



City of Westminster

Council Agenda

Title:

Council Meeting

Meeting Date:

Wednesday 24 January 2007

Time:

7.00pm

Venue:

**Westminster Council House
97-113 Marylebone Road, London NW1**

Members:

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



Admission to the public gallery is by ticket, issued from the ground floor reception at Council House from 6.30pm.

Please telephone if you are attending the meeting in a wheelchair or have difficulty walking up steps. There is wheelchair access by a side entrance.



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 Nigel Tonkin.

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1. Appointment of Relief Chairman

To appoint a relief Chairman.

2. Minutes

To sign the Minutes of the Meeting of the Council held on 8 November 2006.

3. Lord Mayor's Communications

- (a) The Lord Mayor to report that he was represented, by his Locum Tenens - Councillor Gardner and the Baroness Gardner, at the funeral service of the Very Reverend Michael Mayne KCVO, past Dean of Westminster, on 3 November 2006 at Salisbury cathedral.
- (b) The Lord Mayor to report that, having cut down the Christmas Tree in the forest outside Oslo, he held a lighting-up ceremony on 7 December 2006 for the 60th anniversary Norwegian Christmas Tree in Trafalgar Square, attended by TRH the Crown Prince and Crown Princess of Norway.
- (c) The Lord Mayor to report that he attended the installation ceremony of the Very Reverend John Hall as Dean of Westminster - to succeed Wesley Carr - in Westminster Abbey on 2 December 2006. The Lord Mayor subsequently held a welcome reception for the new Dean on 11 December 2006.
- (d) The Lord Mayor to report that he attended the service of Thanksgiving for the life of Tom Whipham, a past Lord Mayor of Westminster, on 19 December 2006 in St Marylebone Parish Church.

4. Declarations of Interests (if any)

To receive declarations of interests from Members and Officers of the Council.

5. Petitions and Deputations

- (a) Councillor Alastair Moss to present a petition from local residents relating to Paddington Recreation Ground.
- (b) Any other petitions or deputations.

6. Questions

(Standing Order 9 limits the questions to matters relevant to the general work or procedure of the Council).

7. Councillor Issues

- (a) Councillor Suhail Rahuja – Westminster Small and Minority Business Council
- (b) Councillor Papyia Qureshi – Westbourne Ward Maintenance Works

8. Statements on Urgent Matters Pursuant to Standing Order 4(3) (if any)

(Standing Order 4(3) provides that with the approval of the Chairman of the Meeting, the Leader of the Council may make a statement on an urgent matter and the Leader of the Opposition will have an equivalent right to reply).

9. Cabinet Reports

To receive and consider the following Cabinet reports:-

(A) Cabinet Reports	<u>Pages</u>
<u>Date</u>	
*16 October	6 - 7
13 November	8 - 10
*11 December	11 - 15
*15 January	To follow
(B) Cabinet Committee Reports	
<u>Date</u>	
22 November (Wireless City Proposal)	16
27 November (Paddington Bridge Project)	17
(C) Individual Cabinet Member Decisions	
<u>Period</u>	
27 October 2006 to 10 January 2007	18 - 37

10. Committee Reports

To receive and consider the following Committee reports:

<u>Committee</u>	<u>Date</u>	<u>Pages</u>
Resources and Corporate Services	6 November	38
Standards	15 November	39 - 40
Children and Young People	22 November	41 - 42
Superannuation Investments	28 November	43
Audit and Performance	29 November	44 - 45
Health and Community Services	4 December	46 - 48
Built Environment	5 December	49 - 52
Westminster Scrutiny Commission	12 December	53
* General Purposes	15 January	To follow

***There are recommendations for decision in the above reports.**

11. Notice of Motion – Housing

To be moved by Councillor Angela Harvey and seconded by Councillor Gwyneth Hampson.

“The Council's One City strategy recognises that Westminster has one of the most diverse populations in London. The Council notes the importance that housing plays in the well-being of Westminster's diverse community. This Council recognises the demand for a wide range of housing to meet the needs of people on differing income levels and with different needs.

The Council notes the valuable contribution made by the Westminster Housing Commission's work which will inform the shape of the new Housing Strategy. The Commission recognised the very high level of demand for housing in Westminster and the layers of complexity involved in meeting housing need, and the Commission's view was that we would never be able to house everyone who wanted to live in Westminster. Nevertheless, this Council wishes to take the opportunity to build more homes and to make best use of the housing stock that is already here.

As part of the development of the new Westminster Housing Strategy the Council welcomes and encourages input from all sections of the community. Some of the key initiatives proposed to address housing need are:

- To increase the supply of homes in Westminster.
- To access new homes in the Growth Areas.

- To widen opportunities for shared and cheaper ownership housing options.
- To prevent homelessness.
- To widen the scope of advice to cover the full range of housing options.
- To improve neighbourhood management working with partners.

This Council recognises that good quality housing underpins the quality of life for all our residents."

**Westminster City Hall
Victoria Street
London SW1
12 January 2007**

**Director of Legal and
Administrative Services**

REPORT (No.2) OF THE CABINET ON 16 OCTOBER 2006

The following Members of the Cabinet were present:

Councillors:	Sir Simon Milton	-	Leader of the Council
	Colin Barrow	-	Deputy Leader and Cabinet Member for Finance and Support Services
	Robert Davis	-	Chief Whip and Cabinet Member for Planning
	Daniel Astaire	-	Cabinet Member for Customer and Community Services
	Ian Adams	-	Cabinet Member for Health and Adult Social Services
	Alan Bradley	-	Cabinet Member for Street Environment
	Danny Chalkley	-	Cabinet Member for Transport and Economic Development
	Sarah Richardson	-	Cabinet Member for Children's Services
	Angela Harvey	-	Cabinet Member for Housing
	Audrey Lewis	-	Cabinet Member for Licensing and Community Protection

Also Present: Councillors Alastair Moss and Barbara Grahame

The following item is referred to the Council for decision:

1. Replacement Unitary Development Plan (UDP)

- (a) The report (No.1) from the Cabinet on 16 October 2006 to the Council on 8 November 2006 included an update on the status of the RUDP.
- (b) The report referred to the Cabinet's decision to serve notice of the Council's intention to adopt the RUDP and that the timetable envisaged that the Council would be recommended to adopt the RUDP at its meeting on 24 January.
- (c) At the same time the Cabinet had authorised the Cabinet Member for Planning to consider and make recommendations to full Council on any representations received after service of Notice of Intention to adopt. In the event no representations have been received.
- (d) Accordingly the recommendation agreed at the Cabinet meeting on 16 October 2006 can now be submitted to the Council, as follows:

We recommend: That the Council adopt the Replacement Unitary Development Plan.

(A copy of the report considered by the Cabinet on 16 October 2006 is attached as Appendix A(i) to the Council agenda. It includes a confidential appendix (appendix 3) which is attached as Appendix A(ii) to the agenda. The RUDP document itself will be circulated to all Members of the Council prior to the meeting).

SIR SIMON MILTON, Chairman

Local Government (Access to Information) Act, 1972 – Background Papers

Report (Item 4) and Minutes of the Cabinet meeting held on 16 October 2006
(Appendix 3 to the report is exempt from publication under paragraph 5 of
Schedule 12A of the above Act)

REPORT OF THE CABINET ON 13 NOVEMBER 2006

The following Members of the Cabinet were present:

Councillors:	Sir Simon Milton	-	Leader of the Council
	Colin Barrow	-	Deputy Leader and Cabinet Member for Finance and Support Services
	Robert Davis	-	Chief Whip and Cabinet Member for Planning
	Daniel Astaire	-	Cabinet Member for Customer and Community Services
	Alan Bradley	-	Cabinet Member for Street Environment
	Danny Chalkley	-	Cabinet Member for Transport and Economic Development
	Sarah Richardson	-	Cabinet Member for Children's Services
	Angela Harvey	-	Cabinet Member for Housing
	Audrey Lewis	-	Cabinet Member for Licensing and Community Protection

Also Present: Councillor Alastair Moss

1. Budget Options and Capital Programme

- (a) We reported to the Council on 19 July 2006 on our decisions on the financial remit to 2009/10.
- (b) We have now received a report with up-to-date information on the Council's forecast financial position for the business plan term 2007/08 to 2009/10 and on the progress made by departments, through the Star Chamber process, towards achieving a neutral financial remit over the next three financial years. We also had the benefit of the views of the Resources and Corporate Services Overview and Scrutiny Committee on the budget options to date.
- (c) We have agreed that the draft revenue budget for 2007/08 should include the new growth and savings proposals reported to us and, in accordance with the business planning timetable, we will consider final options in February 2007, taking into account the implications of the Local Government Finance Settlement and any further views from Overview and Scrutiny.
- (d) We also agreed draft capital programmes for each Cabinet Member and will decide on the final programme as part of the overall budget consideration at our meeting in February 2007.

2. Disability Equality Scheme

- (a) The Disability Discrimination Act 2005 imposes a general duty on all public authorities to promote disability equality.
- (b) This includes the production of a Disability Equality Scheme and we have considered a report on how Westminster's scheme has been developed. The scheme presented to us is embodied in the form of a policy statement with two action plans detailing how the Council intends to fulfil its general duties under the Act.
- (c) The statement and action plans have been the subject of extensive consultation with the voluntary and community sectors and with staff and wherever possible issues raised have been addressed by the action plans.
- (d) We are pleased to report that we have approved the Disability Equality Scheme 2006/09 which is a key requirement in the fulfilment of the Council's duties under the Disability Discrimination Act 2005.

3. Reorganisation of the Children and Community Services Department

- (a) We have considered a report with proposals for departmental re-organisation in response to the Government's "Our Health, Our Care, Our Say" White Paper and the "Every Child Matters" agenda as well as to key legislative changes and the Council's own strategic priorities. In particular, there is a statutory duty to establish posts of Director of Children's Services and Director of Adult Social Services directly accountable to the Chief Executive.
- (b) We have adopted the recommendations submitted to us to put in place senior management structures to take forward these change agendas and the timetable to be followed.
- (c) Three new departments for (1) Adult Social Care and Health, (2) Housing and (3) Children's Services will be established from 1 December 2006 to replace the existing Children and Community Services Department.
- (d) The long-term consequences of these changes will transform services to adults and young people and radically change the relationship between the Council and its local partner agencies.

