



City of Westminster

# Committee Agenda

Title:

**Business, Planning and Transport Policy and Scrutiny Committee**

Meeting Date:

**Thursday 8th February, 2018**

Time:

**7.00 pm**

Venue:

**Room 3.1, 3rd Floor, 5 Strand, London, WC2 5HR**

Members:

**Councillors:**

Tony Devenish (Chairman)  
Julia Alexander  
Thomas Crockett  
Paul Dimoldenberg

Louise Hyams  
Karen Scarborough  
Cameron Thomson  
Jason Williams



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

**Admission to the public gallery is by ticket, issued from the ground floor reception from 6.30pm. If you have a disability and require any special assistance please contact the Committee Officer (details listed below) in advance of the meeting.**



**An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter. If you require any further information, please contact the Committee Officer, Jonathan Deacon, Senior Committee & Governance Officer.**

**Email: [jdeacon@westminster.gov.uk](mailto:jdeacon@westminster.gov.uk) Tel: 020 7641 2783  
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**Note for Members:** Members are reminded that Officer contacts are shown at the end of each report and Members are welcome to raise questions in advance of the meeting. With regard to item 2, guidance on declarations of interests is included in the Code of Governance; if Members and Officers have any particular questions they should contact the Head of Committee and Governance Services in advance of the meeting please.

## **AGENDA**

### **PART 1 (IN PUBLIC)**

**1. MEMBERSHIP**

To note any changes to the Membership.

**2. DECLARATIONS OF INTEREST**

To receive declarations of interest by Members and officers of any personal or prejudicial interests.

**3. MINUTES AND MATTERS ARISING**

To sign the minutes of the Business Planning and Transport Policy and Scrutiny Committee meeting held on Wednesday 15 November 2017.

**(Pages 1 - 12)**

**4. UPDATES FROM CABINET MEMBERS**

Written updates from the Deputy Leader and Cabinet Member for Business, Culture and Heritage (Appendix 1), the Cabinet Member for City Highways (Appendix 2) and the Cabinet Member for Planning and Public Realm (Appendix 3).

Question and Answer session at the meeting with the Cabinet Member for City Highways, Councillor Danny Chalkley.

**(Pages 13 - 36)**

**5. LANE RENTAL SCHEMES**

Report of the Director of City Highways.

**(Pages 37 - 46)**

**6. APPRENTICESHIPS IN WESTMINSTER**

Report of the Director of Economy.

**(Pages 47 - 56)**

**7. PRESS RELEASES**

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

**8. 2017/18 WORK PROGRAMME AND ACTION TRACKER**

Report of the Director of Policy, Performance and Communications

(Pages 57 - 70)

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

**10. DATES OF FUTURE MEETINGS**

12 April 2018, 6 June 2018, 20 September 2018 and 21 November 2018.

**Stuart Love  
Chief Executive  
31 January 2018**

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City of Westminster

# Minutes

Minutes of a meeting of the **BUSINESS PLANNING AND TRANSPORT POLICY AND SCRUTINY COMMITTEE** held at 7:00pm on Wednesday 15 November 2017 in Committee Room 3.1, 3<sup>rd</sup> Floor, 5 Strand, London WC2 5HR

Members of Committee: Councillors Tony Devenish (Chairman), Julia Alexander, Thomas Crockett, Paul Dimoldenberg, Murad Gassanly, Karen Scarborough and Jason Williams.

Also Present: Councillor Robert Davis MBE DL, Deputy Leader and Cabinet Member for Business, Culture and Heritage.

## 1. MEMBERSHIP

1.1 Apologies for absence were received from Councillors Louise Hyams and Cameron Thomson. Councillor Murad Gassanly replaced Councillor Hyams.

## 2. DECLARATIONS OF INTEREST

2.1 Councillor Jason Williams declared in respect of item 7 on the agenda that he is a trustee of the Pimlico Toy Library. They had been a nominating body for assets of community value in Westminster.

## 3. MINUTES AND MATTERS ARISING

3.1 **RESOLVED:** That the minutes of the Business Planning and Transport meeting held on Wednesday 13 September 2017 be signed by the Chairman as a correct record of proceedings.

## 4. UPDATE FROM CABINET MEMBERS

4.1 The Committee received written updates from the Deputy Leader and Cabinet Member for Business, Culture and Heritage, the Cabinet Member for City Highways and the Cabinet Member for Planning and Public Realm on significant matters within their portfolios.

4.2 The Chairman welcomed Councillor Robert Davis, Deputy Leader and Cabinet Member for Business, Culture and Heritage, to the meeting. The Committee put questions to and received responses from Councillor Davis on a number of matters that were relevant to his portfolio. Greg Ward, Director of Economy, Graham King, Head of WEP Place Programme and Sara Sutton,

Director of Public Protection and Licensing were also in attendance for this item. The matters raised included the following topics:

- Market Curator – More information was sought on this role. Councillor Davis advised that it was currently a part-time role, three days a week. The role was not currently a permanent one. It would be assessed in the New Year. The Market Curator had been brought in to co-ordinate and support the improvement of Westminster Council's markets. The postholder had started the job and she had significant experience in operating markets.
- Apprenticeships - Was there scope to increase the number of Westminster Council apprentices mentioned in the Cabinet Member Update and particularly for people who are Westminster residents? Mr Ward clarified that the 12 apprentices referred to in the report were the current wave of recruitments at Westminster. It was hoped that the number in this wave would reach 14. Overall the Council had recruited more than 100 apprentices over a number of years. Two years ago only 10% of apprentices were residents of the borough but this was now 25% and growing. Mr Ward also informed the Committee that it was against the law to 'positively discriminate' in order to ensure that Westminster residents were selected as Council apprentices. What officers were able to do was to encourage as many people as possible, including residents, to apply. When candidates did not succeed, they received support and training with the aim of putting them before future interview panels.

Councillor Davis spoke about the training and placing of out of work residents via Recruit London, a free local recruitment service for businesses. Mr Ward added that there was a campaign commencing looking at recruiting 30 additional residents into the Council who have disabilities.

