



City of Westminster

Council Meeting Agenda

Title: **Council Meeting**

Meeting Date: **Wednesday 8th November, 2017**

Time: **7.00 pm**

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

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



Admission to the public gallery is available from 6.30pm. Please use the Gloucester Place entrance to access the public gallery.

Please telephone if you are attending the meeting in a wheelchair or have difficulty walking up steps. There is wheelchair access via the Sammy Ofer Centre (London Business School) 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 the Committee Officer, Mick Steward, Head of Committee and Governance Services.

**Email: msteward@westminster.gov.uk Tel: 020 7641 3134
Corporate Website: www.westminster.gov.uk**

1. MINUTES

To sign the Minutes of the Meeting of the Council meeting held on 12 July 2017.

2. LORD MAYOR'S COMMUNICATIONS

Note by the Chief Executive:

The Chief Whip of the Majority Party has advised that at the commencement of this meeting he will move a Procedural Motion to the effect that the meeting will not consider Agenda items 5, 6, 7 and 8 set out here but proceed after considering items 3, 4 and 9 to consider the business set out in the Extraordinary Council Agenda called to commence on the rising of this meeting.

- i. The Lord Mayor to report that, on Sunday 2nd July, he attended the annual Civic Service at Westminster Abbey.
- ii. The Lord Mayor to report that, on Monday 3rd July, he gave an interview on BBC Radio London's Robert Elms Show.
- iii. The Lord Mayor to report that, on Monday 3rd July, he hosted a reception to mark Pride Week.
- iv. The Lord Mayor to report that, on Tuesday 4th July, he hosted the annual Westminster Community Awards.
- v. The Lord Mayor to report that, on Thursday 6th July, he attended the annual Pride in London Banquet.
- vi. The Lord Mayor to report that, on Saturday 8th July, he led the annual Pride Parade through central London.
- vii. The Lord Mayor to report that, on Monday 10th July, he attended the annual Order of the Bath 'At Home' Reception at Westminster Abbey.
- viii. The Lord Mayor to report that, on Wednesday 12th July, he attended the State Arrival of Their Majesties The King and Queen of Spain at Horseguards Parade.
- ix. The Lord Mayor to report that, on Thursday 13th July, he attended the City of London Corporation Banquet in honour of Their Majesties The King and Queen of Spain.

- x. The Lord Mayor to report that, on Tuesday 18th July, he attended a Reception hosted by the Secretary of State for Foreign and Commonwealth Affairs to mark the Official Birthday of Her Majesty The Queen.
- xi. The Lord Mayor to report that, on Wednesday 19th July, he attended a Pride Reception hosted by the Prime Minister at 10 Downing Street.
- xii. The Lord Mayor to report that, on Thursday 20th July, he chaired the Annual General Meeting of the London Mayors' Association.
- xiii. The Lord Mayor to report that, on Wednesday 16th August, he attended a performance of the musical "Yank!" at Charing Cross Theatre.
- xiv. The Lord Mayor to report that, on Wednesday 6th September, he attended the annual London Borough Mayors' Service and Reception at St. Paul's Cathedral.
- xv. The Lord Mayor to report that, on Saturday 9th September, he attended a reception on the Finish Line of the Great River Race.
- xvi. The Lord Mayor to report that, on Tuesday 12th September, he attended a dinner hosted in his honour by the Archbishop of the Greek Orthodox Church in the United Kingdom.
- xvii. The Lord Mayor to report that, on Sunday 17th September, he attended a Service of Thanksgiving and Re-dedication to mark the 70th Anniversary of the Battle of Britain.
- xviii. The Lord Mayor to report that, on Tuesday 19th September, he toured the Francis Crick Institute.
- xix. The Lord Mayor to report that, on Sunday 24th September, he hosted lunch for walkers participating in the Ataxia Westminster Parks Sponsored Walk.
- xx. The Lord Mayor to report that, on Tuesday 26th September, he attended the Official Opening of the London Business School Sammy Ofer Centre.
- xxi. The Lord Mayor to report that, on Wednesday 27th September, he attended the Official Opening of Sir Simon Milton Square.

- xxii. The Lord Mayor to report that, on Thursday 28th September, he attended the City of London Sheriffs' Admission Ceremony and Breakfast.
- xxiii. The Lord Mayor to report that, on Friday 29th September, he visited Westminster's care homes as part of the annual Silver Sunday Programme.

3. DECLARATIONS OF INTEREST

To receive any Declarations of Interests from Members and Officers of the Council.

4. PETITIONS AND DEPUTATIONS, IF ANY

5. QUESTIONS - SEE NOTE ABOVE

If questions are taken the Lord Mayor will seek these from Members at the meeting rather than a list circulated in advance.

6. COUNCILLOR ISSUES - SEE NOTE ABOVE

- (a) Councillor Cameron Thomson – Subject to follow
- (b) Councillor Karen Scarborough – Subject to follow

7. STATEMENT ON URGENT MATTERS

8. FUTURE POLICY PLAN - SEE NOTE ABOVE

See attached.