4. Westminster Housing Commission

- (a) The Council will recall that an independent Housing Commission was set up as a One City priority project in 2005 to address the housing pressures in Westminster. The Commission, chaired by Lord Richard Best, has now submitted its report entitled Finding Future Opportunity for Housing in Westminster.

- (b) We have considered a report setting out the key findings and the City Council's initial response to the Commission's recommendations. The report explained how it is intended to take forward the Commission's work through the development of a revised strategy for housing in Westminster and we have endorsed this being taken forward. A range of consultation events is planned as part of this process.

5. Heart of London Business Alliance Improvement District (BID)

- (a) The BID originally known as the Piccadilly Circus Partnership and now called the Heart of London (HOL) BID expires on 31 March 2007 and the Heart of London Business Alliance, the BID proposer, is seeking a second term for the BID until March 2012.
- (b) As a result we have considered a report on the BID's renewal proposals, which have been developed closely with service departments.
- (c) We have endorsed the proposals (which do not conflict with formally adopted and published City Council policy) and agreed to the holding of a ballot in the area so that businesses can vote on the renewal of the BID.

6. Wireless City Proposal

- (a) We reported to the Council on 19 July 2006 that we had given in principle approval to the overall solution for the development of the Wireless City.
- (b) We have now considered a detailed confidential report seeking approval for a City-wide roll-out of the Wireless Network.
- (c) During discussion of the report significant issues were raised by Members and we took the view that these required looking at in more detail before a decision was taken. We therefore agreed that this matter should be further considered and decided upon by the Urgency Committee of the Cabinet **(NB: The Urgency Committee met on 22 November and a report on the outcome can be found elsewhere in this agenda).**

SIR SIMON MILTON, Chairman

Local Government (Access to Information) Act, 1972 – Background Papers

Reports and Minutes of the Cabinet meeting held on 13 November 2006 (Appendix 5 to the report referred to in Item 3 is exempt from publication under paragraph 1 of Schedule 12A of the Act and the report referred to in Item 6 is exempt under paragraph 3 of Schedule 12A of the Act).

REPORT OF THE CABINET ON 11 DECEMBER 2006

The following Members of the Cabinet were present:

Councillors:	Colin Barrow	-	Deputy Leader and Cabinet Member for Finance and Support Services
	Robert Davis	-	Chief Whip and Cabinet Member for Planning
	Ian Adams	-	Cabinet Member for Adult Social Services
	Daniel Astaire	-	Cabinet Member for Customer and Community Services
	Alan Bradley	-	Cabinet Member for Street Environment
	Danny Chalkley	-	Cabinet Member for Transport and Economic Development
	Sarah Richardson	-	Cabinet Member for Children's Services
	Audrey Lewis	-	Cabinet Member for Licensing and Community Protection

Also Present: Councillors Alastair Moss and Glenys Roberts

The following item is referred to the Council for decision:

1. Council Tax – Discretion Regarding Council Tax Discounts and Council Tax Base 2007/08

- (a) The Council Tax Base is calculated in accordance with a nationally prescribed formula and represents the equivalent number of Band D properties within the area. The formula takes account of the number of properties in each band; the number of discounts given for single occupiers, empty dwellings, second homes and other eligible criteria; the prescribed proportions to convert numbers to Band D equivalents; and the estimated collection rate.
- (b) The Council Tax Base must be determined and be notified to the Greater London Authority and the levying bodies by 31 January.
- (c) The Local Government Act 2003 provides local authorities with the ability to vary the level of Council Tax discount for specific categories of property, namely second homes and long term empty properties. It also gives local authorities the ability to create their own "local" discounts. In January 2006, the Council decided that the discount be retained at 10% for the 2006/07 financial year and we are recommending below that this reduction continue for the 2007/08 financial year for the reasons set out in the report we considered. This report is attached as Appendix B.

We recommend:

1. That the Council approve the following for the financial year 2007/08:-
 - (i) that the Council Tax discount for second homes remains at the current level of 10%.
 - (ii) that the Council Tax discount for long term empty properties remains at the current level of 10%.
 - (iii) that no "local" discounts will be introduced.
2. That the Council resolve that the Council Tax Base for 2007/08 for the whole City is 127,436.56 equivalent Band D properties; for the whole of the City excluding Montpelier Square 127,346.49 equivalent Band D properties; and for Montpelier Square alone 90.07 equivalent Band D properties.
3. That the Council resolve that the figures set out in 2 above for the Council Tax Base for 2007/08 be used by the Council to make a determination pursuant to the requirements of the Local Government Finance Act 1992.

The following items refer to matters on which the Cabinet took executive decisions:

2. One City Neighbourhoods Programme

- (a) The Leader of the Council's speech to the Council in March 2006 set out a vision for "a new constitutional settlement to empower frontline Ward Councillors in Westminster".
- (b) We have now considered a report on a package of measures that are the first step in delivering the Leader's vision under a One City Neighbourhoods Programme. The initial proposals have been based on work carried out by the cross-party Neighbourhoods Working Group chaired by Councillor Daniel Astaire. The intention is to provide Ward Members with additional scope to influence decisions and to challenge those delivering services in Westminster to tackle issues that will make a real difference to the quality of life at a local level. The key elements of the new approach to neighbourhoods include:
 - Improved ward-level information for Members delivered through improvements to the Member Extranet.
 - A geographical framework based on the six Area Forum areas, with boundaries modified slightly to reflect the need to link in with local partners, with which the Council's area-based service delivery would be increasingly aligned over time.

- The introduction of Area Integration Meetings (AIMs) in each of the six Area Forum areas (initially piloted in the south of the city) bringing together key service providers and Ward Members with a focus on problem solving and prevention in the medium to long term.
 - Additional opportunities for Ward Members to set out their views during the decision making process and new ward based call-in powers in advance of the Community Call for Action proposals outlined in the recent Local Government White Paper.
 - Enhancements to Area Forums, based on the successful piloting of the new workshop format over the past year.
- (c) We have agreed (i) to the proposed re-development of the Member Extranet service to include a ward based online information service; (ii) to changes to the Area Forum boundary in South Westminster and the proposed review of the boundaries for the other Area Forums, subject to a report to the General Purposes Committee on any necessary changes to the constitution; (iii) to an Area Integration Meeting (AIM) piloted in the South Westminster area from January to July 2007; (iv) changes to increase the influence of Ward Members in the decision making process, subject to a report to the General Purposes Committee in relation to necessary amendments to the Constitution; and (v) to release £60k from the One City Fund to implement the improvements to ward-level information provision to Members referred to in (i) above and to consider the financial implications of operating the full neighbourhood approach once the piloted AIM has been evaluated.

3. Theatreland Strategy and Initiative

- (a) The Council commenced work on developing a Theatreland Action Plan in 2005 with the aim of working together with the theatre industry and other key stakeholders to strengthen the identity of London's theatre district, put a "sparkle" back into Theatreland and bring about comprehensive physical improvements to the area. Initial design studies to improve the streetscape and lighting within Theatreland have been obtained and design consultants are now building on preliminary work.
- (b) The Plan is an important part of the One City Programme, not least because the West End commercial theatres in Westminster contribute £1 billion a year to London's economy and Theatreland is key to London's vitality, as well as its rich cultural heritage.
- (c) We have considered a report which included a draft Theatreland strategy, developed in partnership with the Theatreland Steering Group which includes theatre group owners, the Society of London Theatre, the Theatres Trust, English Heritage and officers from Camden Council. The content of the strategy has already been welcomed by the theatre industry and we have approved the draft for the purposes of publication and targeted consultation.

4. Draft Oxford Street, Regent Street and Bond Street (ORBS) Action Plan

- (a) We have considered a report on the development of an ORBS Action Plan involving the Council working in partnership with Transport for London (TfL) and the New West End Company. The report included the draft Action Plan which contains a series of proposals intended to bring about comprehensive improvements to Oxford Street, Regent Street and Bond Street.
- (b) The draft reflects input from Cabinet Members and from the ORBS Forum, a stakeholder group comprising amenity societies, ward councillors, street associations, landowners and retailers. It is a major centrepiece of the One City Programme and the progress made to date in drawing up proposals and engaging with partners and stakeholders has been very much due to the commitment of the Leader, Sir Simon Milton.
- (c) As with all action plans the ORBS plan is an aspirational document and funding will need to be secured before each action can be taken forward. However, there is already a commitment of some £9m through TfL and some £3m from the Council.
- (d) We have agreed to proceed to formal public consultation on the draft Action Plan.

5. 2006 Annual Performance Assessment of Services for Children and Young People and Adult Social Care Star Rating

- (a) Members have previously been advised that the Council has maintained its top rating for Children's Services and regained its 3 star "excellent" rating for Adult Social Care following the loss of a star last year.
- (b) We have received a full report on the outcome of the assessments and the improvement plans in place to address issues arising.
- (c) We have congratulated the relevant Directors and their staff who have shown such commitment to delivering excellent services.

6. Corporate Office Strategy

- (a) We have received a report on a future corporate office strategy focusing in particular on options for the future of the Council House.
- (b) This issue had been considered in some detail by the Audit and Performance Committee at its meeting on 29 November (a report from the Committee appears elsewhere on this agenda) and, as a result of the views expressed by the Audit and Performance Committee, we have decided to obtain advice on a broader range of options before taking a decision on the overall strategy and, in particular, before major expenditure is committed on the Council House.

7. Monitoring Officer Report on Westbourne Green – Consultant Architectural Services

- (a) We received a confidential report prepared pursuant to Section 5A(2) of the Local Government and Housing Act 1989 advising that there had been a contravention of the EU and UK Procurement legislation in that the City Council had failed to issue a notice in the Official Journal of the European Union announcing its intention to seek architectural and allied services in respect of the Westbourne Green/Academies project.
- (b) We noted the report and the action put in place to prevent repetition and agreed the content of full report on this matter for circulation to all Members of the Council. This report was circulated to all Members following our meeting.

