The council is however interested in whether this provision could be used to deliver infrastructure that could be used as payment of a future CIL liability. Given the long term interests of the Great Estates and many of the developers in Westminster it is often the case that the delivery of an infrastructure project, for instance improvements to the public realm, is best delivered in advance of a development. It is not necessarily the norm for the funded infrastructure to be required, or delivered, at the same time as a specific development especially as the provision is usually trying to deal with the cumulative impacts of development. The council has previously addressed issues like this, for example, through the operation of a Public Realm Credit system. It is considered that a CIL type credit system where developers could forward fund the delivery of infrastructure, either through works or money, would be an extremely useful tool in Westminster. The council will therefore continue to explore these issues taking in to consideration the relevant legislation and matters pertaining to state aid and public procurement works. It is also important for developers to make clear in their response to the consultation on a Westminster CIL what their considerations on this matter are.

The impact of European Directives – State Aid and Procurement

- 7.23 The council must satisfy itself that European Directives on both State Aid and Public Works Procurement contracts are properly considered in both the development and application of a Westminster CIL. Whilst the DCLG CIL Guidance document seeks to offer some information on state aid this is not in any way exhaustive and ultimately at every stage the responsibility lies with the charging authority to ensure that the Charging Schedule, application of reliefs and the provision of infrastructure does not flout these directives.

7.24 It is clear that further guidance, and perhaps case law, is required to assist authorities in ensuring that they are complying coherently with the provisions of these directives. The council will continue to explore these matters in relation to the operation of a CIL and welcomes any comments as part of the consultation process.

Appendices

APPENDIX 1

Westminster City Council's Community Infrastructure Levy Draft Regulation 123 List – September 2014

Published to support the Preliminary Draft CIL Charging Schedule

This draft Regulation 123 list is a living document which provides a summary of the infrastructure that Westminster City Council considers it may fund in whole, or in part, on adoption of a Community Infrastructure Levy (CIL). In determining what infrastructure should be included in the list the council has had regard to the infrastructure demands outlined in the addendum to Westminster's Strategic Infrastructure Plan (2014), the infrastructure that is required to support the delivery of Westminster's City Plan (2013) and the available viability evidence (2014). It is the council's intention that this list will evolve and be reviewed on a regular basis to ensure that it includes the council's priority infrastructure to support development growth in Westminster.

On adoption of a Westminster Community Infrastructure Levy (CIL) the CIL receipts may be applied in whole, or in part, to the provision, improvement, replacement, operation or maintenance of the following infrastructure to support the development of Westminster:

- Crime and anti social behaviour infrastructure;
- Educational facilities;
- Health facilities;
- Parks and Open Space;
- Public Realm improvements;
- Social and community facilities;
- Sports and Leisure facilities;
- Transport and highways but excluding works that are required as part of a development proposal to be secured through a Section 278 agreement such as reinstatement of highways disturbed by development works;
- Utilities;
- Waste;

It is important to note that the above list excludes infrastructure projects that are required to make a development acceptable in planning terms in accordance with the planning policies set out in the council's relevant development plan. Whilst CIL will be the council's main mechanism for securing funding towards the infrastructure that is required to support cumulative development in Westminster, there will be some instances where individual developments give rise to their own requirements for infrastructure in order to make the development acceptable in planning terms. Such infrastructure will be secured as part of the development through the use of planning conditions or Section 106 planning obligations.

The above list of infrastructure is not in order of priority. As the council moves towards accruing sufficient receipts for the funding of infrastructure it is its intention that this Regulation 123 list will be amended to provide details of specific infrastructure projects that will be the priority for CIL funding at that time. In addition a Supplementary Planning Document on Planning Obligations will be published to show in what circumstances planning conditions or Section 106 planning obligations will still be used to secure the provision of infrastructure.

This Regulation 123 list therefore explicitly excludes the provision of infrastructure that is required to make a development acceptable in planning terms and which meets the legal tests of Regulation 122 of the CIL Regulations. Through the publication of this list the council therefore retains its discretion to negotiate necessary planning conditions and s106 planning obligations to secure such infrastructure.