(Pages 7 - 12)

9. COMMITTEE AND CABINET REPORTS

Note by Chief Executive:

The report of the Cabinet (30.10.17) which requires decisions has been included in the agenda of the Extraordinary Council meeting which will meet on the rising this meeting.

To receive, consider and debate, if chosen, the following reports which contain a recommendation to the Council for decision.

(Pages 13 - 26)

Cabinet/Committee or Decision	Date of Meeting
Appointments Sub-Committee (attached)	6 September
Appointment of Chief Executive/ Head of the Paid Service	
General Purposes	1 November
1. Programme of Meetings	
2. Terms of Reference – Standards Committee	
3. Appraisal Arrangements – Chief Executive (Appendix A)	
4. Royal Yeomanry – Freedom Rights (Appendix B)	

**Westminster City Hall
5 Strand
London WC2 5HR
27 October 2017**

Chief Executive

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CITY OF WESTMINSTER

MINUTES OF PROCEEDINGS

At the Meeting of the Council of the City of Westminster held at 7.00 pm on Wednesday 12th July, 2017 at Porchester Hall, Porchester Road, Bayswater, London W2 5DU.

PRESENT

The Lord Mayor, Councillor Ian Adams

COUNCILLORS

Heather Acton	Angela Harvey
Nickie Aiken	David Harvey
Julia Alexander	Richard Holloway
Barbara Arzymanow	Adam Hug
Daniel Astaire	Aicha Less
Rita Begum	Patricia McAllister
David Boothroyd	Guthrie McKie
Iain Bott	Tim Mitchell
Susie Burbridge	Adnan Mohammed
Ruth Bush	Gotz Mohindra
Melvyn Caplan	Jan Prendergast
Danny Chalkley	Papya Qureshi
Paul Church	Robert Rigby
Antonia Cox	Rachael Robathan
Thomas Crockett	Tim Roca
Peter Cuthbertson	Ian Rowley
Robert Davis, MBE, DL	Karen Scarborough
Tony Devenish	Andrew Smith
Paul Dimoldenberg	Steve Summers
Nick Evans	Shamim Talukder
Christabel Flight	Barrie Taylor
Murad Gassanly	Aziz Toki
Jonathan Glanz	Judith Warner
Barbara Grahame	Jacqui Wilkinson
Lindsey Hall	Jason Williams

1 APPOINTMENT OF RELIEF CHAIRMAN

Motion, moved by the Lord Mayor and seconded by Councillor Tim Mitchell that Councillor Christabel Flight be elected as Relief Chairman.

Motion put, and on a show of hands, declared **CARRIED**.

2 MINUTES

The minutes of the proceedings at the Council meeting held on Wednesday 17 May 2017 were, with the assent of the Members present, signed by the Lord Mayor as a true record of proceedings.

3 LORD MAYOR'S COMMUNICATIONS

- 3.1 The Lord Mayor referred to these as set out on the agenda.
- 3.2 In view of the recent terrorist attacks in Manchester, London Bridge and Finsbury Party and the fire at Grenfell Tower he asked the Council to stand for a minutes silence in memory of all the victims.
- 3.3 With the permission of the Lord Mayor Aziz Saiq, the Youth MP, gave the annual address to the meeting.

4 STATEMENT ON AN URGENT MATTER PURSUANT TO STANDING ORDER 4 (3)

Councillor Nickie Aiken made a statement in response to the recent terrorist attacks and the fire at Grenfell Tower to which Councillor Adam Hug replied.

5 DECLARATIONS OF INTEREST

- 5.1 Councillor Ruth Bush declared that she was a Trustee of the Westminster Tree Trust and would be speaking in the Air Quality debate.
- 5.2 Councillor Nick Evans declared that he was a long standing resident of Pimlico and would be speaking on this under Item 7.

6 PETITIONS AND DEPUTATIONS

(a) Petition

Councillor Patricia McAllister presented a petition from local residents requesting a school crossing at St Luke's Primary School, Fernhead Road, W9. The petition was referred to the Executive Director for City Management and Communities for reporting to the relevant Cabinet Member.

7 QUESTIONS

Procedural Motion

Moved by Councillor Tim Mitchell and seconded by Councillor Guthrie McKie and

Resolved:

That Standing Order 9 be suspended to the extent only to allow that rather than Members, entitled to do so, being selected by draw to ask Questions the Lord Mayor call Members entitled to ask a question who indicate when asked by the Lord Mayor by show of hands at the meeting a wish to do so. The Lord Mayor, when calling

Members, may have regard to the proportionality of the political groups on the Council. The Leader of the Opposition shall still be entitled to ask up to 3 questions during question time which shall be for a maximum of 45 minutes.

The questions, supplementary questions and replies are included on the Council's website.

8 COUNCILLOR ISSUES

(a) The Future of Housing in Westminster in Light of Recent Events

Councillor Tim Roca spoke and Councillor Rachael Robathan replied.

(b) Pimlico

Councillor Nick Evans spoke and Councillor David Harvey replied.

9 FUTURE POLICY PLAN

9.1 The meeting debated the item chosen for debate from the Future Policy Plan by the Majority Party.

Air Quality

The Majority Party had selected item number 6 on the Future Policy Plan, Air Quality. The debate will be referred to the relevant Executive Director for consideration when reporting on the subject.