8. Creation of Joint Westminster City Council/Metropolitan Police Service Director of Community Protection Post

- (a) We have considered a confidential report on proposals for changes to the management structure of the Community Protection Department. Central to these is a proposal to second a senior police officer into a revised post of Director of Community Protection, responsible to both the City Council and the Metropolitan Police Service. This would be an innovative step and would strengthen further partnership working with the secondee providing a strategic lead to deliver the crime and disorder reduction agenda. Furthermore, the proposal would enhance the ability of the Council and the Metropolitan Police Service to meet more effectively shared targets under the Safer Westminster Partnership.
- (b) We have approved the proposal for a nine month period during which a full evaluation of the arrangement will be conducted and have delegated responsibility to the Deputy Chief Executive (Built Environment) to set up and enter into an agreement with the Metropolitan Police Service to provide the senior police officer and to report on the creation of a post of Deputy Director of Community Protection.

COLIN BARROW, Chairman

Local Government (Access to Information) Act 1972 – Background Papers
Reports and Minutes of the Cabinet meeting held on 11 December 2006
(The reports referred to in items 7 and 8 are exempt from publication under paragraph 3 and paragraph 1 of Schedule 12A of the Act respectively)

URGENCY COMMITTEE OF THE CABINET ON 22 NOVEMBER 2006

The following Members were present:

Councillors:	Colin Barrow	-	Cabinet Member for Finance and Support Services
	Ian Adams	-	Cabinet Member for Health and Adult Social Services
	Danny Chalkley	-	Cabinet Member for Economic Development and Transport

1. Wireless City Proposal

- (a) We have considered and approved a confidential report on the roll-out of the Wireless City project, referred to us by the Cabinet on 13 November for more detailed consideration.
- (b) We received a presentation outlining the proposed roll out of the Wireless City programme, anticipated benefits, adjustments and changes to the business case since the report was considered by the Cabinet on 13 November and the likely costs of not proceeding. We noted as part of the presentation that BT had recently firmed up its UK Wireless City investment plans which strengthened the overall proposition in Westminster.
- (c) We queried the initial start-up costs and challenged the underlying assumptions and what benefits could still be available from a partner organisation and inherent costs should we not agree to the proposals. We also asked questions about the potential for joint-branding with a partner organisation, for whom and where the system could be accessed, what functions would be available to users and stressed the importance of an accompanying communications strategy.
- (d) We approved the proposals having received appropriate assurances from officers in respect of the above and will be briefed on a quarterly basis in order that we can be kept informed and keep under review the implementation of the proposals.

COLIN BARROW, Chairman

Local Government (Access to Information) Act 1972 – Background Papers
The agenda and report for the Urgency Committee of the Cabinet on 22 November 2006.

REPORT OF THE COMMITTEE OF THE CABINET (PADDINGTON BRIDGE PROJECT) ON 27 NOVEMBER 2006

- The following Members of the Committee were present:

Councillors:	Colin Barrow	-	Cabinet Member for Finance and Support Services
	Audrey Lewis	-	Cabinet Member for Community Protection and Licensing
	Danny Chalkley	-	Cabinet Member for Economic Development and Transport

1. Paddington Bridge Project – Proposed Resolution of Dispute with Network Rail

- (a) We received a confidential report which updated the Committee about the mediation with Network Rail over the additional possession related costs and which set out the proposed negotiated settlement.
- (b) We discussed the report and asked questions of the officers present. We noted that officers advised that they would take further legal advice on the proposed wording of the final settlement document to clarify the terms and safeguard the Council's position. In particular, there would be no ambiguity that a discount to the total Network Rail cost of £500,000 had been secured.
- (c) We also noted information regarding the Council's funding agreement with Transport for London and discussed and asked questions relating to this issue.
- (d) We (i) noted and endorsed the proposed negotiated settlement with Network Rail as set out in the report and (ii) agreed that the Director of Transportation be authorised to finalise the detail of the proposed negotiated settlement with Network Rail.

COUNCILLOR COLIN BARROW, Chairman

Local Government (Access to Information) Act 1972 – Background Papers

The agenda and report to the Committee of the Cabinet meeting (Paddington Bridge Project) of 27 November 2006.

(The report is exempt from publication by virtue of paragraphs 3 and 5 of Part 1 of Schedule 12A of the Local Government Act 1972 in that it relates to the financial or business affairs of any particular person (including the authority) and information that could be maintained in legal proceedings).

Reports of Decisions and Recommendations (if any) to the Council of Individual Cabinet Members for the Period 27 October 2006 – 10 January 2007

The following issues are referred to the Council for information:

THE LEADER (Councillor Sir Simon Milton)

1. Application for Leave of Absence: Councillor Pamela Batty – 31 October 2006

Councillor Sir Simon Milton approved the request for leave of absence until 31 March 2007, received from Councillor Batty.

2. Review of financial options for future funding of the City Council's housing stock – 20 November 2006

Councillor Sir Simon Milton agreed:

1. that the findings of the review of the financial options for the future funding of the City Council's housing stock be noted.
2. that the Director of Housing be authorised to formally agree to the continuation of the current management agreement subject to developing and agreeing with City West Homes milestones for delivery of the proposed objectives set out in paragraph 5 of the report.
3. that the Director of Housing be authorised to make any resulting adjustments to the management agreement / annual delivery plans from April 2007.

3. Leicester Square Funfair – 2006 and Beyond – 21 November 2006

Councillor Sir Simon Milton agreed that the licence granted for the funfair in 2000 pursuant to Section 115E of the Highways Act 1980 be extended to cover Christmas 2006 and varied so that the successful relocation of funfair rides into the Gardens continues for 2006, and that authority be given for such legal agreement to be entered into between the Council and the operator as may be needed for the Funfair in Leicester Square in 2006.

CABINET MEMBER FOR FINANCE AND SUPPORT SERVICES
(Councillor Colin Barrow)

4. Approval for Release of Capital Funds for E- Procurement – 17 November 2006*

Councillor Colin Barrow agreed

1. that Invest to Save capital expenditure of £942k be approved for the e-procurement WorkSmart project, for the purposes of Financial Regulation B8.
2. that revenue expenditure be allocated and funded as set out in section 12 of the report for the e-procurement project.
3. that the decision to purchase the Ariba e-procurement system (as jointly recommended by the Information Technology Unit, Central Finance and Procurement Unit), be agreed.
4. that the purchase of the Ariba e-procurement system through the Vertex/CSi Agreement, be agreed.
5. that the Director of Legal and Administrative Services and the Director of Finance be authorised to finalise any outstanding matters (including the detailed terms of contractual or other associated documentation and detailed project scope) and conclude contracts accordingly.

5. Approval for Integrated Street Management Invest to Save Capital Expenditure 2006-7 – 23 November 2006

Councillor Colin Barrow approved expenditure of capital funds to the sum of £295,000 from the 2006/7 Invest to Save Capital Programme to develop and implement IT solutions in support of Integrated Street Management.

6. Flexible Location Working Phase 1 – 27 November 2006

Councillor Colin Barrow agreed:

1. that approval be given to proceed with the roll out of Phase 1 of the scheme as set out in the report.
2. that capital expenditure be approved for the full roll out of Phase 1 for the purposes as set out in the report.
3. that revenue expenditure be approved and funded as set out in the report.
4. that sunk cost of £232k referred to in the report be approved.

5. that the Director of Policy and Communications be authorised to finalise any outstanding matters (including the project scope and floor moves)

7. Award of Contract for the provision of Internal Audit and Anti-Fraud Services – 4 December 2006*

Councillor Colin Barrow agreed that the award for contract for the Internal Audit and Anti-Fraud Service be given to Bentley Jennison for a period of five years from 1 April 2007 until 31 March 2012 with the option to extend from that date for up to a further two years until 31 March 2014.

8. Request by the United Learning Trust, sponsors of Paddington Academy, for an extension of their occupation of former NWCS North Wharf Road school site for up to two terms in 2007 – 6 December 2006*

Councillor Colin Barrow concurred with the Cabinet Member for Children's Services:

1. that the request by the United Learning Trust for an extension of the Paddington Academy's Licence to occupy the former North Westminster Community School's North Wharf Road site be agreed for up to a further two terms subject to satisfactory terms being agreed with the Trust.
2. that the Director for Property and Strategic Projects be authorised to agree the terms for the extension of the Paddington Academy's occupation of North Wharf Road on terms based on the liquidated damages to ULT for the contract delay at £20,000 per week.

9. Council Tax, NNDR, Housing Benefit Overpayments and Former Clients Rent Arrears – Irrecoverable Debts – 11 December 2006*

Councillor Colin Barrow noted the amounts shown in the report as written-off under officer delegated authority.

10. No 8 Victoria Embankment, WC2 – 12 December 2006*

Councillor Colin Barrow agreed the entering into of an agreement including terms and conditions as outlined in the report for a 150 year lease as detailed in the report.

11. E-procurement – Supplemental Report – 15 December 2006*

Councillor Colin Barrow:

1. confirmed invest to Save capital expenditure of £942k for the e-procurement Worksmart project for the purposes of Financial Regulation B8.
2. and approved the proposed change to the CSi contract set out in the report.

12. Barrow Hill School Roof Works – 15 December 2006*

Councillor Colin Barrow agreed that:

1. expenditure totalling £59,000 for the Barrow Hill School Roof Works scheme be included within the Council's Approved Capital Programme and be approved under Financial Regulation B8.
2. a virement is approved to fund this scheme from slippage in schemes in the approved capital programme as detailed.
3. the contract be awarded to the company detailed in paragraph 4.1 of the report.

13. Flexible Location Working Phase 1 – Contract Award – 18 December 2006*

Councillor Colin Barrow agreed:

1. that the award of a 3 year contract with agreed break clauses for a total value of £540,000 be given to British Telecom under the Catalyst Framework to support the implementation of the Flexible Location Working Project (FLoW).
2. that it be noted the contract value is equal to £540,000 of which phase 1 of the FLoW project has secured £75,000. Funds to support the remaining value of the contract will be sought through further business cases.