- Oxford Street District Transformation – Concerns were expressed that pedicabs could enter the side streets if they were not able to go up Oxford Street. How could this be prevented? Councillor Davis responded that there was work taking place behind the scenes in order to try and avoid this scenario. Mr King explained that seeking to effectively legislate against pedicabs was a common cause of the Mayor of the London, the Greater London Authority, Transport for London and Westminster Council. The GLA had been looking to insert the relevant clauses into draft London local authority bills that either they are responsible for or combined local authorities are responsible for. Attempts to persuade Central Government of the need to legislate continued. There was currently a legislative void both in respect of pedicabs and private hire vehicles.

Mr King added that in the management plan that would accompany any Oxford Street scheme that might emerge from the current consultation, it would set out precisely what could and could not be done. Discussions had also taken place with the London Borough of Camden who had

achieved some success in using noise legislation to control some pedicabs who sought to provide music to their customers. Councillor Davis stated that if the Oxford Street transformation project was to be successful it needed proper enforcement to take place at all times, including in respect of pedicabs. He would continue to work with the Mayor of London's office to seek to lobby for a licensing scheme for pedicabs.

- Evening and Night Time Economy – Would the Deputy Leader/Cabinet Member be working towards Berkeley Street becoming a Cumulative Impact Area due to the number of licensed premises there? Councillor Davis replied that it was being monitored and reviewed. Ms Sutton advised that work had been undertaken with policy officers to investigate the case for this and to gather a localised evidence base for the Evening and Night Time Economy strategy. There were challenges with some licensed premises in the Berkeley Street area. The aim was to improve the management of the area, working with premises to address specific issues such as patrons' behaviour and parking. The Licensing Charter was a voluntary scheme where the Council would be working with the entertainment industry to be mindful of the impact on communities.
- Licensing Charter – For how long would the Licensing Charter be piloted in the Heart of London Business Alliance ('HOLBA') Business Improvement Area ('BID') and how long would it take to roll the Charter out across the borough? Ms Sutton replied that the pilot would start in the HOLBA area. The BIDs had all been invited to the launch of the Licensing Charter on 30 October. It was intended that a range of initiatives, including the Best Bar None scheme would be rolled out in other areas. It was planned that the assessments of businesses for the Best Bar None scheme would be completed in February / March 2018. The dialogue was continuing with the other BID areas alongside that work.
- Green Plaque Scheme – What was the criteria for determining these? Councillor Davis replied that it was open to anyone to apply. Consents were required of the property owners and there was a budget the applicants had to contribute towards. Applications were encouraged and he took the decisions in his role as Cabinet Member for Business, Culture and Heritage. Provided the application was appropriate and not offensive and the criteria was met, including the relevant property owners' consent given, the plaque was likely to be permitted.
- Did the Council wish for shisha to become a licensing activity? Ms Sutton advised that the Licensing Act 2003 did not permit this. The Government had responded recently to the House of Lords Select Committee where it had been suggested that health should be a licensing objective. They had decided not to take this idea forward. There were different powers to manage any problems arising from shisha use, such as those relating to the Health Act where smoking was taking place inside venues. The Council was actively progressing a number of enforcement cases and would continue to assess its position in terms of future lobbying. Ms

Sutton added that an event was being organised with Marble Arch BID to talk about best practice in relation to shisha. Shisha operators would be invited. Health and safety would be discussed.

It was clarified that Councillor Acton was the relevant Cabinet Member in terms of the Council's approach towards shisha and the health implications.

- Should there be a limit on restaurants, cafés or other similar commercial activities in Oxford Street? The Deputy Leader/Cabinet member replied that the consultation was currently taking place. There were proposals to have commercial activities in side streets such as pop up theatres and within Oxford Street to have public art or cafés or performances. Retail was seen to be changing and it was necessary to engage with people to come to Oxford Street for an experience and be able to enjoy themselves, including having the option to eat, drink and be entertained.

4.3 The Committee also discussed matters that related to the Cabinet Member for Planning and Public Realm's and the Cabinet Member for City Highways' Cabinet Member Updates. It was agreed that the Cabinet Member for City Highways would be asked how long the 20mph trial outside of schools would be taking place. Councillor Scarborough was keen to propose Portland Place as a location for the 20mph trial as there are a number of schools there. There was also a request that Members were made aware of the papers for the Cabinet CIL Committee when they were available. Councillor Dimoldenberg requested information as to why charges had gone up for electric vehicle owners. The Chairman stated that he believed that he and Councillor Glanz had previously received a response which provided some clarification on this issue. It was agreed that the response would be obtained and sent to the Members of the Committee.

4.4 **ACTION:** The following actions arose:

- That the Cabinet Member for City Highways be asked how long the 20mph trial outside of schools would be taking place and whether it was possible to propose an additional location for the trial (Councillor Danny Chalkley, Cabinet Member for City Highways and Olivia Chadelle, Cabinet Officer).
- That a link be sent to Members of the Council when the papers for the Cabinet CIL Committee are available (Jonathan Deacon, Senior Committee and Governance Officer).
- That a response which had been sent to Council Members in respect of charges for electric vehicle owners be forwarded to the Committee (Stuart Love, Executive Director for City Management and Communities and Linda Wadkin, Executive Assistant to Chief Executive).

4.5 **RESOLVED:**



That the contents of the Cabinet Member Updates be noted.