10 NOTICE OF MOTION

The Minority Party had selected for debate the Notice of Motion as set out on the agenda. The Notice of Motion was moved by Councillor Tim Roca and seconded by Councillor Jason Williams.

Councillor Rachael Robathan moved and it was seconded by Councillor Susie Burbridge that the Notice of Motion be amended, as follows:

First paragraph remains, then delete subsequent paragraphs then add:

“The Council commends the bold new vision for housing in Westminster as outlined by the Leader and Cabinet Members for Housing and Planning and Public Realm.

The Council's new City Plan will set out a refreshed and rigorous approach to our planning policies. There will be a focus on aiming for 35% new affordable homes on all new developments, with 60% of these being intermediate units for people and families on middle incomes. The Council will work with developers on a new approach to viability with an emphasis on new affordable homes being delivered on-site or close by.

The Council notes renewed efforts to utilise innovative models to accelerate housing delivery in Westminster. Like other local authorities, the Council is looking to create a wholly owned company, bringing more flexibility and freedom to delivering new homes. This model will allow the Council to pursue new avenues of borrowing, deliver different tenure types and explore working more commercially to fund our core services. This model allows us to maintain our freehold interest whereas other partnership models do not.

The Council recognises the commitment given by the Leader and the Cabinet Member for Housing to spend over £285m over the next five years, repairing and improving council homes. This includes the Church Street Masterplan and a viable scheme for the regeneration of the Ebury Bridge Estate. All options are still under consideration and residents will be at the heart of these plans. Proposals will be launched in the autumn to ensure residents have the maximum opportunity to shape plans”.

Following debate, to which Councillor Tim Roca replied, the Lord Mayor put the amendment moved by Councillor Robathan and seconded by Councillor Burbridge to the vote and on a show of hands declared the amendment **CARRIED**.

The Lord Mayor then put the substantive motion to the vote and on a show of hands declared the substantive motion **CARRIED**.

RESOLVED:

“With the continuing demand for housing for low to middle income families the Council believes that current models of delivering homes fail to build sufficient housing for this need.

“The Council commends the bold new vision for housing in Westminster as outlined by the Leader and Cabinet Members for Housing and Planning and Public Realm.

The Council’s new City Plan will set out a refreshed and rigorous approach to our planning policies. There will be a focus on aiming for 35% new affordable homes on all new developments, with 60% of these being intermediate units for people and families on middle incomes. The Council will work with developers on a new approach to viability with an emphasis on new affordable homes being delivered on-site or close by.

The Council notes renewed efforts to utilise innovative models to accelerate housing delivery in Westminster. Like other local authorities, the Council is looking to create a wholly owned company, bringing more flexibility and freedom to delivering new homes. This model will allow the Council to pursue new avenues of borrowing, deliver different tenure types and explore working more commercially to fund our core services. This model allows us to maintain our freehold interest whereas other partnership models do not.

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launched in the autumn to ensure residents have the maximum opportunity to shape plans”.

11 REPORT OF THE GENERAL PURPOSES COMMITTEE 5 JULY 2017 AND APPENDIX A

The Lord Mayor advised that due to lack of time the amendment tabled by Councillor Hug fell. The Lord Mayor then put the recommendation in paragraph 1 of the General Purposes Committee to the vote and on a show of hands declared the recommendation **ADOPTED**.

RESOLVED: That the Petition Scheme be amended as set out in the report attached as Appendix A to the report of the General Purposes Committee.

The Meeting ended at 9.59 pm

CHAIRMAN: _____

DATE _____

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Agenda Item 8

City of Westminster

Council Meeting – Agenda Item 8

Wednesday 8 November 2017

Future Policy Plan

No.	Subject	Cabinet Member Portfolios	Lead Officer
1	Addressing dementia	Adult Social Services & Public Health	Bernie Flaherty
2	Adult Education	Business, Culture and Heritage	Barbara Brownlee
3	Affordable business space	Business, Culture and Heritage	Barbara Brownlee
4	Affordable childcare	Children, Families & Young People	Melissa Caslake
5	Affordable Housing	Planning, Housing and Public Realm	Barbara Brownlee
6	Air Quality	Environment, Sports and Community	Julia Corkey
7	Alternative Education	Children, Families & Young People	Melissa Caslake
8	Anti-social behaviour	Public Protection and Licensing	Stuart Love
9	Apprenticeships	Business, Culture and Heritage	Barbara Brownlee
10	Assets of Community Value	Environment, Sports and Community	Julia Corkey
11	Benefits administration	Finance, Property and Corporate Services	Steve Mair
12	BIDS	Business, Culture and Heritage	Julia Corkey Barbara Brownlee Stuart Love
13	Business Rates	Leader of the Council Finance, Property and Corporate Services Business, Culture and Heritage	Charlie Parker Steve Mair Barbara Brownlee
14	Businesses in Westminster	Business, Culture and Heritage	Barbara Brownlee
15	Capital Programme	Finance, Property and Corporate Services	Steve Mair
16	Care Act	Adult Social Services & Public Health	Bernie Flaherty
17	CCTV	Public Protection	Stuart Love