14. Retirement of an Employee in the Interest of the Efficiency of the Service – 19 December 2006*

Councillor Colin Barrow concurred with the Cabinet Member for Children's Services:

1. that the Head Teacher of the named school be retired in the interest of the efficiency of the service with effect from 31 December 2006.

2. that the enhancement of pension provision by the addition of two years reckonable service be agreed and that benefits be paid in accordance with the agreed procedures .

15. Corporate Property Division Compliance Issues – 19 December 2006

Councillor Colin Barrow agreed the action plan set out at Appendix A of the report.

16. Flexible Location Working Phase 1 – Contract Award – 19 December 2006*

Councillor Colin Barrow agreed the award of a 3 year contract with break clauses for a total value of £540,000 to British Telecom under the Catalyst framework to support the implementation of the Flexible Location Working Project.

17. Reorganisation of the Finance Department – 8 January 2007

Councillor Colin Barrow agreed:

1. that the reporting lines for the finance teams across the Council be amended so that all finance teams have a direct reporting line to the Director of Finance.
2. that the structure of the Finance Department set out in Appendix 3 of the report be deleted and replaced with the structure set out in Appendix 4, at a date to be agreed between the Director of Finance and the Head of Human Resources, with grades to be determined by the Head of Human Resources where appropriate.
3. that should it not be possible to re-deploy staff affected, they be declared redundant at a date to be agreed by the Director of Finance and the Head of Human Resources and paid benefits in accordance with the agreed procedures.
4. that authority be given for the Schedule of Delegations to Officers to be revised to reflect the changes arising from the proposed changes in departmental responsibilities.

18. Motorcycle Parking Strategy – 8 January 2007

Councillor Colin Barrow agreed capital expenditure of £985,000 to implement the proposals for Motorcycling Parking agreed by the Cabinet Member for Economic Development and Transport (see paragraph 39).

19. Transfer of the Corporate Property Division – 8 January 2007

Councillor Colin Barrow agreed:

1. that Corporate Property transfer to the Finance Department with immediate effect.
2. that the Director of Finance's job title be changed to Director of Finance and Resources and the Finance Department be renamed the Finance and Resources Department.
3. that the Director of Finance be authorised to undertake a reorganisation of the Corporate Property Division and to examine how best the issues raised in the PriceWaterhouseCoopers report can be addressed to ensure that the Division is fit for purpose.
4. that authority be given for the Schedule of Delegations to be revised to reflect the changes arising from the changes in departmental responsibility.

CABINET MEMBER FOR PLANNING **(Councillor Robert Davis)**

20. Introduction of new Civil Contingency Planning Manager Post - 3 November 2006

Councillor Robert Davis approved:

1. the proposed minor re-organisation of the Environment & Leisure Department's Civil Contingency Planning Service.
2. the proposed line management arrangements; and
3. the creation of the proposed new post of Civil Contingency Planning Manager, detailed on the attached structure charts.

21. Whitehall Streetscape Project – Financial Approval to continue design work to completion of detailed design stage – 27 November 2006*

Councillor Robert Davis concurred with the decision of the Cabinet Member for Economic Development and Transport:

1. that approval be given to the Director of Transportation to commit expenditure up to £2.5m for completion of Feasibility, Initial Design and Detailed Design, including associated support services from utilities and a supplier of "Westminster" style security bollards, to progress the Whitehall Streetscape Project, through the existing Transportation Services Contract with WestOne.

2. that the Director of Transportation and Director of Planning and City Development provide a detailed confidential report on the proposals arising from the Detailed Design.

22. Commemorative Green Plaque for David Thompson – 18 December 2006

Councillor Robert Davis approved the nomination for a commemorative green plaque for the explorer David Thompson subject to sponsorship in full.

23. Statement of Community Involvement (SCI) in Planning – 27 November 2006

Councillor Robert Davis agreed:

1. that the Inspector's recommendations, set out in his binding report dated 27th October 2006, be accepted;
2. that the officer responses to the representations received in response to public consultation on the draft SCI, as set out in the Inspector's Report, be approved and incorporated into the SCI, as recommended by the Inspector;
3. that the Statement of Community Involvement be adopted with the changes referred to above; and
4. that the Director of Planning and City Development be delegated authority to carry out all remaining procedural requirements of the Regulations in relation to the adoption of the Statement of Community Involvement.

24. Draft Birdcage Walk Conservation Area Audit and Boundary Review – Adoption for Consultation Purposes – 20 December 2006

Councillor Robert Davis agreed:

1. the draft Birdcage Walk Conservation Area Audit and proposed boundary review, attached as appendices A and B to the report, for consultation purposes.
2. the consultation on the designation of the conservation area extension to include Area B, excluding the Westminster City School on Palace Street.

25. Annual Monitoring Report 2005/ 2006 – 4 January 2006

Councillor Robert Davis approved the Annual Monitoring Report attached to the report as Appendix A for submission to the Government Office for London and public inspection pursuant to Regulation 48 of the Town and Country Planning (Local Development) (England) Regulations 2004 (“the Regulations”).

CABINET MEMBER FOR ECONOMIC DEVELOPMENT AND TRANSPORT (Councillor Danny Chalkley)

26. Route 18 – Harrow Road – Bus Stop Accessibility Measures – 7 November 2006

Councillor Danny Chalkley approved capital expenditure of £290,000 to enable the proposals detailed in section 4 of the report and indicated on drawings attached as appendix A of the report to be implemented.

27. St Martin’s Junction Improvement Scheme – 10 November 2006

Councillor Danny Chalkley concurred with the Cabinet Member for Street Environment that:

1. consultation with key stakeholders, in particular the steering groups for Covent Garden Areas one and three and the Theatreland Steering Group, be approved.
2. proceeding to detailed design, subject to a positive response from the consultation, be approved.
3. the overlay of Theatreland branding principles on to St Martin’s Junction be approved.
4. £55,000 of expenditure of TfL Borough Spending Grant grant allocation for the detailed design and consultation with key stakeholders in 2006/07 be approved.

28. Whitehall Streetscape Project – Financial Approval to continue design work to completion of detailed design stage – 27 November 2006*

Councillor Danny Chalkley concurred with the decision of the Cabinet Member for Planning set out at Paragraph 21.

29. Local Government Ombudsman Report on an investigation into a complaint of maladministration – 5 December 2006

Councillor Danny Chalkley agreed that the contents of the Ombudsman's report be noted and approved; the cancellation of the parking ticket noted; the sum of £150 be paid as compensation.

30. Lancelot Place Streetscape Improvements – 6 December 2006

Councillor Danny Chalkley agreed that:

1. approval be given to the streetscape improvements shown on drawing CD-001 Revision B attached
2. approval be given to the making of modifications to traffic regulation orders under sections 6 and 45 of the Road Traffic Regulation Act 1984, which are necessary to accommodate the proposals together with the statement of reasons.
3. approval be given to capital expenditure of £724,750 to enable the implementation of the proposals, which will be fully funded by the developer prior to site work being commenced.
4. approval be given to enter into a section 8 agreement pursuant to the Highways Act 1980 with Transport for London to enable the City Council to undertake the proposed highway works on Brompton Road.

31. Enforcement Strategy and Extension of the NCP On street, Clamping, and Removals and Pound Management Contracts – 6 December 2006*

Councillor Danny Chalkley approved the Council's proposed enforcement strategy and a two year extension (from March 2008) of the NCP On-Street Enforcement & Clamping and Removals & Pound Management contracts. Councillor Chalkley further authorised the Director of Parking Services, in consultation with the Cabinet Member, to negotiate any necessary amendments to the contract with NCP and to enter into a Deed of Variation to give effect thereto.

32. Parking Policy Review (Tariffs and Fees) – 2006 – 7 December 2007

Councillor Danny Chalkley approved:

1. the implementation of the scheme outlined in paragraph 4.4 of the report, for the harmonisation of the on-street parking meter tariffs.
2. the implementation of the following proposed changes in the prices of parking permits:

- residents' parking permits (annual) from £110 to £115 (the online renewal fee will remain unchanged at £105 p.a.);
 - discounted residents' parking permits (annual) from £78 to £80, for vehicles fuelled by petrol or diesel with an engine capacity of 1200 cc or less (the online renewal fee will remain unchanged at £75 p.a.);
 - doctors', hospital, special, teachers', and official parking permits (annual) from £110 to £115;
 - business parking permits (annual permits Zone C2 only) from £250 to £275; and
 - to extend the discount concession on the residents' parking permits for vehicles solely powered by: electricity; LPG; hydrogen; fuel cell; natural gas; a hybrid petrol or diesel engine with electrical power.
3. traffic orders being made under section 46 and/or notices being issued under section 46A of the Road Traffic Regulation Act 1984, in order to give effect to these decisions and to the statement of reasons in Appendix 1 of the report.

33. Use of Westminster's Local Authority Business Growth Incentive (LABGI) Grant – 13 December 2006

Councillor Danny Chalkley agreed that £1,137,000 of Westminster's Civic Enterprise Fund (CEF) be allocated to projects commencing in 2006/07 and that £2,668,300 of Westminster's CEF be allocated to projects in the period 2007/08-2009/10, subject to business case and value for money considerations. The Chief Executive was authorised, in consultation with the Cabinet Member, to make minor revisions to the recommended programme for the following functions:

- decisions on the business plans and value for money cases for projects recommended to begin in 2007/08.
- agreement on a reserve list of projects for the CEF programme and amending the reserve list to incorporate new priorities.
- reviewing and, where necessary, amending individual projects and project budgets by up to 10% of the recommended project budget set out in this report and within the limits of the overall £3.8m CEF programme budget, with any changes to project budgets beyond this permitted tolerance being subject to a separate Cabinet Member decision.

Councillor Danny Chalkley noted the arrangements for monitoring any capital schemes supported by the CEF.

NOTE: The decision to approve CEF funding in respect to the Westminster Business Destination Tourism Project was taken by Councillor Sir Simon Milton, the Leader of the Council, in view of the interest declared by Councillor Danny Chalkley.