APPENDIX 2

Overview of the mechanisms proposed for the delivery of a planning obligation on adoption of a Westminster CIL

Type of Obligation. Provision of:	Defined as Infrastructure	Mechanism for delivering the obligation	
		Community Infrastructure Levy (CIL)	Planning Obligation / Planning Condition
Affordable housing	NO	X	YES
Affordable Housing Payment	NO	X	YES
Housing as part of commercial development	NO	X	YES
Employment, training and skills.	NO	Could fund premises for job brokerage services	YES
Public Art	NO	X	YES
Car Club	NO	X	YES
Construction Management	NO	X	YES
Travel Plan	NO	X	YES
Social and community facilities	YES	Primary mechanism to address cumulative impacts and demands of development and growth 	Where necessary to make the development acceptable in planning terms in accordance with relevant planning policy requirements. Likely to apply to major development sites which would generate their own demands that must be met by onsite mitigation or to compensate for any loss on the site as a consequence of the development
Open space	YES		
Transport Improvements	YES		
Play space	YES		
Public Realm	YES		
District Heating & Sustainability Measures	YES		
Mayoral Crossrail Contribution	YES	Yes (via Mayoral CIL)	Where necessary to make the development acceptable in planning terms in accordance with relevant policy requirements and thresholds. 

Appendix 3

Table to show the status of financial planning obligations secured during the period April 2008 to March 2013

Planning Obligation Heading	Total Contributions negotiated against Agreements signed between 1 April 2008 – 31 March 2013	Total Contributions received against Agreements signed between 1 April 2008 – 31 March 2013
Crossrail	£15,546,151	£5,142,147
PATS (Paddington Area Transport Study)	£895,887	£0
PATEMS (Paddington Local Transport)	£1,307,986	£0
Other Public Transport	£10,450,570	£209,279
Education	£11,806,219	£1,676,376
Cycle Paths/Works	£303,997	£6,147
Parking Mitigation Payment	£1,514,116	£542,106
Health	£1,356,854	£175,009.00
Community provision -outside of the Paddington Social and Community Fund	£14,905,015	£20,000
Employment /Training Contributions	£353,453	£0
Highways	£8,621,707	£3,647,221
Open Space	£1,366,676	£170,336
Carbon Offset payments	£621,538	£151,125
CCTV	£2,258,538	£219,215
Code of Construction / Environment Inspectorate	£2,076,010	£479,866
Monuments	£1,048,173.31	£1,048,173.31
Public Realm	£16,281,472	£4,992,459
Electric Vehicle Recharging	£28,215	£0

Planning Obligation Heading	Total Contributions negotiated against Agreements signed between 1 April 2008 – 31 March 2013	Total Contributions received against Agreements signed between 1 April 2008 – 31 March 2013
Point		
Public Realm Credit	£271,000.00	£0
Trees	£336,167	£121,167
Car Club	£28,710.00	£28,710.00
Affordable Housing Fund	£246,842,873	£31,113,022
TOTAL	£338,221,327	£49,742,358

City of Westminster Profile 2014

Population and Society

- 223,000 residential population (ONS, MYE 2012), projected to rise to 255,000 by 2036 (GLA 2013), 14% rise in 22 years.
- 21 recently designated neighbourhood areas.
- 53% adult population educated to degree level but 9% of residents have no educational qualifications. 120 languages spoken.
- Westminster is the 87th most deprived out of 326 local authority districts in England (IMD 2010). Has the highest deprivation rate for children living in income deprived households.

Economy

- Largest employment centre in the UK - 692,000 jobs (14% of all London's jobs). Projected 13% growth in employees up to 2036 (GLA, 2013).
- 49,500 businesses (UK BASL 2013), 6 global 500 company HQ's.
- Diverse economy, with eight major industry sectors each employing more than 40,000 people and having over 4000 enterprises.
- 85% of businesses have fewer than ten employees.
- £46.5bn annual GVA generated: 15% of London total, 3.1% of national total. Four major economic sectors each contribute over £6bn per year in GVA.
- £1.4bn paid annually in business rates by Westminster firms.
- 9 million sqm office floorspace - largest office centre in UK. Highest rents in the country and falling vacancy rates.
- 8,500 retail premises covering 2.2 million sqm retail space. Highest retail rents and demand for space in the country.
- 72 million tourist trips to Westminster per year, with nearly 450 hotels (40% of London's hotel stock), 85,000 overseas visitors staying in Westminster on any given day.
- 38 theatres, 60 cinema screens, over 20 casinos.
- Largest Night Time Economy in the country, generating £3bn, with 3800 firms employing nearly 60,000 people.

