



City of Westminster

Minutes

Meeting:

Committee of the Cabinet
(11/2006)
~~(Paddington Bridge Project)~~

Date of meeting:

~~Wednesday Monday 27~~ ~~February~~ April 2006 at
5.3045pm

Attendees:

Councillors
Sir Simon Milton (Chairman)
~~Colin Barrow~~ Robert Davis
Danny Chalkley

Apologies:

None

Contact:

Reuben Segal ~~on Cork~~

Details:

Telephone: 020 7641 313260
Email: rcorksegal@westminster.gov.uk

1. DECLARATIONS OF INTEREST

1.1 No interests were declared by Members or Officers

2. MINUTES

2.1 **RESOLVED:** That the minutes of the meeting held on 12 July 2004-29 August 2002 be confirmed as a correct record and signed by the Chairman.

3. **FURTHER MODIFICATIONS TO THE REPLACEMENT UNITARY DEVELOPMENT PLAN (RUDP) AFFORDABLE HOUSING POLICIES (following public deposit period) (Report of the Director of Planning and City Development and Director of Legal and Administrative Services) EXEMPT REPORT UNDER THE LOCAL GOVERNMENT ACT 1972**

3.1 3-1—Gordon Chard, Director of Planning and City Development, introduced this report which informed members about representations received on the modified draft affordable housing policies during the deposit period, the officers responses to them and the further minor changes to the modified draft policies being recommended for approval.

3.2 Members discussed the report and asked questions of the officers present.

3.3 The Leader of the Council commented that he was pleased to see that the concerns expressed by three Registered Social Landlords, that a policy demanding that 100% of their developments should be affordable was inequitable and would constrain their ability to develop affordable housing, had been addressed by further minor revisions to the modified affordable housing policies. He considered that it was sensible to ensure that the Council's policies did not disincentivise the very organisation that would be providing affordable housing.

3.4 The Leader of the Council thanked Gordon Chard and his colleagues for the detailed negotiations that had been undertaken with the Government Office for London and the Greater London Authority on this matter and which the development community considered fair and reasonable.

RESOLVED:

(1) That the officers' responses to representations received during the deposit period in respect of the proposed modifications to the affordable housing policies, as set out at Appendix 2 to the report be approved.

(2) That the further revisions to the modified affordable housing policies set out in paragraphs 4.5, 5.1 and 5.3 of the report and in Appendix 1 be approved as amendments to the RUDP policies STRA 14 and H 4 as approved by full Council on 13 December 2004, to be used for

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development control purposes and taken forward to adoption, together with the consequential editorial changes set out in paragraph 5.2 of the report.

(3) That, in view of the content of the representations received in response to the modifications to the affordable housing policies as placed on deposit in January 2006, it is not necessary or appropriate to hold a further public inquiry.

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(4) That the amounts set out in Policy H4 and its supporting text for payments in lieu of on-site affordable housing be amended in accordance with paragraphs 5.1 and 5.2 of the report, including consequential changes in Chapters 1 and 2.

Reasons for Decision

- The approval of officers' responses to comments made during the deposit period and approval of the modified affordable housing policies STRA 14 and H 4 are required in order that the Replacement UDP can proceed to adoption.

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- The approved changes to paragraph 3.42(a) of the policy application of Policy H 4 are designed better to reflect the reality of registered social landlords' (RSLs) funding regimes which can mean that 100% affordable housing developments are not always possible. The changes have been agreed in response to concerns raised by three RSLs. No other changes to the affordable housing policies are proposed in response to representations received during the deposit period, though some minor non-material changes to the supporting text are approved to clarify certain matters at the request of the Council's Housing Department, as set out at section 5 of the report.

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- It is not considered necessary or appropriate to hold a further public inquiry, given that most of the issues raised in the objections received during the deposit period have already been discussed at the UDP Inquiry, or are already addressed in the policy or are of such a nature that they do not warrant a further inquiry. The objection by the RSLs, and the proposed change to the policy application in response, are not considered to raise issues which in the interests of fairness need to be considered at a further inquiry, or which are likely to raise counter objections from other parties. The Committee is of the view that a further public inquiry would not be of any material benefit to the decision making process, and would purely lead to a further delay in the adoption of the Replacement UDP.