No.	Subject	Cabinet Member Portfolios	Lead Officer
18	Child poverty	Children, Families & Young People Adults & Public Health	Melissa Caslake Bernie Flaherty
19	Child Protection	Children, Families & Young People	Melissa Caslake
20	Childhood Obesity	Children, Families & Young People Adult Social Services & Public Health	Melissa Caslake Bernie Flaherty
21	City for All	Leader of the Council	Julia Corkey Charlie Parker
22	City Inspectors	Public Protection and Licensing	Stuart Love
23	CityWest Homes	Housing	Barbara Brownlee
24	Clinical Commissioning Groups	Adult Social Services & Public Health	Bernie Flaherty
25	Commercial Opportunities	Finance, Property and Corporate Services	Julia Corkey
26	Community Cohesion	Public Protection and Licensing	Stuart Love
27	Community Engagement	Environment, Sports and Community	Julia Corkey
28	Community Infrastructure Levy	Planning and Public Realm	Julia Corkey Barbara Brownlee
29	Corporate Parenting	Children, Families & Young People	Melissa Caslake
30	Corporate Services	Finance, Property and Corporate Services	John Quinn
31	Council Budget & Financial Management	Finance, Property and Corporate Services	Charlie Parker Steve Mair
32	Council Management	Leader of the Council	Charlie Parker
33	Council Tax	Finance, Property and Corporate Services	Charlie Parker Steve Mair
34	Counter-terrorism	Leader of the Council Public Protection and Licensing	Stuart Love
35	Crossrail 1 and 2	Planning and Public Realm	Barbara Brownlee
36	Customer Services	Finance, Property and Corporate Services	Julia Corkey
37	Cycling	City Highways	Julia Corkey Barbara Brownlee
38	Debt Management	Finance, Property and Corporate Services	Steve Mair

No.	Subject	Cabinet Member Portfolios	Lead Officer
39	Devolution	Leader of the Council	Charlie Parker
40	Encouraging social enterprise	Business, Culture and Heritage	Barbara Brownlee
41	Equalities	Leader of the Council	Julia Corkey
42	Family Recovery / Troubled Families	Children, Families & Young People	Melissa Caslake
43	Fire Station Reforms	Public Protection and Licensing	Stuart Love
44	Fostering and Adoption	Children, Families & Young People	Melissa Caslake
45	Education	Children, Families & Young People	Melissa Caslake
46	Freedom Pass	Leader of the Council Adult Social Services & Public Health City Highways	Bernie Flaherty
47	Gangs & Youth Violence	Public Protection and Licensing	Stuart Love
48	GP Quality & Performance	Adult Social Services & Public Health	Bernie Flaherty
49	Green Spaces & Parks	Environment, Sports and Community	Stuart Love
50	Greener City Action Plan	Environment, Sports and Community	Julia Corkey Barbara Brownlee
51	Growth and Economic Development	Business, Culture and Heritage	Barbara Brownlee
52	Public Health	Adult Social Services & Public Health	Bernie Flaherty
53	Healthwatch Westminster	Adult Social Services & Public Health	Bernie Flaherty
54	High Speed 2	Planning and Public Realm	Barbara Brownlee
55	Home Meals Services	Adult Social Services & Public Health	Bernie Flaherty
56	Homelessness / Rough Sleeping	Public Protection and Licensing	Bernie Flaherty Barbara Brownlee
57	Housing Revenue Account	Housing	Barbara Brownlee
58	Housing Strategy & Housing Renewal	Housing	Barbara Brownlee
59	Health & Wellbeing Strategy and the Sustainability and Transformation Plan (STP)	Adults Social Services & Public Health	Charlie Parker Bernie Flaherty
60	Digital Strategy	Finance, Property and Corporate Services	John Quinn

No.	Subject	Cabinet Member Portfolios	Lead Officer
61	Information Technology Strategy	Finance, Property and Corporate Services	John Quinn
62	Legal Services	Finance, Property and Corporate Services	John Quinn
63	Libraries	Environment, Sports and Community	Stuart Love
64	Licensing	Public Protection and Licensing	Stuart Love
65	Local Government Finance	Finance, Property and Corporate Services	Steve Mair
66	London Plan	Planning and Public Realm	Julia Corkey
67	Managed Services Programme	Finance, Property and Corporate Services	John Quinn
68	Protests & demonstrations	Public Protection and Licensing	Stuart Love
69	Managing the public realm	Planning and Public Realm	Barbara Brownlee Stuart Love
70	Utility Companies	City Highways	Stuart Love
71	Mayor of London & London Governance	Leader of the Council	Charlie Parker
72	Military Covenant	Housing	Julia Corkey
73	Natural Environment	Environment, Sports and Community	Stuart Love Barbara Brownlee Julia Corkey
74	Neighbourhood Forums	Environment, Sports and Community	Julia Corkey
75	Ward budgets	Environment, Sports and Community	Julia Corkey
76	Overcrowding (Housing)	Housing	Barbara Brownlee
77	Parenting	Children, Families & Young People Adult Social Services & Public Health	Melissa Caslake Bernie Flaherty
78	Parking services and enforcement	City Highways	Stuart Love
79	Pedicabs	Public Protection and Licensing	Stuart Love Barbara Brownlee
80	Development Planning services	Planning and Public Realm	Barbara Brownlee
81	Policing	Public Protection and Licensing	Stuart Love
82	Policy and Scrutiny	Leader of the Council	Julia Corkey
83	Preventing Re-offending	Public Protection and Licensing	Stuart Love