Development Activity

- Busiest planning authority in the UK – over 12,000 applications received 2012/13 including 80 major applications. 67% of all applications decided within 8 weeks.
- £51m in signed S106 planning obligations in addition to on site provision (2012/13), £44m of which for affordable housing.

Heritage and Buildings of National Importance

- 56 conservation areas (78% of Westminster's area), over 11,000 listed buildings and structures, 1 World Heritage Site, 5 Royal Parks & 19 historic squares and gardens, 6 bridges across the Thames.
- Lords Cricket Ground, Westminster Abbey, Houses of Parliament, Royal Palaces, over 550 Grade 1 listed buildings, City of Sculpture.

Housing

- Stock: 119,250 residential units - split 31% owner occupied, 40% private rented and 26% social housing (Census 2011), 7.5% rise in private renting since 2001, drop in ownership and social rented.
- 10,890 new housing units built since 2000, with 24% of these being affordable housing.
- Average house price in Westminster is £870,000 (Hometrack, 2014). 90th percentile average price of £2.1 million.
- Lower quartile house price average is £480,000 and the lower quartile house price to earnings ratio is 22:1, highlighting affordability issues for residents.
- Average (median) household income is £38,000 (CACI, 2014)

Transport

- 4 main line stations with direct express airport connections at Paddington (Heathrow) and Victoria (Gatwick).
- 10 out of 12 underground lines & 150 bus routes.
- 3 of the top ten busiest mainline rail stations in the UK (Victoria is second with 77mil passengers 2014). Busiest is Waterloo.
- 4 of the top ten busiest underground stations (Victoria is second with 87mil passengers 2012). In total, Westminster tube stations handle over 660 million passengers (TfL 2012).
- Crossrail 1 under construction (3 stations at Paddington, Bond Street, Tottenham Court Road) & proposed Crossrail line 2 route (with stations at Victoria and Tottenham Court Road).
- Intense pedestrian activity e.g. Oxford/Regent/Bond Street area experiences average weekly footfall of 5.7 million people.
- The influx of workers and tourists swells the daytime population to over 1.1 million people.

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City of Westminster

Environment Policy and Scrutiny Committee

Date:	10 November 2014
Classification:	For General Release
Title:	Westminster's City Plan – Consultation Booklets
Report of:	Operational Director City Planning
Cabinet Member Portfolio:	Built Environment
Wards Involved:	All
Policy Context:	The adopted City Plan is currently subject to review and modification to include the detailed 'city management' policies to support the adopted 'strategic' policies. Current consultation is through topic-based informal consultation booklets, the main subject of this report.
Financial Summary:	All costs associated with development of the City Plan are met from existing budgets
Report Author and Contact Details:	Lisa O'Donnell, Head of Spatial and Environmental Planning lodone1@westminster.gov.uk (020) 7641 4240

1. Executive Summary

- 1.1 Development of Westminster's City Plan has been previously reported to this Committee on 30 June 2014. Essentially the adopted City Plan 2013 is being revised to include the detailed development management policies and is also being reviewed to ensure the adopted strategic objectives and policies remain relevant.
- 1.2 We have already consulted on 13 booklets, and received 1123 responses from 551 consultees. There are 6 further booklets which we will consult on before Christmas.

- 1.3 Following review of the consultation responses to the booklets, a draft City Plan will be prepared for formal consultation. Prior to this we will need to commission a viability assessment of all of the policies taken as a whole, to be assessed in the context of a CIL and without. We will also consult on this viability assessment before issuing the draft plan to reduce risk in the plan-making process. In due course, this will be submitted to the Secretary of State to be publicly examined by an independent inspector who will report on the “soundness” of the plan and whether any changes are necessary. Assuming the plan is found “sound”, the Council can adopt it, with any changes recommended by the inspector. This is anticipated for late 2015/early 2016, although it very much depends on the extent to which the adopted policies need to be re-drafted following consultation on the last booklets to be consulted.

2. Key Matters for the Committee’s Consideration

- 2.1 To note the key areas of concern in the consultation responses to the most recent set of six booklets and update you on the future consultation on the remaining 6 booklets.
- 2.2 To provide any comments on the Energy and Heritage, Views and Tall Buildings booklets.