34. York Building 24-30 Edgware Road and 15-19 Great Cumberland Place, London W1 - Footway Improvements – 19 December 2006

Councillor Danny Chalkley approved:

1. the footway improvements shown on drawing GA-001 Rev B attached as Appendix A to the report.
2. modifications and/or additional traffic regulation orders under sections 6 and 45 of the Road Traffic Regulations Act 1984, necessary to accommodate the development as set out in Appendix D of the report together with the statement of reasons set out therein.
3. capital expenditure of £255,000 to enable implementation of the proposals, which will be fully funded by the developer in advance of any work being carried out.

35. Old Quebec Street Public Realm Improvements – 28 December 2006

Councillor Danny Chalkley agreed:

1. that approval be given to the implementation of the improvements shown on drawing GA-001 Rev D attached to the report as Appendix A.
2. that authority be given to the Director of Transportation to modify and make such traffic regulation orders under sections 6 and 45 of the Road Traffic Regulations Act 1984, as are necessary to accommodate the proposals set out in Appendix D together with the statement of reasons contained therein and to consider any comments or objections in consultation with the Cabinet Member for Economic Development and Transport.
3. that approval be given to capital expenditure of £555,000 to enable the implementation of the proposals, which will be fully funded by The Portman Estate, Great Portland Estates, New West End Company, the Cumberland Hotel Group and Transport for London.

36. London Cycle Network Route 50 – 28 December 2006

Councillor Danny Chalkley agreed:

1. that approval be given to proceed with design and consultation in respect of the proposals on the proposed cycle route 50 as outlined in the report.
2. that approval be given for an overall capital expenditure of up to £600,000 subject to approval of the detailed scheme in due course and to funding by Transport for London grant.

3. that authority be delegated to the Director of Transportation in consultation with the Cabinet Member to approve (within the overall budget of £600,000) specific expenditure for design and consultation on the various sections of the route.

37. Parking Penalty Charge Notices – Implications of the recent High Court judgement in the Barnet case – 19 December 2006*

Councillor Danny Chalkley agreed:

- 1 the City Council's stance in relation to Penalty Charge Notices issued prior to 21st April 2006.
- 2 the wording of the draft reply contained in Appendix 1 of the report to be sent if considered appropriate by the Director of Parking Services.
- 3 the standard letters contained in Appendix 2 to the report be approved to be sent to persons claiming refunds of payments in respect affected PCNs; to those making representations in respect of affected PCNs.

He noted that the City Council's applications to the Parking and Traffic Appeals Service for review of decisions which have gone against the City Council since the issuing of the Barnet judgment have been withdrawn.

38. Revised schedule of delegated authorities relating to parking for the Director of Customer Services – 29 December 2006

Councillor Danny Chalkley approved the revised schedule of powers delegated to the Director of Customer Services, attached to the report as Appendix A, in substitution for the existing schedule.

39. Motorcycle Parking Strategy – 8 January 2007

Councillor Danny Chalkley agreed the proposals for Motorcycle Parking and authorised the Director of Parking Services to make any Traffic Management Orders necessary to implement the proposals.

CABINET MEMBER FOR CUSTOMER AND COMMUNITY SERVICES (Councillor Daniel Astaire)

40. One City Card Project – Findings of Business Case Study – 2 November 2006

Councillor Daniel Astaire noted the findings of the business case study and agreed that the One City Card Project not proceed, He also agreed that consequential adjustments be made to the Council's Business Plans, WorkSmart Programme and One City Programme, as set out in the report.

41. Approval of Annual Fees and Charges Review to be implemented at Sports and Leisure sites from January 2007 – 6 December 2006

Councillor Daniel Astaire agreed:

1. that the fees and charges set out in the report for the indoor leisure centres indicated in the report be approved to be effective from 1 January 2007.
2. that the charges for Paddington Recreation Ground, as set out in the report be approved to be effective from 1 January 2007.
3. that the Cabinet Member receive future annual fees and charges reports for consideration in August of each year, to provide the opportunity to further improve consistency in pricing of similar facilities between sites by aligning the process with the leisure management contractors' annual budgeting cycle.

42. Westminster Academy – Contribution to Sports Facilities – 7 December 2006*

Councillor Daniel Astaire concurred with the Cabinet Member for Children's Services:

1. that authority be given for the City Council to enter into a contract with Galliford Try Construction Limited for works for the Sports Hall at the Westminster Academy in the sum of £2,279,266.56 plus VAT; that the requirements of the Council's Procurement Code be waived accordingly; and that approval be given under Regulation B.8 of the Council's Financial Regulations to the capital expenditure.
2. that authority be given for the Council to enter into an agreement with the Trustees of the Westminster Academy to secure the reimbursement of monies expended under the above contract over £1.9m, net of VAT.
3. that the Director of Legal and Administrative Services and the Deputy Chief Executive and Director of Children's Services take all the necessary and required steps to give effect to 1 and 2 above, including the completion of all necessary legal documentation.

43. 2007/08 Funding of Voluntary Organisations – Stage 2 assessment and recommendations – 19 December 2006

Councillor Daniel Astaire concurred with the Cabinet Member for Adult Social Services and the Cabinet Member for Children's Services:

1. that the applications for funding set out in Appendices 1 and 2 to the report be granted in 2007/08.

2. that all applicant organisations be informed individually of the Stage 2 outcome in writing.
3. that service level negotiations be entered into with individual organisations with a view to service level agreements being agreed before the end of March 2007.

44. Petition concerning the exercising of dogs at Paddington Recreation Ground – 4 January 2007

Councillor Daniel Astaire agreed that a letter be sent to the lead petitioner and Council Ward Members advising that there is no intention of introducing a 'dogs on leads' policy at the site.

CABINET MEMBER FOR CHILDREN'S SERVICES
(Councillor Sarah Richardson)

45. Review of Resource Allocation Formula for 2006-08 – 1 November 2006

Councillor Sarah Richardson agreed that:

1. the value of delegation for the school meals factor depends upon whether individual schools sign up for the City Council contract or opt to make their own meal arrangements.
2. funding previously distributed through the Threshold and Performance Pay Grant be included in the Individual School Budget (ISB) as a non-pupil-led school specific factor following the termination of the grant.
3. the cushioning factor for the Additional Educational Needs/Special Educational Needs formula be reduced to 25% from the 50% used in 2005-06.
4. the value of the threshold within the Inclusive Education funding factor be raised from £7,000 to £7,200 from 1 April 2006 and to £7,400 from 1st April 2007.
5. the mid-year trigger-point review is not used in 2006-07 and future years in accordance with the new School Finance Regulations.
6. budgets for interest on school balances or deficits should no longer be retained centrally.
7. the amount within the ISB for curriculum protection (small schools factor) be increased by £400,000 to £1.7m.

46. Westminster Schools Forum – Composition and Terms of Reference – 1 November 2006

Councillor Sarah Richardson approved the revised Composition and Terms of Reference for the Westminster Schools Forum, as set out in the report, with immediate effect.

47. Westminster Academy – Contribution to Sports Facilities – 4 December 2006

Councillor Sarah Richardson concurred with the Cabinet Member for Customer and Community Services (see paragraph 42):

1. That authority be given for the City Council to enter into a contract with Galliford Try Construction Limited for works for the Sports Hall at the Westminster Academy in the sum of £2,279,266.56 plus VAT; that the requirements of Council's Procurement Code be waived accordingly and that approval is given under Regulation B.8 of the Council's Financial Regulations to the capital expenditure.
2. That authority be given for the Council to enter into an agreement with the Trustees of the Westminster Academy to secure the reimbursement of moneys expended under the above contract over £1.9m, net of VAT.
3. That the Director of Legal and Administrative Services and the Deputy Chief Executive and Director of Children's Services take all necessary and required steps to give effect to 1 and 2 above.

48. Request by the United Learning Trust, sponsors of Paddington Academy, for an extension of their occupation of the former North Westminster Community School (NWCS) North Wharf Road school site for up to two terms in 2007 – 6 December 2006*

Councillor Sarah Richardson concurred with the decision of the Cabinet Member for Finance and Support Services set out at paragraph 8.

49. 2007/08 Funding of Voluntary Organisations –Stage 2 assessment and recommendations – 19 December 2006

Councillor Sarah Richardson concurred with the decisions of the Cabinet Member for Customer and Community Service and the Cabinet Member for Health and Adult Social Services.

50. Retirement of an Employee in the Interest of the Efficiency of the Service – 19 December 2006*

Councillor Sarah Richardson concurred with the decision of the Cabinet Member for Finance and Support Services set out in paragraph 13.

51. Capital Approvals 2006-08 – Integrated Children’s Centres – 4 January 2007

Councillor Sarah Richardson agreed that, under Financial Regulation B8, capital expenditure on the schemes set out in the report and appendices 2 and 3 to the report, amounting to £1,209,748, be approved and the variations to the capital projects set out in Appendix 5 to the report be noted.

CABINET MEMBER FOR HEALTH AND ADULT SOCIAL SERVICES (Councillor Ian Adams)

52. Older People Housing and Care: A Strategic Framework for Westminster – 24 November 2006

Councillor Ian Adams concurred with the decision of the Cabinet Member for Housing set out at paragraph 58.

53. Capital Approvals – 5 December 2006

Councillor Ian Adams agreed that, in accordance with Financial Regulation B.8, expenditure of £167,000 in respect of the refurbishment of communal areas and redecoration of Carlton Dene be approved.

54. Long Term Strategy for Residential, Nursing and Extra Care Housing for Older People – 1 December 2006*

Councillor Ian Adams agreed:

1. that the long term strategy for the future provision of residential, nursing and extra care in Westminster be approved.
2. that the proposal to extend the current contractual agreement with the Westminster Elderly Resource Services DSO from 31 March 2007 until 30 March 2009 at a total cost of £6M at 2006/7 prices (this cost includes the 4 new beds at Carlton Dene and escorting costs) be approved.

55. 2007/08 Funding of Voluntary Organisations –Stage 2 assessment and recommendations – 19 December 2006

Councillor Ian Adams concurred with the decision of the Cabinet Member for Customer and Community Service and the Cabinet Member for Children’s Services set out at paragraph 37.