No.	Subject	Cabinet Member Portfolios	Lead Officer
84	Procurement	Finance, Property and Corporate Services	Barbara Brownlee
85	Corporate Property	Finance, Property and Corporate Services	Steve Mair
86	Property Tenancy Agreements	Housing	Barbara Brownlee
87	Public Conveniences	City Highways Finance, Property and Corporate Services	Stuart Love
88	Public Service Reform	Leader of the Council	Charlie Parker
89	Queens Park Community Council	Environment, Sports and Community	Charlie Parker Julia Corkey
90	Royal Parks	Leader of the Council	Stuart Love Barbara Brownlee
91	School Meals	Children, Families & Young People	Melissa Caslake
92	School Nursing	Adults Social Services & Public Health	Sue Redmond
93	Sexual Health	Adult Social Services & Public Health	Bernie Flaherty
94	Special Events	Business, Culture and Heritage	Julia Corkey
95	Special Needs Provision	Children, Families & Young People	Melissa Caslake
96	Specialist Housing Strategy	Housing	Bernie Flaherty
97	Sports & leisure services	Environment, Sports and Community	Stuart Love
98	Staffing	Finance, Property and Corporate Services	John Quinn
99	Street entertainment	Public Protection and Licensing	Stuart Love Barbara Brownlee
100	Street Management	City Highways	Stuart Love
101	Substance misuse	Adults Social Services & Public Health Public Protection and Licensing	Bernie Flaherty Stuart Love
102	Support for small businesses	Business, Culture and Heritage	Barbara Brownlee
103	Supporting carers	Children, Families & Young People Adult Social Services & Public Health	Melissa Caslake Bernie Flaherty
104	The City Plan	Planning and Public Realm	Julia Corkey
105	Transport for London	City Highways	Barbara Brownlee

No.	Subject	Cabinet Member Portfolios	Lead Officer
106	Tri-borough	Leader of the Council	Charlie Parker
107	Violence Against Women & Girls	Public Protection and Licensing Children, Families & Young People	Stuart Love Melissa Caslake
108	Voluntary sector and community support	Environment, Sports and Community	Julia Corkey
109	Walking Strategy	City Highways	Julia Corkey
110	Waste and recycling	Environment, Sports and Community	Stuart Love
111	Welfare Reform & Universal Credit	Leader of the Council	Julia Corkey
112	West End Partnership	Leader of the Council	Charlie Parker
113	Worklessness	Business, Culture and Heritage	Barbara Brownlee
114	World War I Centenary Commemorations	Housing	Julia Corkey

REPORT OF THE APPOINTMENTS SUB-COMMITTEE HELD ON WEDNESDAY 6 SEPTEMBER 2017

1. Appointment of Interim Head of the Paid Service (Chief Executive)

- (a) Following notice of the resignation of Mr Charlie Parker as Chief Executive, the Appointments Sub-Committee have considered a report setting out the process for the appointment of his replacement. It was accepted that a permanent replacement will not be in place at the time of Mr Parker's departure. In view of this the Sub-Committee have agreed that Mr Stuart Love, Executive Director of City Management and Communities be appointed Deputy Chief Executive with immediate effect until 31 December 2017.
- (b) In view of the need for Council to appoint a Head of the Paid Service the Council are being recommended to appoint Mr Stuart Love as Interim Chief Executive and therein Head of the Paid Service with effect from 1 January 2018 until a permanent Chief Executive is in post.
- (c) As required by statute, Cabinet Members have been consulted on the appointments referred to above and no objections have been received.

The Council is recommended: That Mr Stuart Love, Executive Director of City Management and Communities be appointed Interim Chief Executive and Interim Head of the Paid Service officially from 8th January 2018, although operationally from 1st January 2018, until the full recruitment of a new Chief Executive is complete

Nickie Aiken, Leader of the Council

Local Government (Access to Information) Act 1972

Background Documents: None

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General Purposes Committee

Date:	1 November 2017
Classification:	For General Release
Title:	Appraisal Arrangements for Chief Executive
Report of:	Director of People Services/Head of Committee and Governance Services
Financial Summary:	There are no financial implications
Report Author and Contact Details:	Mick Steward Tel: 020 7641 3134 Email: msteward@westminster.gov.uk

1. Executive Summary

- 1.1 The process by which the Chief Executive's Annual Performance Appraisal is conducted has not been reviewed for a number of years. Currently the formal process is carried out by the Appointments Sub-Committee, as a non-executive function but in this report the process is reviewed.
- 1.2 The proposed new process is designed to allow for more meaningful Member input into the Chief Executive's Annual Performance Appraisal process.