3. Update on the consultation to date for the City Plan booklets

- 3.1 You have previously been provided with a short update on the booklets published to date, The information below summarises the number of responses, as well as the number of consultees who responded (many consultees make more than one responses) on the most recent tranche of booklets, which were subject to consultation between 29th July and 19th September 2014. Most of the responses are comments, but the numbers of specific support or objections are also set out below. The views of committee members on any of the key issues raised below would be welcomed.

3.2 Design

53 responses from 20 consultees, with 7 specific supports and 8 specific objections

1. Alterations and extensions: requirement to be ‘subordinate’ too restrictive.
2. Extensive development: must refer to protection of heritage.
3. Incorporating landscaping: Objective to provide 100% of building’s footprint in living walls and roofs and landscaping potentially too onerous.
4. Openable shopfronts: too restrictive.

5. Sustainable design standards: standards for refurbishments need more on embodied energy and need to consider after publication of the energy booklet.

3.3 Pollution Control

37 responses received from 13 consultees, with 5 specific supports and only 1 objection.

1. Overall support for air quality approach but objections Air Quality Impact Assessment requirement for all major development, seeking more flexibility required for those developments with less likely impact.
2. Overall support for proposed approach to light pollution, but also objections to the criteria for external lighting; more flexibility sought for minor installations; and to the suggested curfew on internal lighting (as it could negatively impact on Westminster's function as hub of World City).
3. Noise – Overall support; no objection.

3.4 Health, Wellbeing and Personal Safety

21 responses received from 13 consultees. No objections and 4 specific supports.

1. General support for booklet including security measures in high-risk developments and in the public realm.
2. Object to how loss of light to existing dwellings is assessed and seek clarity about where loss of light to non-residential uses is not allowed.
3. More detail sought on CCTV management, should consider other measures such as hostile vehicle mitigation, and that not all CCTV is for non-security concerns.
4. The Mayor wants reference to access to play space for disabled parents and careers as well as children.

3.5 Open Space and Green Infrastructure

33 responses received from 15 consultees, with 6 specific supports and only 1 objection.

Waiting for summary

3.6 Public Realm and Advertisements

66 responses received from 18 consultees, with 13 specific supports and only 1 specific objection.

1. Approach to digital screen advertising is too restrictive. It is the way of the future, is more sustainable than print advertising, and should be embraced.

Digital screen advertisements should be acceptable in certain areas of a very commercial character e.g. Leicester Square and Piccadilly Circus.

2. Objection that there is a policy on advertisements at all instead of relying on the Regulations: contrary to national guidance and the presumption in favour of sustainable development.
3. Any policy should not be worded in a negative, restrictive way, but in a positive way aimed at encouraging positive advertisements.
4. A greater number of flags on large buildings such as department stores should be allowed.
5. Shrouds can have a big impact on the street scene and must be well designed. Properly designed they can enhance the streetscene. Advertising should make up no more than 30% of shrouds (rather than the 15% in the policy).
6. Adverts on telephone kiosks are acceptable in commercial areas.
7. Universal support for policy on pedestrian movement as streets and spaces should be clutter free.
8. The council should be firm on street trading, including tables and chairs, A boards and buskers.
9. Developers should be able to make their public art contributions outside their actual development site.

3.6 Transport and Movement

121 responses have been received from 26 consultees, with 14 specific supports and 2 objections. It is also noted that an extended deadline for responding has been agreed with three consultees who wish to respond on the issue of 1 way to 2 way working, particularly in relation to Baker Street.

1. Objection to residential car parking requirement - should take the chance for car free development. The thresholds cause overprovision of parking, or refusals for more than 5 units, or no residential coming forward. Seek threshold of 10 or more units, flexibility /payment in lieu option, disqualify residents of new developments from applying for parking permits. Should define as parking stress as 90% occupied rather than 80% (RBKC approach). Objection to 100% EV recharging in parking spaces.
2. Requiring unallocated parking has significant implications on viability and the value of the parking spaces.
3. A number of objections to opening 1-way and no entry streets to traffic (loss of comparative calm, safety grounds, increased pollution, loss of parking or loading bays where there is no alternative, loss of historic bollards or street furniture). Others support 1-way to 2-way working. Where they are appropriate, they should increase amenity for residents and have no negative impact on the environment.