## **5. UPDATE ON PROGRESS OF THE SAFER WESTMINSTER PARTNERSHIP**

- 5.1 The Committee received a report on progress of the Safer Westminster Partnership ('SWP') strategy and the key findings of the SWP Strategic Assessment. The item was presented by Sara Sutton, Director of Public Protection and Licensing. She referred to how the governance arrangements had been developed and how the SWP brought a range of organisations together. A strategy had been set as part of the new governance arrangements. An organisation chart within the report depicted the new arrangements and how they linked to the Westminster Health and Wellbeing Board as well as the safeguarding children's and adults' boards. The strategy focussed on delivering the right outcomes for communities.
- 5.2 Ms Sutton emphasised the multi-agency nature of the SWP. Metropolitan Police Borough Commander Peter Ayling is the current chair of the SWP. An executive layer existed within the sub-groups which was the driver for delivery and action planning. Representation there included Paul Kavanagh, a Borough Commander for the London Fire Brigade. There had been initial meetings of the four main delivery groups, Victim, Offender, Location and CONTEST. There was a focus on how the work feeds into the Police's control strategy for next year. Ms Sutton informed the Committee that there had been positive feedback from the Police on this point.
- 5.3 The Committee asked a number of questions on this topic, including the following:
- Could more be done to communicate externally the work of the SWP? Ms Sutton replied that there were potentially areas of the website which could be developed. A key aspect which had been focussed on to date was progressing the governance structures prior to the SWP being publicised. Also a number of initiatives were being joined up with the SWP, including the Licensing Charter with the connections between Health, the Police and Public Protection.
  - Would there be publicity with regard to the recent Street Population Summit (this had been chaired by the Leader on 6 November)? Ms Sutton advised that the delivery of the integrated street units was being scoped in terms of a multi-agency approach, including with the Police. Once this was developed there would be a communications plan produced.
  - Would there be publicity on the recent success of the Halloween / Bonfire Night celebrations, particularly in relation to Bryanston and Dorset Square ward? Ms Sutton replied that she would be happy to provide a press release on the reduction in firework/anti-social behaviour complaints during Halloween and Bonfire Night following joint work between the Council and Police.

- Paragraphs 4.2.2 and 4.2.3 of the report had set out that the proportion of juvenile offenders who reoffend has increased and a small number of offenders are responsible for a considerable volume of crime. It was unclear if this was due to cross border offenders or foreign national offenders coming into the borough to commit crime. The volume of resident offenders being dealt with by the criminal justice system had declined dramatically. Ms Sutton was asked what was being done to address the crime caused by juveniles who reoffend and whether there were the resources to address this problem. She responded that there was an increase in crime being committed across 'county lines' and the work being undertaken in this area was a key strand of what was being taken forward by the Integrated Gangs Unit. Primarily there was a policing focus to this but where it affected Westminster young children, there was the Integrated Gangs Unit and also Children and Family Services. It was an evolving piece of work with various studies including the impact of drugs. Ms Sutton stated that with respect to crime committed by foreign nationals, the Council was working alongside the Police and Home Office immigration enforcement. There was a range of cross borough issues, including moped enabled crime with criminals coming in from Islington and Camden. The Council was working with the boroughs, particularly Camden, and keeping an eye on any potential trends of moped enabled crime by Westminster residents. Ms Sutton also made the point that in terms of resources, the Police took the lead in combating criminal activity. The Council's focus was on vulnerability.
- Paragraph 3.4.5 of the report referred to a pilot commencing in November using Anti-Social Behaviour warning notices to help identify young people on the periphery of serious youth violence or gang activity as victims or offenders. The pilot would take place in Little Venice, Church Street and Tachbrook wards. Ms Sutton was asked how success would be measured with regard to the pilot. She replied that there were a range of anti-social behaviour measures being considered. Success was measured by reductions in volumes in crime but a key aim was to avoid repeats of incidents both in terms of offenders and victims.
- Paragraph 4.2.5 set out that nearly one third of incidents occurred in Westminster between midnight and 06:00 compared with 19% across London. Had this point been fed through to the Mayor of London's office, including concerns about the ambition for a 24 hour city of culture and entertainment? Ms Sutton referred to the need expressed at the Council for a balance between night time activities and the needs of the communities. The work of the Licensing Charter and the Evening and Night Time Economy Strategy would offer some benefits. Premises were recognising the part they need to play in managing safety and security both inside and outside the venue. This included preventing intoxication of patrons. There would continue to be a close working relationship with the Police

5.4 **ACTION:** The following action arose:

- That a press release be provided on the reduction in firework/anti-social behaviour complaints during Halloween and Bonfire Night, particularly in relation to Bryanston and Dorset Square Ward (Sara Sutton, Director of Public Protection and Licensing).

5.5 **RESOLVED:** That the contents of the report be noted.

## 6. OVERVIEW OF PREVENT DELIVERY

- 6.1 The item was introduced by Mark Chalmers, Prevent Programme Manager. He explained that Prevent was one strand of the Government's national counter-terrorism strategy. It encouraged individuals and communities to challenge extremism. Prevent work was prioritised according to the risks in a specific area. This meant that the work delivered in Westminster may be different to the rest of London or the UK. Mr Chalmers said that in respect of the resident population the focus was on Islamic extremism and the far right. However, there were a wide range of extremists who might use Westminster as a platform for protests or to promote their message.
- 6.2 Mr Chalmers advised that one of the core principles of the Programme was that it had to be responsive to local need. It did focus on stopping people from becoming terrorists or supporting terrorism. However, there was wider work involved as the vulnerabilities that lead people to extremism were similar to those that lead people to commit crime, gangs or financial or sexual exploitation. Mr Chalmers referred to the Prevent parenting programme which is a thirteen week session and took into account the wider work. Nine of the parenting programmes had been commissioned in 2016 and had been provided to 122 parents. This year it was intended to provide eleven. They were open to mothers and fathers but typically it was the mothers who had attended. A strategy was being developed to encourage more fathers to attend, with possible options being a shorter programme, potentially delivered in a different way or held at a different time of day or day of the week.
- 6.3 Mr Chalmers stated that Prevent training also took place in educational institutions from Early Years to universities. This included training to staff and policy advice. Mr Chalmers provided information on safeguarding vulnerable individuals which is a multi-agency approach. Training had been given to Council department staff, contractors and external partners.
- 6.4 The Committee asked a number of questions on this topic, including the following:
- Was there adequate resourcing to deliver the Prevent Programme? Mr Chalmers replied that for most of the last three and a half years he had been involved with the Programme there had only been two staff in place. However, additional money had now been secured and there were now five people on the team. He added that at the moment it was felt that there were adequate resources to deliver the Programme.