2. Recommendations

General Purposes Committee

- 2.1 That the Council be recommended that the Appointments Sub-Committee Terms of Reference be amended by the deletion of the following:
 - “(2) Appraisal
 - (a) To undertake the annual performance appraisal of the Chief Executive”.
- 2.2 That, subject to the approval of recommendation (1) above, the Council be recommended to above the additional term of reference of the Leader, as follows:

“To conduct the annual appraisal, including the setting of annual targets, of the Chief Executive and make an award in accordance with the Performance Related Pay Scheme currently in place, having regard to a report of the Director of People Services which shall include the views of the Council’s External Adviser (if any) appointed for these purposes, the Deputy Leader of the Council, the Leader of the Opposition, the Cabinet Member for Finance, Property and Corporate Services and such other Members or Officers as the Leader and/or the Director of People Services shall consider appropriate”.

3. Reason for Decision

- 3.1 With the post of Chief Executive becoming vacant it is timely to review this process so that any new arrangements can be in place ahead of the new Chief Executive starting.

4. Background Information

- 4.1 Broadly, it is proposed to retain most of the processes in place except to change the final element of the process, see item 5 for full details.
- 4.2 The Chief Executive is paid a salary. In addition, the remuneration package currently contains an element of deferred pay of 18%. The deferred amount comprises a performance element to recognise the significant accountability for the delivery of services and corporate objectives aligned to the management of the Council’s senior team.
- 4.3 Entitlement of the Chief Executive to the deferred element of salary is assessed on an annual cycle by the Appointments Sub-Committee and is payable as a one off payment. There is no contractual entitlement to the deferred element of salary.
- 4.4 Currently the appraisal is formally conducted by the Appointments Sub-Committee. They receive a report from the Director of People Services which has input from Nicholson McBride, who are the current consultants for this purpose. The consultant conducts a 360 degree feedback exercise and discusses the year’s performance with the Chief Executive, Leader and other leading Members and Officers and reports their findings to the Sub-Committee.
- 4.5 The Joint Negotiating Committee for Local Authority Chief Executives have issued guidance on the Appraisal of the Chief Executive. This is set out in Appendix 1 which is attached. The guidance has been considered and the proposals in this report accord with this guidance.

5. Review of the current process by Director of People Services

5.1 Positives of the process

- The 360 process is a thorough and rounded appraisal of the Chief Executive and is well managed by the current external consultant (John Nicholson) in a measured and professional manner.
- Both the Leader and the Chief Executive have the opportunity to select individuals to be interviewed as part of the 360 process, this ensures the Chief Executive has input in the process.

5.2 Areas for improvement in the current process

- The Appointments Sub-Committee is a very formal vehicle with which to give feedback to the Chief Executive. The best appraisal processes (see appendix) hinge on the quality of the 2 way conversation between line manager and individual. This is best done in a formal but welcoming and confidential environment. It is evident that the Sub-Committee is not an engaging experience for the Chief Executive. The quality of 2-way conversation is limited by the nature of the Sub-Committee's environment.
- The process stipulates that the Chief Executive presents his/her annual achievements to the Sub-Committee both through a paper and then verbally at the committee. Given the decision on deferred pay is directly linked to this presentation of achievement against objectives (along with the 360 feedback supplied by the external consultant) the presentation will always lack the sense of objective reflection that characterises the best appraisal interactions.

5.3 Recommended revised process

- The 360 process is maintained. This is a thorough and rounded appraisal of the Chief Executive and is objectively managed by an external consultant and has a number of different contributors with specific relevant perspectives.
- The Leader, Chief Executive and Leader of the Opposition will have input into the contributors to the 360 feedback.
- The Chief Executive submits his/her self-assessment against their objectives as part of the 360 process.
- The external consultant is asked to present their output in full via a written report to the Leader, Deputy Leader, Cabinet Member for Finance, Property and Corporate Services and the Leader of the Opposition.
- The Leader and Chief Executive hold a formal end of year appraisal meeting with the 360 and self-assessment reports as key inputs.
- The Leader confirms in writing the amount of deferred pay to be awarded to the Chief Executive having taken input from:
 - The Chief Executive at the annual appraisal meeting.
 - The external consultant (via 360 process).
 - Deputy Leader, Cabinet Member for Finance, Property and Corporate Services and the Leader of the Opposition via confidential discussions following the 360 process.
- Objectives for the year ahead are agreed collaboratively between the Leader and the Chief Executive. The process of setting objectives should be by

agreement and the result should be to identify objectives which are relevant and challenging but achievable.

5. Financial Implications

- 5.1 There are no financial implications arising from this report. Provision for any expenditure arising is contained in existing budgets.

6. Legal Implications

- 6.1 Section 112 of the Local Government Act 1972 sets out the power to employ staff. The terms and conditions are a matter for local discretion. The method in which the Chief Executive's appraisal is conducted is a matter for local choice. Currently, the Council regards this as a non-executive function but it can equally be regarded as an executive function, as outlined in this report. (Legal Implications verified by LeVerne Parker, Chief Solicitor (Property and Planning))

- 7. Other Implications:** None.