4. Support for pedestrian prioritisation. Objection that pedestrian crossings section doesn't mention safety of pedestrians and the need to prevent customers on the pavement forcing others into the road. Concern about what is sufficient clear space and how to measure it. Seek minimum crossing times so pedestrians are not stuck on central reservations, and using CIL funding for pedestrian crossings.
5. Cycling need to be regulated and laws monitored/enforced via wardens/CCTV/and survey residents annually to collect data on incidence of cyclist nuisance. Others support cyclists (though pedestrians to come first), but some consider it does not go far enough, and should also be included in the section on major infrastructure (Tri-borough Public Health). They note the benefits e.g. reduced absenteeism benefiting the economy. Seek commitment to implementing Central London Grid of Cycle Network and 2-way cycling in 1-way roads. Support for cycle access to open spaces.
6. Support for cycle parking and hire. Some seek flexibility or reduction in cycle parking/associated facilities, or only required if demonstrable shortfall in provision. Objection to requirement for no loss of residential/visitor car parking before installation of cycle hire. Concern as to how funding for cycle hire docking stations will be calculated, especially where demand is limited. Some of the specific cycle parking criteria questioned as duplicating other assessments, whether it should be weather-proof, and whether secure parking should be required at less than 5 spaces.
7. Support for freight consolidation. Others question how it will reduce congestion, and how the council will control/enforce (although use of conditions is supported by other responses e.g. time period/number of trips).
8. Coach access and parking should be promoted and supported better with solutions for appropriate off street coach parking found. Others support controlling coaches.
9. Support for bus review of buses on Oxford St and request to extend to Regent St. St James's and Haymarket. Note that bus shelters may also need to be removed sometimes.
10. Some oppose pedicabs, others support but want council to retain option to ban.
11. Motorcycles and powered 2-wheelers supported as a means of reducing congestion, although one response considered the policy implied 'no motorcycles in WCC'.
12. Thresholds for requiring transport assessments considered too high and less stringent than current, including City of London because of lack of consistency across boundary, and suggest triggering at 25% of proposed thresholds. Others object to A3 and A4 threshold as too low.
13. Object to footway build outs, protecting refueling stations at Semley Place, Ebury Bridge Road and 87 Cleveland Street.
14. Support for traffic control such as rising bollards, gated communities.
15. Seeking 20mph speed limit, lower background speeds, reallocation of road space to cyclists, greater protection of side streets from traffic, closing

carefully selected local roads to motor traffic (must take account of needs/vulnerabilities of cyclists), including greening/trees in highway infrastructure, support for electric taxi rollout, more encouragement for river transport.

4. Remaining Booklets

- 4.1 Energy: Awaiting comments from Policy and Scrutiny Members before formal sign off.
- 4.2 Heritage, Views and Tall Buildings: Awaiting comments from Policy and Scrutiny Members before formal sign off.
- 4.3 West End: Further discussions required within the council.
- 4.4 Spatial Strategy and Implementation: Needs to be released with the West End and Mixed Use and Office to Residential booklets due to significant overlap/synergy.
- 4.5 Mixed Use and Office to Residential: Re-drafted with proposed policies rather than options. Awaiting informal consideration by Cabinet Member prior to circulation to other Members.
- 4.6 Affordable Housing: Further work required to align with emerging Housing Strategy.

5. FINANCIAL IMPLICATIONS

- 5.1 There are no specific financial implications as a result of the recommendations in this report. Work on developing policies is met from existing budgets and public consultation will be undertaken electronically, thereby, minimising printing costs, etc. Any other costs associated with public consultation will be met from existing budgets

6. LEGAL IMPLICATIONS

- 6.1 The proposed Consultation Booklets are part of the plan development process as set out in the Town and Country Planning Act 1990 (as amended), The Planning and Compulsory Purchase Act (2004) and the Town and Country Planning (Local Planning)(England) Regulations 2012. However, as they are part of an informal consultation stage they are not subject to any specific requirements under the legislation or regulations. Consultation will be carried out in accordance with the Council's recently revised and adopted Statement of Community Involvement. There will also be engagement with neighbouring authorities and others to ensure the statutory duty to co-operate is met.