- Concerns had been expressed about the Prevent Programme in other parts of the country. Had concerns been expressed locally about the Programme? Mr Chalmers replied that a few unions were opposed to the Programme nationally as were some community lobby groups. There had not been significant opposition locally. He advised that the Westminster team had taken the approach that it was necessary to be open and transparent about what they were trying to achieve. The strategy was to support and safeguard some of the borough's most vulnerable communities and individuals. It was necessary for communities to have trust in the Westminster team.
- In the event of a terrorist incident in the borough, was there a way of letting schools know? Ms Sutton responded that there had been some learning from terrorist incidents such as Westminster Bridge. Communication approaches were being made more robust. This was from the Council's Communications team and also the humanitarian assistance response. A lot of work had been undertaken with the schools themselves, including in relation to future and forward planning.
- Was the team able to get the message across to the vulnerable individuals who may be harder to reach? Mr Chalmers replied that it was the case that these individuals were often the hardest to reach. There was no one solution to solve this. Contacts were established in a number of different ways. These included that some of the primary schools had parents' groups. There was also word of mouth which would lead to more parents attending the parenting programme as the weeks progressed. There was engagement with a variety of community groups.
- Paragraph 3.6.4 referred to there being a series of pages on the Council website regarding the Prevent Programme. More information was requested on this, including the level of interest and number of hits the website had received. It was agreed that the Council's IT and Communications departments would be contacted to find out if they were aware of the number of hits on the website. The link to the Prevent Programme pages on the website would be included with the minutes of the meeting. The link is <https://www.westminster.gov.uk/prevent>
- Could anything be done to encourage a longer term funding strategy to fund the Prevent strategies? Mr Chalmers referred to Home Office funding being year on year. The point when the team might be notified of funding, including salaries, could be late in the financial year. In Westminster there was a willingness to underwrite some of the funding. Longer term funding would assist the Council to work with communities over the required time period. The Committee considered that there should be longer term funding for the Prevent Programme.
- Was the Prevent team liaising with faith groups? Mr Chalmers replied that the team did liaise with the faith groups, including Regents Park Mosque

and some of the larger faith institutions. They were very supportive of the Programme and regularly hosted events. There were potentially a number of smaller faith institutions the team needed to build stronger relationships with. Mr Chalmers also made the point that there needed to be a focus on where vulnerable people were targeted by extremists outside of faith institutions, such as gyms or other unsupervised settings.

6.5 **ACTION:** The following action arose:

- That information be supplied to the Committee on the relevant link to the Prevent pages on the Council website and the number of hits received.

6.6 **RESOLVED:** That (i) the Committee recommends that the Council lobbies the Home Office for a four year funding cycle for the Prevent Programme; and

That (ii) the contents of the report be noted.

## 7. UPDATE – ASSETS OF COMMUNITY VALUE

7.1 The Environment and Customer Services Policy and Scrutiny Committee had previously received a report on Assets of Community Value ('ACV') in September 2016. This report provided an update of the position since that time.

7.2 Ezra Wallace, Head of Corporate Policy and Strategy, was in attendance to respond to points and questions raised by the Committee. The matters raised included the following:

- Who determined the ACV nominations and how does that compare to other local authorities? Mr Wallace replied that there were national guidelines about the determination of ACV nominations. They were very broad in nature. The Council had taken the view that it would be an officer led process. Officers determined ACVs in consultation with the relevant Cabinet Member (currently the Cabinet Member for Planning and Public Realm) within the guidelines set out. Reasons for decisions were publically available. Mr Wallace added that a written response would be provided to the Committee on the approach of other local authorities.
- Mr Wallace was asked about the legal fees incurred in respect of ACVs. He advised that all legal advice had been in house apart from in response to a compensation claim for Prince of Wales Public House in Harrow Road where leave to appeal had been granted to the appellants.
- What happens in the event that land or a building is listed as an ACV for approaching five years and the owner does not wish to sell? Mr Wallace clarified that listing a property as an ACV means that should the owner wish to change the use or demolish the property, there is a moratorium whereby the community has a right to bid to purchase the asset. It remained a commercial deal so it was up to the owner to decide whether he or she wished to accept the bid. Mr Wallace also referred to the

legislative change with regard to pubs since the last report to the Environment & Customer Services Policy and Scrutiny Committee had been published in September 2016. The Town and Country Planning (General Permitted Development) (England) (Amendment) (No 2) Order 2017 had come into force. This removed permitted development rights for the demolition or change of use of pubs (although allowing pubs to change to pubs with additional restaurant use) without a full planning application.

- It was acknowledged by all present that due to the legislative change there was less emphasis on the ACV process being required in order to protect pubs. It had been valuable in protecting the likes of The Clifton Hotel and The Star Public House and The Carlton Tavern was being rebuilt. It was perceived that there was a misunderstanding in terms of the public perception of what ACVs could achieve and what they could not. There was the potential to better inform the public, including with the Council's Communications department providing an article on this topic, potentially in the Westminster Reporter. Mr Wallace advised that further information on ACVs was also available on the Council's website.

7.3 **ACTION:** The following actions arose:

- That a written response be provided to the Committee on the approach of other local authorities to determining ACVs (Artemis Kassi, Policy and Scrutiny Officer).
- That the Council's Communications department be asked to provide an article which is publically available on what ACVs are able to achieve and what they are unable to achieve (Artemis Kassi, Policy and Scrutiny Officer).

7.4 **RESOLVED:** That the Committee noted the contents of the report.

## 8. **PRESS RELEASES**

8.1 The Committee decided not to produce a press release at this time in relation to the items on the agenda.

## 9. **UPDATE ON THE WORK PROGRAMME**

9.1 The Committee considered the Work Programme for the next Business, Planning and Transport Policy and Scrutiny meeting on 8 February 2018. Artemis Kassi, Policy and Scrutiny Officer, referred to the amendments to the Work Programme which were due to factors such as the recent changes to the Cabinet Member portfolios and the re-scheduling until later in the year of the Building Heights and Street Markets reports on officer advice. Currently listed in the Work Programme for February were a review of the first year of operation of the Community Infrastructure Levy, a review of the services provided to customers by the utility companies (including Thames Water and

UK Power Networks) and the Place Shaping/Transformation of Oxford Street. Ms Kassi added that there was the option of providing a written briefing on the Community Infrastructure Levy given the number of items proposed for February. Another possible option for February which had been suggested by Mr Ward, Director of Economy, for scrutiny by the Committee was the Apprenticeship Levy.