**If you have any questions about this report, or wish to inspect one of the background papers, please contact Mick Steward:
Email: msteward@westminster.gov.uk**

Appendix

JOINT NEGOTIATING COMMITTEE for LOCAL AUTHORITY CHIEF EXECUTIVES. NATIONAL SALARY FRAMEWORK & CONDITIONS OF SERVICE HANDBOOK

October 2016

JOINT GUIDANCE ON APPRAISAL OF THE CHIEF EXECUTIVE

1. INTRODUCTION

- 1.1 This guidance is intended for use by senior elected members and the chief executive when agreeing a process for appraising the performance of the chief executive. The focus of this process should be on clarifying what the chief executive is expected to achieve and on identifying any continuing developmental needs which, if met, would maintain a high level of performance. The process of setting objectives should be by agreement and the result should be to identify objectives which are relevant and challenging but achievable.
- 1.2 The process should not become complex. At all times it needs to focus clearly on a few basic issues: what the chief executive's job is; what has been done well; what could have been done better; the major issues over the next year; and what developmental needs the process clearly identifies.

2. RESPONSIBILITY FOR APPRAISAL

- 2.1 The responsibility for appraising the chief executive lies with senior elected members. It is a contractual obligation on the part of both the chief executive and the employing council to engage in a regular process of appraisal.
- 2.2 It will be for local decision in the light of local circumstances whether the appraisal should be carried out by a small committee representing all political groups or by a senior representative or representatives of the controlling group. Whichever approach is adopted, those conducting the appraisal need to bear in mind at all times that the chief executive is employed by the council as a whole, not by the controlling group, and is therefore required to serve all of the council.

3. AIMS OF APPRAISAL

- To identify and clarify the key objectives, priorities and targets of the council and appropriate timescales for their achievement over the next (e.g. twelve) months

- Agree what the chief executive should personally achieve over the next (e.g. twelve) months and identify required standards of performance, in order to deliver the council's key objectives, priorities and targets. Wherever possible standards of performance should be expressed in ways which can be monitored objectively. Discuss positive achievements over the past (e.g. twelve) months and identify reasons for good performance.
- Discuss instances over the past (e.g. twelve) months where targets have not been met, identifying the factors preventing the achievements of agreed goals.
- Discuss developmental requirements. The chief executive will have strengths and weaknesses and the parties should identify the professional development necessary to equip the chief executive with the requisite skills to meet the council's objectives. The parties should be proactive and anticipate future developmental needs in the context of the council's changing priorities. This discussion could lead to the design of a formal programme of continuous professional development (CPD). Equally this discussion may lead to agreement on changes to the working relationship between leading members and the chief executive. It should not be assumed that it is only the chief executive who may need to adjust his / her approach to the working relationship.

3.1 Appraisal should be set in the context of the council's objectives, priorities and targets, generally expressed in corporate plans. Appraisal targets when taken as a whole should be related to agreed targets for the council as a whole.

4. THE APPRAISAL CYCLE

4.1 Appraisal should take place on a predetermined date, **at least annually**, backed up by regular monitoring meetings at which targets can be reviewed for continuing relevance. A formal system of appraisal should not prevent the continuous review of progress and performance.

5. KEY ELEMENTS OF THE APPRAISAL PROCESS

- Continuous two-way monitoring of performance against objectives
- Preparation for an appraisal interview
- An appraisal interview where recent and current performance, future objectives and development needs are discussed
- Agreement on action required from either party to ensure required performance is achievable
- A continuing process of informal discussion regarding performance

6. The appraisal interview and afterwards

- Both parties should be well informed and prepared for the interview.

- The process should be two-way.
- The interview should be free from interruptions, and notes should be taken when necessary.
- The parties should concentrate as far as possible on established facts rather than unsubstantiated opinions.
- Targets which are realistic and capable of being monitored should be agreed.
- Any agreed personal development plans should be implemented within the agreed timescale.
- The chief executive should be given a reasonable opportunity to correct any shortfalls in performance.
- A date for the next review should be agreed.

7. EXTERNAL ASSISTANCE

- 7.1 External assistance in facilitating the appraisal process can be helpful in providing an independent perspective.
- 7.2 Within the local government 'family', it may be sought from the Local Government Association or by contacting the Employers' Secretary or from the appropriate Regional Employers' Organisation or ALACE or SOLACE. Alternatively such assistance may be available from commercial sources, such as consultancy firms.
- 7.3 Such assistance from the aforementioned organisations may take the form of them either directly participating in the process for which a fee may be requested to cover staff time or the recommendation of, for example, a suitably experienced recently retired senior officer or other independent individual.

Note: If external assistance is sought, it must have the agreement of both sides.

8. OTHER MATTERS

- 8.1 The detailed content of appraisal interviews should normally be treated as confidential to the participants, unless both parties agree that it would be helpful for the targets agreed for the ensuing period to be shared more widely. However, it may be useful to report to an appropriate committee meeting that an appraisal interview has taken place.
- 8.2 This may be useful in acting as a reminder that the chief executive and members need to ensure that chief officers are in their turn appraised.
- 8.3 It should, however, not be assumed that the process for appraising the chief executive should be followed in precise detail for other staff. There is a fundamental difference between elected members appraising the chief executive and managers appraising subordinates. The principles, nevertheless, are the same.