56. The City Council's contribution to the London Boroughs Grants Scheme 2007-2008 – 27 December 2006

Councillor Ian Adams endorsed the proposed overall level of expenditure by the London Boroughs Grants Scheme and approved the City Council's contribution of £863,595 for 2007-2008, an increase of £42,479 on 2006-2007.

CABINET MEMBER FOR HOUSING (Councillor Angela Harvey)

57. Lessee Major Works Charges (Revised) – 30 October 2006

Councillor Angela Harvey agreed:

1. that the current payment options in relation to instalments are enhanced by the introduction of a 5-year scheme in accordance with Paragraph 4 of the report.
2. that the deferred capital repayment scheme be extended to assignees in the circumstances detailed in Paragraph 5 of the report.

58. Strategy for Supporting People Services from 1 April 2007 – 10 November 2006*

Councillor Angela Harvey agreed:

1. that the strategy to extend the contracted services, as set out in Appendix 1 to the report, from 1 April 2007 be approved.
2. that the contracts, as set out in Appendix 1 to the report, be extended for three years from 1 April 2007 with annual break clauses.

59. Older People Housing and Care: A Strategic Framework for Westminster – 24 November 2006

Councillor Angela Harvey concurred with the Cabinet Member for Adult Social Services:

1. that the strategic framework 'Older People: Housing and Care' is agreed as a draft for formal consultation with partners as set out in the report.
2. that a revised document responding to the consultation responses be presented to Cabinet Members for final endorsement in February 2007.

60. CityWest Homes Review – 24 November 2006

Councillor Angela Harvey noted the outcome of the Audit Commission's Best Value inspection of CityWest Homes and its consequent recommendations.

61. Internal Repairs to Street Properties Package 3 – Section 6 – 28 November 2006

Councillor Angela Harvey agreed:

1. that, for the purposes of Financial Regulation B.8, expenditure be approved in the sum of £3,295,751.48 inclusive of fees and staff costs in respect of Decent Homes works, including kitchens, bathrooms, heating, repairs and asbestos removal to properties detailed in the report.
2. that the appointment of Hill's Partnership Ltd be approved under the terms of the strategic partnership agreement to undertake the works to the agreed maximum price of £3,019,417.72.
3. that the total funding requirement be approved in the sum of £3,295,751.48.

62. Review of the Use of Affordable Housing Commuted Sums – 28 November 2006

Councillor Angela Harvey agreed that the Director of Housing be authorised to widen the range of properties that will be considered for investment of affordable commuted sums as set out in paragraph 5 of the report.

63. Agreed Maximum Price For External Repairs To The Distributed Street Properties Package 2 [Contract Section 5] H150 – 20 December 2006

Councillor Angela Harvey approved:

1. the appointment of Hill's Partnership Ltd under the terms of the strategic partnership agreement to undertake the works to the agreed maximum price of £1,497,248.21, as set out in paragraph 9.8 of the report.
2. the total funding requirement in the sum of £1,632,506.05 in respect of the decent homes works, including windows, external envelope repairs and asbestos removal to Bravington Road, Portnall Road, Bravington Place and Kilburn Lane.

64. Petition Presented to Council In respect of Control of Pests at Elm House, W10 – 20 December 2006

Councillor Angela Harvey noted the action taken and action proposed as the Council's formal response to the petition as set out in the report.

65. Supply and Allocation Mid-Year Review – 3 January 2007

Councillor Angela Harvey:

1. noted the supply and allocation of affordable housing in the first six months of 2006/07 as against forecast.
2. approved the updated City of Westminster Housing allocation scheme attached as Appendix A to the report.
3. approved the proposal that shared ownership options are made available to Westminster households placed in temporary accommodation outside the city through amending the Home Ownership Register eligibility criteria.
4. approved the proposal that studio sized accommodation only is to be made available to housing management provider organisations to offer on license to their residential staff.

CABINET MEMBER FOR COMMUNITY PROTECTION AND LICENSING
(Councillor Audrey Lewis)

66. Petition – Wilton Road Sainsbury's – noise generated within loading bay in Gillingham Street, SW1 – 30 October 2006

Councillor Audrey Lewis noted the actions of both the Noise Team and the Environmental Health Consultation Team and their involvement in relation to investigating alleged noise nuisance from Sainsbury's, Wilton Road, SW1 and agreed that the Director of Community Protection notify Councillors Aiken and Argar and the lead petitioner of the response to the petition.

67. Proposed Reorganisation of Crime & Disorder Reduction Team and CivicWatch Structures – 16 November 2006

Councillor Audrey Lewis agreed the new structure in Appendix 1 of the report, and should it not be possible to fund the new grant funded posts any longer or not be possible to redeploy the members of staff affected by the proposals at the end of their term, they be declared redundant at a date to be agreed by the Director of Community Protection and the Head of Human Resources and paid benefits in accordance with the agreed procedures.

CABINET MEMBER FOR STREET ENVIRONMENT
(Councillor Alan Bradley)

68. St Martin's Junction Improvement Scheme – 10 November 2006

Councillor Alan Bradley concurred with the decision of the Cabinet Member for Economic Development and Transport set out at paragraph 22.

69. Award of Contract for the Provision of Grounds Maintenance Systems and Patrolling Parks and Open Spaces and the Management and Maintenance of Cemeteries – 9 January 2007*

Councillor Alan Bradley agreed the award of a single contract for Parks, Open Spaces and Cemeteries (including Cemeteries Administration) to Continental Landscape Limited for the total tendered sum of £18,624,896.72 (£2,328,112.09 per annum) for a period of 8 years from 1 April 2007 to 31 March 2005, with the option to extend it by up to 2 years to 31 March 2017 on the basis of the most economically advantageous combination of tenders received from the invitation to tender return document submissions.

He authorised the Director of Legal and Administrative Services to complete all contract and lease documentation in consultation with the Director of Environment and Leisure Services, on the basis that the successful tenderer will formally sign commercial lease agreements for the depots at St John's Wood and Victoria Embankment Gardens and also sign a commercial lease agreement for the Lodge at East Finchley Cemetery with separate co-terminous lease arrangements with the contract being entered into by the tenderer in advance of the commencement of the contract.

70. Landfill Allowances Trading Strategy 2009 – 2013 – 9 January 2007*

Councillor Alan Bradley agreed that the Director of Environment and Leisure and the Director of Finance be authorised to negotiate jointly and conclude all sale transactions for Landfill Allowances for the 2009/2013 period in accordance with the strategy set out in the report, including authorising appropriate legal agreements to give effect thereto.

Colin Wilson
 Director of Legal and Administrative
 Services

Local Government (Access to Information) Act 1972 – Background Papers

The reports as submitted to the individual Cabinet Members as referred to above. The reports marked * are exempt from disclosure for the reasons set out in the reports.

REPORT OF THE RESOURCES AND CORPORATE SERVICES OVERVIEW AND SCRUTINY COMMITTEE ON 6 NOVEMBER 2006

The following members of the Committee were present:-

Councillors Mark Page (Chairman), Michael Brahams, David Boothroyd, Paul Dimoldenberg, Harvey Marshall, Lee Rowley and Duncan Sandys

1. Budget Options Update

- (a) We have considered a report providing the latest information on the City Council's forecast financial position for the new Business Plan term spanning the financial years 2007/08 to 2009/10.
- (b) The report reminded Members that the Cabinet at its meeting on 10 July 2006 had agreed to set a neutral remit for 2009/10. We noted the progress towards the delivery of this remit and also noted the draft capital programme for 2006/07 to 2011/12, excluding the HRA.
- (c) A detailed note of our comments on the budget options was forwarded to the Cabinet meeting which took place on 13 November 2006.
- (d) We look forward to the final budget proposals being brought back to us for comment after the grant settlement is known.

2. Performance Monitoring Report Period 6 (September) 2006-07

- (a) We have considered a report summarising the key aspects of the financial and service performance during period 6 (September) 2006.
- (b) The report also updated us on emerging issues critical to overall organisational performance. We have ongoing concerns about the late payment of invoices and have asked for the latest figures to be reported to our next meeting. We also have continuing concerns over whether there is a sufficiently robust system in place to deal with absenteeism and have asked the Director of Policy and Communications for further assurance on this.

MARK PAGE, Chairman

Local Government (Access to Information) Act 1972 – Background Papers
The minutes and agenda for the Resources and Corporate Services Overview and Scrutiny Committee meeting held on 6 November 2006

REPORT OF THE STANDARDS COMMITTEE HELD ON 15 NOVEMBER 2006

The following Members of the Committee were present:-

**Councillors Angela Hooper (Chairman), Robert Davis and Antony Mothersdale
and Mr Colin Redman (Independent Member)**

1. Publication of Members' Register of Interests on Council's Website

- (a) We considered a report which was submitted following the further consideration given by the General Purposes Committee to the issue of placing the Register of Members' Interests on the Council's website. This issue was raised by the District Auditor as part of last year's Ethical Governance Audit of Westminster in the light of an increasing number of authorities who have adopted this practice in response to the increasing expectations about openness and accessibility.
- (b) The General Purposes Committee agreed in principle that the register should be placed on the Council's website and referred this view to us for a final decision to be made. We have agreed that this should happen as quickly as possible and should apply to all Members and co-opted members. We have agreed that the data be transferred from the actual register and set out separately on the website under each Member's details with a suitable link. Details of the Member's home address (and signature) will be omitted and an explanatory note included to explain that this has been done and that the complete form, signed by the Member, is available for inspection at City Hall (as required by legislation).
- (c) We asked that any issues which arise be reported back to us.

2. Reply to Representation

- (a) We noted the response from the President of the Adjudication Panel for England to a representation that we had made.
- (b) We noted that this was an issue which we could include in our response to the consultation on the revised Code of Conduct which was expected shortly.

3. Applications for Dispensation from the Code of Conduct

- (a) We have granted applications for dispensation from the City Council's Code of Conduct from two Members, namely Councillors Burbridge and Sandys at a forthcoming meeting of the Planning Applications Sub-Committee, to enable them to consider a planning application submitted by Councillor Glenys Roberts. We also granted a dispensation for Councillor Burbridge to consider a planning application submitted by Councillor Ian Wilder.