- 9.2 The Chairman recommended that the Committee should only proceed with scrutinising the services provided to customers by the utility companies in the event that there were appropriate senior executives able to attend the meeting as witnesses in February. It was agreed that clarification would be sought with officers about the timescale of when the Building Heights item could be scrutinised by the Committee. In the event this item could be considered in February, it was suggested that the relevant officers from the Greater London Authority also be invited to provide advice on the London Plan. It was agreed that the Apprenticeship Levy item would be included on the February agenda if the other requested items were not ready for consideration.
- 9.3 The Committee also asked when the Evening and Night Time Economy Task Group was likely to be scheduled. Ms Kassi advised that this had previously been envisaged as a joint task group with the Adults, Health and Public Protection Policy and Scrutiny Committee. However, following the changes to the Cabinet Member portfolios, this would now be solely a task group of this Committee. There were still discussions taking place as to how the task group should be taken forward. The Committee would be updated.
- 9.4 It was agreed that in addition to the questions relating to the Cabinet Member for City Highways' portfolio set out in paragraph 4.3 above, Councillor Chalkley would be asked how many electric vehicle charging points there are currently in each ward.
- 9.5 **ACTION:** The following actions arose:
- That officers consult with the utility companies in order to assess whether the appropriate senior executives are available to attend the meeting in February 2018 (Artemis Kassi, Policy and Scrutiny Officer).
  - That clarification be sought with officers about the timescale of when the Building Heights item is likely to be scrutinised by the Committee (Artemis Kassi, Policy and Scrutiny Officer).
  - That the Committee be updated on when the Evening and Night Time Economy Task Group is likely to be scheduled (Artemis Kassi, Policy and Scrutiny Officer).
  - That the Committee be informed of how many electric vehicle charging points there are currently in each ward in Westminster (Councillor Danny Chalkley, Cabinet Member for City Highways and Olivia Chadelle, Cabinet Officer).

9.6 **RESOLVED:** That (i) the Work Programme be updated following the first three actions set out in 9.5 above being taken forward; and

That (ii) the action tracker be noted;

**10. ANY OTHER BUSINESS**

10.1 There was no additional business for the Committee to consider.

**11. DATES OF FUTURE MEETINGS**

11.1 The dates of future meetings are 8 February 2018 and 12 April 2018.

**12. CLOSE OF MEETING**

12.1 The meeting ended at 8.19p.m.

Chairman: \_\_\_\_\_ Date: \_\_\_\_\_





## Business, Planning and Transport Policy and Scrutiny Committee Briefing

**Date:** 8<sup>th</sup> February 2018

**Briefing of:** Councillor Robert Davis MBE DL, Deputy  
Leader and Cabinet Member for Business,  
Culture and Heritage

**Please contact:** Daniella Bonfanti ext. 5371  
[dbonfanti@westminster.gov.uk](mailto:dbonfanti@westminster.gov.uk)

## 1. Apprenticeships

### Westminster City Council

- 1.1 From 1 April 2017, Westminster City Council will pay 0.5% of its total annual pay cost as an apprenticeship levy. The levy fund can be used to pay for apprenticeship training and assessment against an approved apprenticeship standard for both existing staff and for new apprentice recruits.
- 1.2 The City Council has engaged with the Westminster Adult Education Service (WAES) as its employer-provider to manage the delivery of apprenticeships under the new apprenticeship levy arrangements. There will be two aspects to this, the Entry Level Programme (Level 2 & 3) for New Apprentice Starts and the Higher Level (Level 4 and above) Apprenticeship Programme for internal staff.
- 1.3 WCC has engaged with the Westminster Adult Education Service as its employer-provider to manage the delivery of apprenticeships under the new apprenticeship levy arrangements.
- 1.4 Since August last year thirty-two apprentices have been recruited through special recruitment days run by WAES.
- 1.5 Of our 43 apprentices that started in 2015, 17 have gone on to secure permanent roles within the City Council helping to support the people and businesses in Westminster.
- 1.6 The next round of apprentice recruitment is scheduled for early 2018.

## 2. Broadband

### Connect Westminster

- 2.1 The Connect Westminster Programme helps local Small and Medium Sized Enterprises (SMEs) to secure superfast or ultrafast broadband by providing up to £2,000 towards the capital cost of their connections. All connections must deliver speeds of at least 30MB/s but have the capability of being configured to deliver gigabit speeds.
- 2.2 The table below is an update on consequential improvements to business connectivity in Westminster since Connect Westminster in August.

Number of SME applicants	177
Total funds committed to date	£290,272.17
Download speed uplift for new applicants (%)	1,814%
Upload speed uplift for new applicants (%)	15,218%

- 2.3 As a direct consequence of the voucher scheme, Hyperoptic, a proactive broadband provider in the borough, has accelerated the rollout of its fibre network within Westminster. The new deployment has enabled the firm to offer affordable broadband to every eligible SME within Westminster.

### **Creative Enterprise Zones**

- 2.4 Creative Enterprise Zones are a new initiative led by the Greater London Authority (GLA) intended to recognise areas of London where artists and creative businesses can put down roots and where creative activity can be supported.
- 2.5 These Zones will offer incentives to retain and attract artists and creative businesses by offering affordable workspace, business and skills support, business rates relief, superfast broadband and pro-culture local plans.
- 2.6 The GLA is currently offering ten grants of £50,000 to test the feasibility of Creative Enterprise Zones in London. The development grant can be used to fund research and prepare a costed action plan.
- 2.7 An Expression of Interest has been submitted to the GLA on the development of a Creative Enterprise Zone in Westminster. Should Westminster be successful in the bid it would bring resources to the Council to enhance and accelerate the existing activities to support the sector.
- 2.8 The Creative Sector in Westminster houses 8% of the UK's jobs in this industry, employing over 95,000 people. Westminster is also home to several already established creative clusters as well as those that are emerging.