If you have any queries about this Report or wish to inspect any of the Background Papers please contact: Lisa O'Donnell, Head of Spatial and Environmental Planning lodonel1@westminster.gov.uk (020) 7641 4240

BACKGROUND PAPERS

- Westminster's City Plan: Strategic Policies 2013
- City Management Plan Consultation Draft November 2011
- Westminster City Plan: City Management Policies Revision (including the booklets) <https://www.westminster.gov.uk/westminsters-city-plan-city-management-policies-revision>

CONSULTATION DOCUMENTS (to follow)

APPENDIX 1 – ENERGY

APPENDIX 2 – HERITAGE, VIEWS AND TALL BUILDINGS

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Work Programme 2014-15

Environment Policy and Scrutiny Committee

Date	10th November 2014
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Classification	General
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Report author and telephone	Mark Ewbank (ex.2636) mewbank@westminster.gov.uk
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1. Introduction

1.1. The Environment Policy and Scrutiny Committee (hereon the Committee) examines a range of council services and projects that fall within the portfolios of:

- Cabinet Member for the Built Environment
- Cabinet Member for City Management, Transport and Infrastructure
- Cabinet Member for Sustainability and Parking

1.2. This document presents a Work Programme and Action Tracker for the Committee for the 2014-15 period.

1.3. The Committee may also undertake special investigations and may appoint Sub-Committees or Task Groups on either a formal or informal basis, with the past examples including:

- Cycling Strategy Task Group (last met March 2014)
- Highways & Transportation Contract Re-let Task Group
- Waste Disposal Strategy Task Group

2. Recommendation

- 2.1. That the Committee note and comment on the scheduled items for rounds 4 (19 January 2015) to 6 (21 April 2015).

Work Programme

Environment Committee

ROUND ONE (30 June 2014)

Agenda Item	Reasons & objective for item	Represented by:
Cabinet Member Q&A	To hold to account and give 'critical friend' challenge to the portfolio holder.	<ul style="list-style-type: none"> • Cabinet Member for City Management, Transport and Infrastructure • Cabinet Member for Sustainability and Parking
River crossings	To review proposed Garden Bridge and Nine Elms river crossings	<ul style="list-style-type: none"> • Rosemarie MacQueen
City Plan and Consultation Booklets	To assess the consultation booklets as part of the City Plan	<ul style="list-style-type: none"> • Rosemarie MacQueen

ROUND TWO (15 September, 2014)

Agenda Item	Reasons & objective for item	Represented by:
Cabinet Member Q&A	To hold to account and give 'critical friend' challenge to the portfolio holder.	<ul style="list-style-type: none"> • Cabinet Member for the Built Environment • Cabinet Member for City Management, Transport and Infrastructure • Cabinet Member for Sustainability and Parking
Utility Company Operation in Westminster (with a Regulator focus)	Annual discussion on the operation of utilities companies in the borough, with a specific focus on regulator investment in utility company infrastructure projects.	<ul style="list-style-type: none"> • Rosemarie MacQueen • Martin Low
Two-Way Flows	For the Committee to assess the introduction of two-way flows at a number of points in Westminster.	<ul style="list-style-type: none"> • Rosemarie MacQueen • Martin Low

Work Programme

Environment Committee

ROUND THREE (10 Nov, 2014)

Agenda Item	Reasons & objective for item	Represented by:
Cabinet Member Q&A	To hold to account and give 'critical friend' challenge to the portfolio holder.	<ul style="list-style-type: none"> • Cabinet Member for City Management, Transport and Infrastructure • Cabinet Member for Sustainability and Parking
Westminster Community Infrastructure Levy (CIL)	To assess progress and governance arrangements, including proposed charging schedule	<ul style="list-style-type: none"> • Rachael Ferry-Jones
Westminster's City Plan "Consultation Booklets" (follow on from June meeting)	To update the committee on the consultation outcomes and continued development of booklets as part of the City Plan	<ul style="list-style-type: none"> • Lisa O'Donnell
TfL transport modelling	To update the committee on the impact of transport schemes including cycling super highway	<ul style="list-style-type: none"> • Martin Low • Barry Smith

ROUND FOUR (19 Jan, 2015)

Agenda Item	Reasons & objective for item	Represented by:
Cabinet Member Q&A	To hold to account and give 'critical friend' challenge to the portfolio holder.	<ul style="list-style-type: none"> • Cabinet Member for the Built Environment
Air Quality Action Plan	To review the implementation of the Council's plan to improve air quality in the borough	<ul style="list-style-type: none"> • Barry Smith • Jennie Preen
Two-Way Flows (follow-on from September meeting)	To update the committee on the introduction of two-way flows at a number of points in Westminster.	<ul style="list-style-type: none"> • Graham King • Martin Low