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4. EXEMPT REPORT UNDER THE LOCAL GOVERNMENT ACT 1972

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That the press and public be excluded from the meeting for the following item of business as it involves the likely disclosure of exempt information on the grounds shown below:-

Agenda Item No.	Grounds	Para of Part 1 of Schedule 12A of the Act
5	<u>Information relating to expenditure to be incurred and terms proposed in respect of a contract for the supply of goods or services and legal advice in respect of which a claim to legal professional privilege could be maintained in legal proceedings</u>	8 and 152

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54. PADDINGTON BRIDGE (LTVA) PROJECT – REVISED TRAFFIC ARRANGEMENTS/IMPACTS AND FINANCIAL AND PROGRESS UPDATE FURTHER MODIFICATIONS TO THE REPLACEMENT UNITARY DEVELOPMENT PLAN (RUDP) AFFORDABLE HOUSING POLICIES (Report of Director of Transportation – APPENDIX 3 agenda item 4)

45.1 David Ferrett, the Project Director introduced this report updating Members on progress with the construction work, the funding arrangements and various associated issues as the project neared completion. Members noted the legal issues set out in the appendix and asked questions of the officers present.

5.2 In response to a question from Councillor Robert Davis, Gordon Chard advised that until formal adoption of the RUDP, the policies agreed will constitute a 'material consideration' under the Planning Acts, and will be applied for development control purposes from the date of agreement.

4.2 The Leader of the Council congratulated David Ferrett on his efforts in getting the new bridge built on schedule and within budget.

4.3 Members discussed the report and asked questions of the officers present.

4.4 With regard to the recommendation to delete the widening and signalisation of the Harrow Road gyratory, officers were optimistic of being able to achieve improvements under an alternative scheme and undertook to keep Members informed.

4.5 The report covered the strategy of intended mediation with Network Rail over additional possession costs and Members discussed and asked questions relating to the next steps in this respect.

4.6 — David Ferrett drew attention to the fact that a number of amenity societies had expressed an interest in the traffic issues and had asked if it was possible to receive an abridged version of the confidential report. Members agreed that one should be produced for this purpose.

4.7 — RESOLVED:

(1) — That there be no change to the existing financial authority of £22.75m for the project at this stage and that it be noted that a saving of £1.6m is assessed as “secured” and there remains a good opportunity for a further saving.

(2) — That the existing Base Cost 6 with revised risk profile of the project as reported be noted and adopted for project management purposes.

(3) — That there be no change to the strategy of intended negotiation with Network Rail over additional possession related costs and that the Director of Transportation be authorised to spend up to the maximum figure referred to in paragraph 16 of Appendix A which elaborates on the costs of options.

(4) — That authority be given to the Director of Transportation, in consultation with the Director of Legal and Administrative Services, to negotiate with the Project Funding Partners to delete the widening and signalisation of the Harrow Road gyratory from the Project work scope in return for a commuted sum for the City Council to take sole responsibility for the future upgrading of traffic capacity at this junction.

(5) — That authority be given to the Director of Transportation, in consultation with the Director of Legal and Administrative Services, to issue a Station Access Notice, as defined in the Collaboration Agreement, to the project Funding Partners to allow the permanent traffic arrangements set out in this report to supersede the default LTVA +2 taxi tunnel defined in the Collaboration Agreement.

(6) — That the traffic amelioration measures undertaken by the project be retained in their entirety following completion of the replacement bridge with no further cost implications to the project and that following the opening of the bridge in May 2006, a review take place of the Paddington Area Traffic and Environmental Management Study (PATEMS) with any further works deemed necessary to be funded by PATEMS/TfL as appropriate.

Reasons for Decisions

☐ There is a Parliamentary Undertaking requiring the delivery of the project or one that is equally effective at delivering traffic benefits around Paddington Station.

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☐ There is a signed Collaboration Agreement binding the Funding Partners to deliver the project unless it is unanimously agreed otherwise.

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☐ There is potential to further mitigate the project risks and capture opportunities to reduce the costs to the City Council.

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~~□ There may be potential to claw back some costs associated with Network Rail possessions subject to further legal advice, negotiation and possible litigation.~~

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56. END OF MEETING

65.1 The meeting ended at ~~6.025~~50pm.

Chairman

Date

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