### **3. The Good Growth Fund**

- 3.1 The Good Growth Fund is a £70m regeneration programme administered by the GLA to support growth and community development in London. The GLA will work with the London Economic Action Partnership (LEAP) and the capital fund to support projects that are inclusive, innovative and which demonstrate an approach to tackle the challenges faced across London.
- 3.2 The Good Growth Fund has been designed to support three strategic themes: 1) Empowering People, 2) Making Better Places and 3) Growing Prosperity. The fund encourages cross-cutting proposals that secure the long-term social, environmental and economic sustainability of London, although projects are also able to focus on one or two of the themes within proposals.
- 3.3 Following an initial call at the beginning of September for Expressions of Interest, 'Project Church Street' successfully progressed to the next stage of the GLA application process.

- 3.4 The Good Growth Fund for Project Church Street was submitted by the City Council on 5<sup>th</sup> January.
- 3.5 The bid is a collection of small interventions that, as a whole, will allow further support for the local business community. The project is designed to encourage new enterprise and also existing local businesses.
- 3.6 Through a partnership with The Showroom and Farrell's, two local partners, the project looks to build on the creative and cultural assets in the area.
- 3.7 If successful, the project will be asked to engage in a funding agreement by the end of March 2018 with the three-year programme of activity beginning on the 1<sup>st</sup> April 2018.

#### **4. Recruit London**

- 4.1 Recruit London is a free local recruitment service for businesses. Workplace Coordinators train and place out of work residents into jobs across central London.
- 4.2 The service is delivered in partnership by the City Council, Cross River Partnership, and other local stakeholders.
- 4.3 Since the beginning of the financial year and up to the end of Quarter 3 Recruit London has helped 151 residents into employment with employers such as Debenhams and New Look.
- 4.4 Recruit London is also supporting the delivery of an internal target set by the City Council to provide 30 work related opportunities for unemployed residents by the end of March 2018.
- 4.5 Over the recent months Recruit London has secured new ties with companies such as The Hyatt, Villandry and Lloyds Banking Group.

#### **5. Westminster Employment Service (WES)**

- 5.1 The Westminster Employment Service provides free help to unemployed residents who need help training for and finding a job.
- 5.2 Since the beginning of the financial year and up to the end of Quarter 3, 551 residents have been supported into employment by the Westminster Employment Service; of those 272 were long term unemployed.

##### **Outreach & referrals**

- 5.3 The Westminster Employment Service continues to run weekly drop-in session for residents of the Ebury Bridge Estate. The service is being promoted through posters and flyers at GP surgeries, health centres, supermarkets and faith and children's centres.

## **Licensing**

### **6. Consultation on proposed changes to Gaming Machines and Social Responsibility Measures (Department of Culture Media and Sport)**

- 6.1 Officers have now submitted a response to the government's proposals concerning gaming machines and social responsibility measures for gambling operators.
- 6.2 The primary focus of this consultation surrounds the evidence base to justify a change to gaming machines in betting shops. These machines, commonly referred to as fixed odds betting terminals (FOBTs), currently have a maximum stake of £100 and a maximum prize of £500. There has been significant concern, and now evidence, to suggest that these machines create a risk to those who are more susceptible to gambling related harm
- 6.3 The Council's response is supportive of the vast majority of the Government's proposals. Our position is to support the option to reduce the maximum stake to £2 - this brings the maximum stake in line with other machines within that same category and also creates the least risk to the player.

### **7. The Windmill Theatre**

- 7.1 On 26<sup>th</sup> September 2017 the Licensing Authority received a renewal application for the SEV licence for The Windmill, 17-19 Great Windmill Street.
- 7.2 During the consultation period, an objection was received in relation to the application in which the objectors alleged that the club allows groping, punching and slapping of the performers. The objectors also stated that there were breaches to licence conditions.
- 7.3 Westminster, as the Licensing Authority, raised an objection to the application on the grounds of allegations of multiple breaches of conditions and allegations of criminal activity taking place. Submissions from the Licensing Authority, included CCTV footage of breaches of licence conditions, and detailed summaries of the individual dances; some of this evidence is very explicit.
- 7.4 City Inspectors also raised an objection to the application, stating that an investigation into the management of the venue would be carried out. During this investigation, the City Inspectors noted breaches of licence conditions.
- 7.5 After further meetings and discussions with the applicant, the City Inspectors stated that there had been a marked improvement in the management of the premises and provided a detailed submission of their full investigation which was appended to the report.
- 7.6 After careful review of the evidence provided for and against the renewal of this sexual entertainment licence, Westminster City Council decided not to renew this venue's licence. We expect any business operating under a licence within our City, to do so in

a safe and responsible way, ensuring protection of all those who come into contact with this form of entertainment.”

7.7 The decision will come into force on the 16<sup>th</sup> February and the operator has the right to appeal the decision.

## **8. Evening and night time economy (ENTE) Vision Statement**

8.1 I am currently working with officers to develop a “vision statement”. The objective of the statement to articulate a clear vision and set of ambitions that determine what the Westminster ENTE should aspire to.

8.2 Once formalised the vision statement will provide a comprehensive framework for longer term policy change that sets clear standards for how we will work with the ENTE industry to promote an even better environment for residents, visitors, businesses and responsible growth.

8.3 Work is currently being undertaken by officers to gather an up to date localised evidence base on Westminster’s ENTE to provide the platform on which to build and develop the vision development.

## **9. Markets**

### **Berwick Street Market**

9.1 The application process for permanent street trading licences for vacant pitches on Berwick Street Market opened last spring.

9.2 In September 2017 a specially convened Licensing Sub Committee considered 47 applications for pitches on Berwick Street market. The applications received outnumber the pitches available, which demonstrates the popularity of this location.

9.3 Through this process 15 new traders are joining the market with 7 already in place. All new traders should have joined the market by the end of the month with the delay down to waiting for equipment and stalls to be delivered, recruiting assistants and waiting until Christmas had passed before launching their new businesses.