Work Programme

Environment Committee

ROUND FIVE (2 March, 2015)

Agenda Item	Reasons & objective for item	Represented by:
Cabinet Member Q&A	To hold to account and give 'critical friend' challenge to the portfolio holder.	<ul style="list-style-type: none"> • Cabinet Member for City Management, Transport and Infrastructure • Cabinet Member for Sustainability and Parking
Cycling & Walking in Westminster	To update the Committee on the implementation of the Council's Cycling Strategy and assessing the developing Walking Strategy.	<ul style="list-style-type: none"> • Barry Smith

ROUND SIX (21 April, 2015)

Agenda Item	Reasons & objective for item	Represented by:
Cabinet Member Q&A	To hold to account and give 'critical friend' challenge to the portfolio holder.	<ul style="list-style-type: none"> • Cabinet Member for the Built Environment
Climate Change	To consider the Council's approach and activities relating to reducing emissions, improving energy efficiency and adaptation of the physical environment to more extreme weather events	<ul style="list-style-type: none"> • Joe Baker
UNESCO World Heritage Listing of Palace of Westminster and Westminster Abbey incl. Saint Margaret's Church	To consider the value and current and future status of the UNESCO World Heritage Listing	<ul style="list-style-type: none"> • Built Environment

Other Committee Events & Task Groups

	Reason	Type
Sustainability Task Group	Active – meeting to discuss proposals for the Council's Sustainability Strategy	Task group
Cycling Task Group	Complete	Task Group

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Action Tracker

Environment Committee

ROUND ONE (30 June 2014)

Agenda Item	Action and responsible officer	Update
Item 4 – update from Cabinet members	Details of the current methodology used and latest statistics from the City Survey results be provided to Councillor Williams (Councillor Argar and Phil Robson, Waste and Recycling Manager).	Sent via email
Item 4 – update from Cabinet members	A written rationale be provided to the Committee on the collection of refuse in response to the questions of Councillors Scarborough and Thomson (Councillor Argar and Phil Robson).	Sent via email
Item 4 – update from Cabinet members	In the event that the Council secures the GLA's agreement to the draft municipal waste management strategy 2016 2031 during the summer recess, a written update be provided to the Committee (Councillor Argar and Phil Robson).	Sent via email
Item 5 – Westminster's City Plan	That clarification be provided as to whether the basements booklet adequately covered the impact on air quality (Lisa O'Donnell and Barry Smith).	Sent via email

ROUND TWO (15 September 2014)

Agenda Item	Action and responsible officer	Update
Item 5 – Utility Companies	That a written estimate of the costs be provided by UKPN of meeting its ten year programme target of replacing 4000 link boxes against the figures set by Ofgem in the draft determination and what UKPN would need in additional funding to achieve the replacement of the same number of link boxes over a five year period (Mr Basil Scarsella, Chief Executive Officer, UK Power Networks, Mr Martin Low, City Commissioner of Transportation and Dr Mark Ewbank, Scrutiny Manager).	On track

Item 5 – Utility Companies	That Ms Frerk be requested to provide a definitive response as to whether CIL money could be used towards the resilience of the network (Ms Maxine Frerk, Interim Senior Partner, SG &G Distribution at Ofgem, Mr Martin Low, City Commissioner of Transportation and Dr Mark Ewbank, Scrutiny Manager).	On track
Item 6 – Two-way	That the Committee be kept informed of any progress regarding the Baker Street Two Way Scheme, including in the event of the commencement of the public consultation (Graham King, Head of Strategic Planning & Transportation).	Sent via email
Item 8 – Work Programme	The Council’s CIL consultation timetable be set out in a note to Maxine Frerk (Councillor Ian Adams, Committee Chairman and Mark Ewbank, Scrutiny Manager).	On track, though letter sent to Ofgem
Item 8 – Work Programme	A copy of the City Plan Consultation Booklets be provided to the Committee ahead of the agenda papers being published (Barry Smith, Operational Director, City Planning and Jonathan Deacon, Senior Committee and Governance Officer).	Dispatched a number of weeks before Committee