- (b) In addition to these dispensations we have also granted applications for dispensation from the City Council's Code of Conduct from two Members, namely Councillors Argar and Brahams due to sit on the Planning Applications Sub-Committee, to enable them to consider a planning application submitted by Councillor Duncan Sandys.

ANGELA HOOPER, Chairman

Local Government (Access to Information) Act 1972 – Background Papers
Reports to and Minutes of the Standards Committee on 15 November

REPORT OF THE CHILDREN AND YOUNG PEOPLE OVERVIEW AND SCRUTINY COMMITTEE ON 22 NOVEMBER 2006

The following members of the Committee were Present:

Councillors Tim Mitchell (Chairman), Edward Argar, Frances Blois, Nick Evans, Barbara Grahame, Gwyneth Hampson, Papy Qureshi, Philippa Roe and Nick Yarker; and Co-opted Members Mohammed Amieur, Barbara Mayne, Elizabeth Philips and Sonny Sharma.

1. Green Paper – Care Matters: Transforming the Lives of Children and Young People in Care

- (a) We received an update from Michael O'Connor, Director of Children and Families Social Services, in relation to the Government Green Paper, *Care Matters: Transforming the lives of children and young people in care*; which contained over 100 recommendations ranging from issues to prevent children entering care to issues for those leaving care.
- (b) We noted that the consultation period would end on 15 January 2007 and that it had not yet been decided whether Westminster would make an individual response to the paper, if a response would be made through a relevant professional organisation, or if a London-wide response would be made.
- (c) We agreed that a great deal more needed to be done to improve outcomes for looked after children (LAC) but welcomed the confirmation that the Council was well placed to meet many of the recommendations in the paper which had been designed to meet this challenge.

2. Looked after Children's Placements and Use of Secure Accommodation

- (a) We received a report including information on (i) the profile of Westminster's looked after children (LAC) population and outcomes; (ii) the operation of the City Council's fostering and adoption services; (iii) Education and Health outcomes for LAC; (iv) new initiatives in the use of residential care; (v) the use of secure accommodation for very vulnerable young people; and (vi) placement costs.
- (b) We welcomed the news that approximately 10% of LAC in Westminster were adopted, which was above the national average.
- (c) We noted that secure accommodation for very vulnerable children could be very expensive and that one LAC alone had cost the department £752,430 since April 2000.

3. Annual Performance Assessment

- (a) We received the Commission for Social Care Inspection's (CSCI) and Ofsted's Annual Performance Assessment (APA) letter for the Council's Children's Services for 2005/2006 and considered the actions that had been planned to secure further improvement in the Council's delivery of children's services. We welcomed the news that this year's scores were an improvement on last year's and were pleased to note that considerable improvement in the following areas had been recorded: (i) teenage conceptions; (ii) ensuring the safety of children and young people; (iii) robust referral and review of children in need; (iv) foster parent placements and stability for LAC; (v) all LAC participating in their reviews; (vi) attainment at Key Stage 3; (vii) continued success at Key Stages 1 and 2; (viii) involving young people and acting upon their views, (ix) promoting the life chances of disabled children.

4. How the Voice of Children and Young People can Contribute to the Work of the Committee

- (a) We considered a number of proposals relating to how, as a Committee, we could ensure that children and young people had a strong voice in the Overview and Scrutiny (O&S) process. We agreed that it would be helpful if Committee Members attended school councils and the re-established Youth Forum on an ad hoc basis and if Members of the Preventing Crime and Anti-Social Behaviour task group consulted the young people involved on (i) their views about the services provided to discourage them from anti-social behaviour and (ii) the interventions that occur when they commit crime and anti-social behaviour.
- (b) We also agreed that Children and Young People's comments should be included as a standard heading in key reports to the Committee and that consideration should be given to nominating an O&S Member to champion the engagement of children and young people, and, in liaison with the Director of Lifelong Learning, further develop proposals to ensure that the voice of children and young people contributes to the O&S process.

TIM MITCHELL, Chairman

Local Government (Access to Information) Act 1972 – Background Papers:
The agenda and reports to the Children and Young People Overview and Scrutiny Committee on 28 November 2006.

REPORT OF THE SUPERANNUATION INVESTMENTS COMMITTEE ON 28 NOVEMBER 2006

The following Members of the Committee were present:-

**Councillors Mark Page (Chairman), Edward Argar, Dr Cyril Nemeth and
Suhail Rahuja**

1. Performance and Management of the Council's Pension Fund

- (a) We noted and accepted a report from officers and the WM Company outlining the total value of the fund, the performance of the fund to 30 September 2006 and that it was fully compliant with statutory requirements.

2. Report of the Investment Managers

- (a) We noted reports from Majedie Asset Management and State Street Global Advisors, outlining the performance of their investments in the UK Equity Mandate on behalf of the fund.

3. Strategy for Rebalancing the Investment Portfolio

- (a) We considered and accepted a report, with minor amendments, on a policy for rebalancing the investment portfolio and when such action may be necessary.

4. Alternative Asset Classes

- (a) We considered and discussed reports from officers and the WM Company concerning alternative investments for the fund.
- (b) Whilst eliminating some options, we deferred a decision on alternative investments to allow further consideration, initially by our Chairman.

MARK PAGE, Chairman

Local Government (Access to Information) Act 1972 – Background Papers

The agenda, reports and minutes of the Superannuation Investments Committee on 28 November 2006. (All reports were exempt in accordance with paragraph 3 (Financial and Business Affairs) of Schedule 12A of the Local Government Act 1972)

REPORT OF THE AUDIT AND PERFORMANCE COMMITTEE ON 29 NOVEMBER 2006

The following Members of the Committee were present:

Melvyn Caplan (Chairman), Tony Devenish, Suhail Rahuja and Judith Warner

1. Work Programme

- (a) We discussed the draft Work Programme and in considering priorities and areas of importance, decided to establish four Working Groups to focus on Property, People, Procurement and Process & Audit.

2. Periodic Performance Monitoring Report: Period 6 (September) 2006- 07

- (a) We received a report that set out recent key financial and service information and a summary of trends for staff numbers and commented upon performance in financial and non-financial issues, and upon budget variations and strategic risks.

3. Internal Audit and Counter Fraud 2006/07: Summary Report on Progress

- (a) We considered and commented on the Internal Audit and Counter Fraud work carried out in 2006/07 to date.
- (b) We noted the outcome of the recent Compliance review, and discussed performance and implementation in comparison with other Boroughs and the private sector.

4. Local Area Agreement – Six-Monthly Report

- (a) We considered and commented upon governance and management arrangements and target and performance delivery in the first six months of Westminster's Local Area Agreement.
- (b) We asked that future reports on performance and spend be submitted to this Committee, in addition to the Resources and Corporate Services Overview and Scrutiny Committee.

5. Corporate Office Strategy

- (a) We discussed a range of proposals for the future strategy and use of Council corporate offices, including the Council House.
- (b) We provided views and suggestions on the options to the Cabinet.

MELVYN CAPLAN, Chairman

Local Government (Access to Information) Act 1972 – Background Papers
The agenda, reports and minutes of the meeting of the Audit & Performance
Committee on 29 November 2006

REPORT OF THE HEALTH AND COMMUNITY SERVICES OVERVIEW AND SCRUTINY COMMITTEE HELD ON 4 DECEMBER 2006

The following Members of the Committee were present:-

Councillors Carolyn Keen (Chairman), Nicola Aiken, Kevin Gardner, Andrew Havery, Cyril Nemeth, Jan Prendergast, Lee Rowley, Sharan Tabari, Barrie Taylor

Also present: Councillor Angela Harvey

1. Housing with Care for Older People

- (a) We noted the draft strategic framework 'Older People: Housing and Care' which will be the subject of formal consultation.
- (b) The draft framework had been prepared following the work done by Ridgeway Associates, which had been the subject of a presentation to the former Health Housing and Social Care Services Overview and Scrutiny Committee on 14 December 2005.
- (c) Officers responded to a number of issues raised by Members including the take up of community alarms and the standards to be encouraged by both private and registered social landlords recognising that there will be an aspirational standard for new build which will obviously be higher than that for existing stock.
- (d) Members expressed concerns about the particular needs of the elderly in private sector rented accommodation, the need to ensure that proper standards are achieved and the need for proactive advocacy with regard to their concerns. It was understood that there will also need to be coherent advice with regard to equity release schemes for elderly homeowners.

2. Westminster Housing Commission – The Way Forward

- (a) We received a detailed presentation regarding the recommendations of the Westminster Housing Commission and welcomed to our meeting the Commissioners Professor Chris Hamnett, Jeremy Swain and Mike Youkee.
- (b) Following the presentation, officers and the Commissioners responded to a number of issues raised by Members including the fundamental concerns about what action can be taken to provide the required suitable housing stock within the City of Westminster. Members accepted that the pursuit of quality high density developments may be the only available solution to the quantum leap required to address the problems inherent in the lack of land capacity for development.

3. CityWest Homes

- (a) We received a detailed presentation regarding the outcome of the Audit Commission's Best Value Inspection and noted that CityWest Homes had successfully obtained a three star/excellent service rating.
- (b) Following the presentation, officers of CityWest Homes responded to a number of issues raised by Members including the need to promote more effective engagement with relevant stakeholders and to improve the repairs service satisfaction level with tenants identified in the recent MORI survey.

4. Review of the Financial Options for Future Funding of the City Council's Housing Stock

- (a) We noted a report summarising the key issues arising from the review undertaken by Tribal Consulting to
 - Assess the baseline financial position as at 2006.
 - Estimate probable future funding requirements to maintain the stock at decent homes standard and to improve the stock beyond decent homes.
 - Identify and appraise alternative funding vehicles to deliver the available options.
 - Review the current financial arrangements between the City Council and CityWest Homes.
- (b) Members were advised that, subject to the implementation of a number of the efficiencies and measures to increase income identified in the report, the Housing Revenue Account was likely to be solvent into the foreseeable future and that the proposal to retain and develop the existing contract with CityWest Homes was the best option for the future.