9.4 Once all the traders have joined the market the pitches will be full on Wednesday and Thursday, with only a few vacancies on other weekdays.

9.5 The breakdown is shown below:

	Takeaway Food (New Traders)	Fresh Produce (New Traders)	Non-food (New Traders)	Vacant Pitches
Monday	19 (8)	7 (1)	1 (0)	3
Tuesday	21 (10)	7 (1)	1 (0)	1

Wednesday	21 (11)	8 (2)	1 (0)	0
Thursday	20 (9)	8 (2)	2 (1)	0
Friday	20 (10)	7 (1)	2 (1)	1
Saturday	7 (5)	7 (1)	2 (1)	14

- 9.6 Existing traders have been made aware of the arrival of new traders and stalls with officers working to ensure that logistics such as parking, unloading and street access are managed and available to all traders.

### **Kemp House Broadband**

- 9.7 I am delighted that PMB, the developer of Kemp House, has agreed to provide residents with a year of free broadband. The network will also eventually serve local businesses and officers are looking at the potential opportunity to explore the provision of free Wi-Fi for the traders on Berwick Street Market.

### **Market Curator**

- 9.8 As part of the myWestminster Programme announced at Council on the 8<sup>th</sup> November a Market Curator has now been employed to co-ordinate and support the improvement of Westminster's markets.
- 9.9 The role will focus on promoting Westminster's markets to new traders from leading markets across the country in order to improve and diversify the offer currently available.

## **10. Bond Street Public Realm Improvement Scheme**

- 10.1 The £9.85m public realm improvements to Bond Street commenced in April. Works are progressing in line with the agreed programme and budget. The scheme will reach completion in late summer 2018 ahead of the arrival of Crossrail 1 in December 2018.
- 10.2 The aim of the scheme is to improve the public realm throughout Bond Street and provide a safe and secure environment for pedestrians. Wider pavements will improve accessibility, while the use of natural materials in a high quality design will emphasise the importance of Bond Street as a destination.
- 10.3 On the 7<sup>th</sup> November I was delighted to be present at the unveiling of the newly restored 'Allies' sculpture. The unveiling marked the completion of phase one of the Bond Street public realm works, which includes the pedestrian area between Grafton Street and Clifford Street.
- 10.4 The life-size public work of Churchill and Roosevelt became a popular landmark after it was given a permanent home on Bond Street in 1995 to mark 50 years of peace since the end of World War II.

## **11. Baker Street Two Way Project**

- 11.1 Works on site started on 24<sup>th</sup> July and progress has been as per the programme schedule. The project is being delivered in three phases. During Phase 1, work concentrated on the various junctions of Gloucester Place.
- 11.2 Phase 2, which starts this month will focus on three junctions of Marylebone Road – Upper Montagu Street, Gloucester Place and Baker Street. In order to carry out these works there will be one lane closure on each side of Marylebone Road for five months. In addition, works will also be undertaken on Park Road/ Rossmore Road junction and two junctions on Baker Street, south of Marylebone Road.
- 11.3 Phase 3 will involve works to various junctions of Baker Street, both north and south of Marylebone Road. Works on all junctions are expected to be completed by end of 2018.
- 11.4 The two-way switch and associated works are programmed for early 2019, with exact dates yet to be finalised.
- 11.5 A weekly email update is sent to all stakeholders who have registered for regular updates. The project website is regularly updated to provide the latest information on on-going works.



## **12. Hanover Square**

- 12.1 Earlier this month I and other responsible Cabinet Members, signed a Cabinet Member Report to commission a detailed design stage and to carry out further consultation specifically on the traffic management orders required for delivery of public realm scheme.
- 12.2 Consultation on the proposed traffic orders started on the 19<sup>th</sup> January.
- 12.3 Once the results have been analysed a third and final Cabinet Member Report will be drafted seeking approval to implement this scheme. The project has been designed to be delivered in stages as soon as sites become available, to provide safe access into and out of the new Crossrail Station.
- 12.4 A phased programme is being developed to enable the public realm improvements to be delivered around the Crossrail and associated over-station development works and other adjacent development sites. This will prioritise laying paving immediately outside the new station entrance ahead of the opening of the station in December 2018. Subject to the outcome of the consultation and site access being provided, these works are planned to start on site in summer 2018.
- 12.5 A funding package is being brought together to include private sector contributions, use of s106 funds, Crossrail and Transport for London contributions, and an allocation from the City Council's Community Infrastructure Levy.
- 12.6 When complete, the scheme will deliver significantly increased and enhanced pedestrian space, with pedestrianisation of the west side of the square and controlled vehicular access into Tenterden Street to limit the potential for pedestrian and vehicle conflicts. New high quality materials will be used throughout the square and this scheme will be linked to adjacent improvement schemes including those currently underway in Bond Street and Brook Street and the proposals currently being consulted on for Oxford Street West.
- 12.7 The comments received during the first consultation have been taken into account with stakeholders adjacent to the square and Historic England being largely positive about the proposals.
- 12.8 The loss of mature, historic trees from the square was a concern expressed by many respondents. Overall the scheme provides a net increase of trees. The four trees suggested for removal are more recent, late 20<sup>th</sup> century specimens and their removal would assist with the overall improvement to the square and gardens. Further work is to develop a detailed design and layout of the gardens is still to be carried out however no historic, mature trees will be lost in the design.

## **13. Oxford Street District Transformation**

- 13.1 The City Council, Transport for London (TfL), and the Mayor of London are working together to transform Oxford Street and the surrounding streets.
- 13.2 Westminster City Council (WCC), the Greater London Authority (GLA) and Transport for London (TfL) launched a second joint consultation on 6<sup>th</sup> November. This second round of consultation sought comments on a defined scheme to transform Oxford Street West.
- 13.3 The Consultation deadline was extended to Wednesday 3<sup>rd</sup> January 2018 to allow all those with an interest in the future of Oxford Street more time over the festive period to submit feedback on the proposals.
- 13.4 Approximately 20,000 responses were received and officers are currently analysing all responses in order to produce a detailed Consultation Response report.