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General Purposes Committee

Date:	1 November 2017
Classification:	For General Release
Title:	Freedom Rights – The Royal Yeomanry Regiment
Report of:	The Chief of Staff
Financial Summary:	See paragraph 5
Report Author and Contact Details:	Nicola Iles Tel: 020 7641 2238 Email: niles@westminster.gov.uk

1. Executive Summary

- 1.1 This report recommends conferring rights and honours on the Royal Yeomanry Regiment in recognition of the close association between them and the City over many years.

2. Recommendations

- 2.1 That the Council be recommended:
1. In light of the Council's close association with the Royal Yeomanry, the Regiment be granted "the freedom and distinction of proceeding through the City on all ceremonial occasions in full panoply and, so far as appropriate, with drums beating, colours flying and bayonets fixed".
 2. An illuminated document under the Common Seal recording the grant of such privilege be prepared and presented to the officers and other ranks of the Royal Yeomanry.
 3. To note that sponsorship will be sought to cover the maximum cost of £15,000 of the illuminated document, the presentation ceremony and a reception to mark the occasion and if sufficient sponsorship is not forthcoming a report be submitted to the Cabinet Member for Finance, Property and Corporate Services.

3. Background Information

Freedom of the City

- 3.1 It has been suggested that the Royal Yeomanry be granted the Freedom of the City of Westminster.
- 3.2 This is an honour conferred by a City Council on a military unit, allowing the unit the privilege of marching into the City “with drums beating, colours flying, and bayonets fixed”.
- 3.3 It is deeply appreciated by the Armed Forces. In practical terms, however, the honour confers no benefit, since ANY of HM Forces may march through the streets of Westminster.
- 3.4 In Westminster, it is customary for Freedom Honours to be made at a formal ceremony in Westminster Abbey and celebrated afterwards at a reception hosted by the City of Westminster. The unit granted the honour exercises its Freedom by marching from the Abbey, through the streets of Westminster, to the reception venue.
- 3.5 The Council has previously conferred Freedom of the City Honours upon HMS Westminster; the London Scottish Regiment; F Company, 7 Rifles; and the Westminster Dragoons.
- 3.6 Freedom of the City should not be confused with “Honorary Freedom”, which is bestowed on individuals under Section 249 of the Local Government Act 1972,

The Westminster Dragoons and the Royal Yeomanry

- 3.7 The Westminster Dragoons was formed as a Territorial Army Regiment in 1901. The Regiment enjoyed very close links with the City throughout its existence. In 1903, for example, Westminster City Council agreed that the Coat of Arms of the Council could be adopted as the Regiment’s cap badge. The ‘Regimental Church’ was Westminster Abbey, there is a stained glass window dedicated to the Regiment in the Abbey, and the Regiment’s past guidons hang in St Georges Chapel.
- 4 In recognition of these close ties, the Westminster Dragoons was granted the Freedom of the City of Westminster on 15th March 1951.
- 4.1 In 1967, the Westminster Dragoons Regiments was merged with other Territorial Army Regiments and became one of six squadrons of the newly formed Royal Yeomanry Regiment. However, the Westminster Dragoons Squadron retained close links with Westminster City. Only last year, Westminster Abbey hosted a service for the Westminster Dragoons, conducted by the Dean and attended by the Lord Mayor, who inspected the troops.

Current Situation

- 3.5 A question has been raised about whether the Westminster Dragoons SQUADRON still enjoys the Freedom of the City of Westminster, given that the Freedom was vested in the Westminster Dragoons REGIMENT. The legalities are unclear. A simple expedient would be for the Royal Yeomanry Regiment – the parent unit to which the Westminster Dragoons Squadron now belongs - to be granted the Freedom of the City of Westminster.
- 3.6 The Royal Yeomanry Regiment is celebrating its 50th anniversary this year (2017). This would be an appropriate occasion for the City to pass a decision to grant the Freedom. The actual ceremony need not take place until 2018.

4. Legal Implications

- 4.1 Whilst Section 249 of the Local Government Act 1972 gives the Council power to confer the freedom of the City on an individual it does not allow freedom honours to be conferred on bodies in the same way.
- 4.2 It is, however, considered appropriate to confer freedom rights on bodies as the Council sees fit. In doing so, the Council should follow the same decision making process as if it was conferring these rights on an individual.

5. Financial Implications

- 5.1 It is customary for Westminster City Council to bear the costs of the ceremony and reception. However, the regiment is being asked for a financial contribution and sponsorship will also be sought to cover the estimated maximum cost of £15,000 of the illuminated document, the presentation ceremony and a reception to mark the occasion. If sufficient sponsorship is not forthcoming a report be submitted to the Cabinet Member for Finance, Property and Corporate Services.

6. **Other Implications:** None

**If you have any questions about this report, or wish to inspect one of the background papers, please contact Mick Steward:
Email: msteward@westminster.gov.uk**

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