5. Cabinet Member Updates and Other Matters

- (a) We noted the latest update of our work programme and updates from the Cabinet Members for Health and Adult Social Services, Housing, and Customer and Community Services, including extracts from the current Forward Plan related to key decisions they intend to take over the next three months.

6. Health Scrutiny Task Group

- (a) Our Health Scrutiny Task Group held its second meeting on 20 November at St Mary's Hospital. Members received a presentation from Julian Nettel, Chief Executive St Mary's NHS Trust which outlined current issues facing the Trust and future plans, in particular the proposal to merge with Hammersmith Hospital NHS Trust and Imperial College to form an Academic Health Sciences Centre.

7. Libraries Scrutiny Task Group - Mental Health Scrutiny Task Group

- (a) We noted that the first meetings of our Libraries and Mental Health Scrutiny Task Groups are due to take place on 7 and 14 December respectively to receive presentations from the officers and to discuss the future work of the Task Group, the proposed areas of focus and the key issues involved.

COUNCILLOR CAROLYN KEEN, Chairman

Local Government [Access to Information] Act – Background Papers

The agenda and reports to the Health and Community Services Overview and Scrutiny Committee held on 4 December 2006

REPORT OF THE BUILT ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE ON 5 DECEMBER 2006

The following Members of the Committee were present:-

Councillors Michael Vearncombe (Chairman), Susie Burbidge, Rupert D’Cruz, Jean-Paul Floru, Andrew Havery, Angela Hooper, Louise Hyams and Steve Summers

1. Oxford Street Closure Event – 2 December 2006

- (a) We have undertaken a review of the event and the way that the New West End Company (NVEC), the event organisers, planned and consulted on the closures of Oxford Street and Regent Street.
- (b) We were pleased to welcome the Cabinet Member for Planning, Members whose wards were affected by the event, Gary Reeves, (NVEC), Inspector Nick Frost, (Metropolitan Police Service) and David Unwin, (Marylebone Association), to the meeting to assist the Committee.
- (c) We were pleased to hear from officers and ‘witnesses’ that: (i) the event was a success; (ii) that the organisers had taken on board many of the issues raised following the previous year’s event including moving the event date to early December and downsizing the scale of entertainments to reduce pedestrian congestion; (iii) that the operational strategy ran to plan and (iv) that crime on the day had been negligible. We have noted that the initial results of an independent visitor survey revealed an overwhelming support for the event and that retailers had reported a significant, positive impact on trading.
- (d) Notwithstanding this, we have noted a number of incidents that occurred during the day. These included: (i) considerable road congestion in George Street, Edgware Road and surrounding streets as a direct result of the public transport plan to re-route buses during the closure of Oxford Street; (ii) road congestion in Seymour Street arising from the operation of a large crane and (iii) some pedestrian crowding by the entertainment stage at Oxford Circus, and (iv) some pedestrian congestion in Regent Street when street entertainment restricted full pedestrian use of the carriageway.
- (e) We have also noted other operational issues raised by officers and partners. These included: difficulty in clearing Oxford Circus of shoppers in time to re-open the roads to traffic and that perhaps in future the road closures should remain in place until the retailers have closed; concern that some “Red Caps” brought in from outside London to work as stewards lacked the requisite knowledge of Westminster; and the desire to have seen better information on bus diversions.

- (f) We have also heard from Councillors whose wards were affected by the road closures and of the failure by NVEC properly to consult and communicate with residents and Ward Members prior to the event.
- (g) We have raised a number of queries including: (i) what was the impact of the displacement of buses? (ii) what was the impact of the event on the Council's car parks, on public transport, on other shopping areas in Westminster and on the traffic flows on Park Lane, Piccadilly and Charing Cross Road during the event? (iii) how many visitors were estimated to come from outside of London? (iv) was there any benefit in providing entertainment? and (v) should the event be held on the same day annually?
- (h) We have requested that these queries together with the other incidents and operational concerns raised be investigated as part of the detailed event assessment being undertaken by officers and partners. We have requested that copies of the assessment results be provided to the Committee and that the findings, together with the issues raised in respect of inadequate communication and consultation, be taken into account by the event organisers and agencies involved in order to improve future events. We have also suggested that as we had not heard from any residents, that a survey could be carried out to give residents the opportunity to comment on the event.

2. Review of Statement of Licensing Policy – Issues and Progress

- (a) We have received a report, which outlined the intended scope and the process of review of the Statement of Licensing Policy. The report addressed the Stress Area boundaries and a range of matters that had been raised as concerns at hearings at Licensing Sub-Committees.
- (b) We heard from the Cabinet Member for Community Protection and Licensing in respect of the success of the Statement of Licensing Policy in terms of (i) how it had operated and fulfilled the Council's objectives and (ii) regarding the support that it had received in the Magistrates Court on appeals against decisions of the Licensing Committee. We have noted that, in light of its success, the aim of the review would be to strengthen and clarify the Policy rather than radically change it, whilst also having regard to forthcoming Government Guidance.
- (c) We have noted and commented on the issues to be addressed in the review. We recognise that the biggest challenge will be the review of the Stress Areas and those areas where cumulative impact is imminent.
- (d) We have also identified other issues that we consider should be taken into account as part of the review and in the drafting of the revised policy. These included: (i) whether conditions customarily sought by the Environmental Health Services on "takeaways" meet current needs and (ii) whether there are areas where the Council could be less prescriptive.

- (e) We have also raised a number of non-policy related concerns as follows: (i) the small “window of opportunity” available to the police to object to temporary events notices; (ii) that councillors are barred from making representations on licensing applications in their ward; and (iii) that the Council is unable to charge different fees for licensable activities under the new regime.
- (f) We have requested that the Committee’s comments in respect of the review and non-policy related concerns be forwarded to the Cabinet Member for Community Protection and Licensing for consideration.
- (g) We intend to consider and provide views on the Council’s forthcoming draft policy relating to smoking outside of licensed premises and the consequent affects of additional noise pollution and street cleansing at a future meeting.

3. Network Rail Owned Bridge Structures in Westminster

- (a) We have considered a report that provided (i) an update of the structural assessments and feasibility studies for interim measures and strengthening in respect of bridges owned by Network Rail in Westminster; (ii) details of the proposed interim measures needed to safeguard public safety and the structural integrity of bridges in the short term; (iii) details of proposed strengthening measures, together with an overview of their traffic implications; and (iv) an overview of the likely cost implications of these works. The report also set out options available to the Council to ensure that these bridges are maintained to current highway loading standards in the future.
- (b) We have raised a number of concerns in respect of the temporary removal of the environmental weight limits to some of the bridges near Paddington. We are concerned that with the expansion of the congestion charging zone TfL are attempting to find alternative routes for large articulated vehicles and that the lifting of the weight restrictions on the bridges would allow for this. We are concerned at the possible detrimental effect that this would have on the local community and in particular the heavily residential Westbourne Terrace. We have noted the Director of Transportation’s response that while Network Rail has a duty to maintain its bridges their liability is limited in respect of maintaining the load-bearing capacity. The responsibility for assessing and upgrading bridges owned by it to the new loading standards, as required by EC Directive, falls to the Council. This applies to all Network Rail bridges that carry the public highway for which the Council is Highway Authority. The Director of Transportation has advised that strengthening the bridges is vital, not only so that large articulated lorries can make deliveries, but also to ensure that the bridges are able to continue to support buses and in order to cater for traffic diversions during the strengthening works to the adjacent bridges and for construction traffic associated with Crossrail. We have noted that the interim measures and strengthening are being recommended to meet the Council’s responsibilities and not as a result of any requests from TfL’s Congestion Charging team to remove permanently environmental weight limits to Westbourne Terrace and Ranelagh Bridges.

- (c) We have also raised concern that the cost of upgrading the bridges should not fall on Westminster's residents but to the owners of all the bridges or TfL. We have noted the Director of Transportation's response that, with the exception of the Paddington Bridge project, the expenditure for implementing interim measures and strengthening of Network Rail owned bridges in Westminster is eligible for grant support from Transport for London (TfL) and does not fall to the Council and its council tax payers;
- (d) We have suggested that the Transportation Department consider undertaking a modelling exercise of traffic and loading patterns to ascertain (i) which of the bridges actually need to be strengthened to EC standards and (ii) in which order the works need to be undertaken. However, we have noted officers' advice there would be little extra work required to strengthen a bridge to meet new loading standards compared to strengthening to a slightly lower loading weight. It would also be necessary for the bridges to meet new loading standards to cater for possible future construction traffic associated with Crossrail.

MICHAEL VEARNCOMBE, Chairman

Local Government (Access to Information) Act 1972 – Background Papers
The agenda and reports to the Built Environment Overview and Scrutiny
Committee on 5 December 2006

REPORT OF THE WESTMINSTER SCRUTINY COMMISSION ON 12 DECEMBER 2006

The following Members of the Committee were Present:

Councillors Tim Mitchell (Chairman), Carolyn Keen, Mark Page, Barrie Taylor and Michael Vearncombe

1. Developing the Leader's Question & Answer Session

- (a) The Commission discussed a variety of proposals for developing the Leader's Q&A Session in light of the experience of the first of these sessions in October and asked for these to be written up as a structure for the next Q&A Session in February.

2. Council Membership on Outside Bodies

- (a) The Commission received a list of Council-appointed nominees on outside bodies and agreed that the list should be expanded for use by Overview and Scrutiny (O&S) Members, to cover Councillor membership on all representative bodies, including non-Council appointments.

3. Update on Actions from Previous Meeting

- (a) The Commission was updated on actions taken and progress made since the last meeting to further improve the resources and support available to Overview and Scrutiny Members.
- (b) The Commission discussed (i) Task Group activity; (ii) the O&S pages on the website (and requested information on the number of 'hits'); (iii) support to Chairmen from Chief Officers and Cabinet Members; (iv) training for Members; (v) the development of a database of scrutiny activity; (vi) the monthly Scrutiny Bulletin; and (vii) the O&S Budget.

TIM MITCHELL, Chairman

Local Government (Access to Information) Act 1972 – Background Papers:
The agenda and reports to the Westminster Scrutiny Commission on 12 December 2006.