#### **14. City Promotions, Events and Filming**

- 14.1 The last two months have brought with them the usual variety of events and filming activity being successfully managed by the team.
- 14.2 Filming for the motion picture Christopher Robin and Johnny English 3 took place at multiple locations throughout the City.

##### **MTV European Music Awards**

- 14.3 Working with partners at the GLA the team helped to deliver a live concert in Trafalgar Square as part of the prestigious MTV European Music Awards which featured headline performances from David Guetta and U2.

##### **Christmas Lights**

- 14.4 Festive lights across the City including high-profile switch on events on Oxford Street Regent Street and Trafalgar Square.

##### **Lumiere**

- 14.5 Following the success of the inaugural festival of light last year, its return was bigger, brighter and bolder. Over 50 art installations were spread across London – the majority being in Westminster and beyond - showcasing the city's iconic architecture and streets through the vision and work of UK and international artists.
- 14.6 Visitor numbers have been estimated at 1.5 million visits over the four nights which is an increase on 2016, bringing key footfall into Westminster at what is ordinarily a very quiet time of year.

## **Green Plaque Scheme**

14.7 There are now 120 green plaques around Westminster to celebrate the life and works of individuals and organisations that have made contributions that have, in many cases, extended well beyond our borders.

### **Upcoming unveilings:**

14.8 William Somerset Maugham at 2 Wyndham Place. Somerset Maugham was a novelist and playwright and lived at the property from 1919 until 1923. The plaque will be installed by the end of January.

14.9 Wilton's Restaurant at 55 Jermyn Street. Established in St James's by George William Wilton. Noted for their finest shellfish, seafood and game. Purveyor of Oysters to the Royal Household 1838-1938. The plaque will be installed ahead of a formal unveiling on 10<sup>th</sup> May.

14.10 Anthony Powell at 9 Shepherd Street where he lived and worked. Powell was the author of the acclaimed twelve volume work 'A Dance to the Music of Time', as well as working as a celebrated critic and reviewer. Installation and unveiling to be confirmed.

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# Business, Planning and Transport Policy and Scrutiny Committee Briefing

**Date:** Thursday 8<sup>th</sup> February

**Portfolio:** Cabinet Member for City Highways

**Briefing Author and  
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## 1. Transport

- 1.1 All 20mph trial zones have been introduced and received broad support. The trials will be reviewed in September 2018.
- 1.2 St. Saviour's School won the '20mph zone' school gates banner competition and the banners are due to be installed later this year.

## 2. Highways

- 2.1 The table below shows the performance for reactive highway works on the carriageway and footway.

	Oct Performance		Nov Performance		Target from 1 April '14	Previous Contract Target
Priority 1 (2 hour)	99%		99%		98%	98%
Priority 2 (24 hour)	92%		99%		98%	95%
Priority 3 (10 day)	91%		98%		98%	90%
Priority 4 (28 day)	93%		99%		98%	83%

Performance levels for all Highways Reactive works were achieved in November.

## 3. Preventative Maintenance

### 3.1 Planned Preventative Maintenance Footway – 2017/18

Elizabeth Street and King Charles Street are the footway schemes currently onsite.

This year's PPM footway programme is 88% completed.

### 3.2 Planned Preventative Maintenance Carriageway – 2017/18

No schemes were scheduled for January 2018 due to winter conditions. All outstanding schemes have, therefore, been programmed from 1<sup>st</sup> February onwards.

This year's PPM carriageway programme is 86% completed.

#### **4. Parking**

4.1 The diesel surcharge on pay-to-park tariffs in F Zone/the Low Emission Neighbourhood (LEN) has seen a 14% reduction in pre-2015 diesel vehicles paying to park in the area since its introduction in late June 2017.

4.2 A new debt management service has been procured, with the new contract with Marston Group Ltd having begun on 1<sup>st</sup> November 2017 for a five-year term with the option of a four-year extension. This includes a number of service enhancements regarding the collection and sourcing of parking-related debt, as well as the additional new provision of an abandoned and untaxed vehicle service.

4.3 Parking Services is in the process of procuring a new car sharing service to supersede the current car club provision. To allow for an effective procurement exercise, the current contract is being extended via a waiver until 31<sup>st</sup> May. The procurement is in two parts, covering 'fixed' and 'floating' provision, with the latter being a new concept for the City Council which will go live on 1<sup>st</sup> June 2018

4.4 The contract for Bay Sensors has been extended with Smart Parking, and discussions with NSL are in progress for extensions in the Business Processing & Technology (BP&T) and People & Resources contracts. Subject to successful negotiation, these contracts will be extended until 2020 and are expected to save the Council over £1m per annum.

4.5 A benchmarking exercise for pay-to-park transaction costs was activated as part of the BP&T contract and has resulted in our Pay to Park provider agreeing to reduce their transaction cost per parking session from 11.65p to 8.60p, effective from 1<sup>st</sup> April 2018. This will contribute to our MTP annual savings.

4.6 City West Homes (CWH) have obtained advice to clarify and address the issue of enforcement. This has been caused by contradictory historical advice given by governmental departments and compounded by a recent BPA paper. The advice broadly suggests that we are able to introduce Traffic Orders. We will work with CWH to devise a phased implementation plan subject to approval.

4.7 The development of an online suspensions application tool in conjunction with London Borough of Camden has been completed. Beta testing of the module by the back office is due to commence in March 2018, with full release anticipated later in 2018. The tool will allow customers to self-serve suspension bookings.

#### **5. Electric Vehicles**

5.1 There are currently 162 Electric Vehicle on-street charging points. 97 of these are in dedicated EV-only bays, 44 in dedicated car club bays, and a further 21 retrofitted into lamp columns. Funding has been secured to deliver up to a further 80 points this financial year.

5.2 Since January 2018, all new taxis must now be zero-emission capable (ZEC). Officers continue to work with Transport for London (TfL) to identify suitable rest ranks where, subject to planning consent, rapid charging units can be installed. In addition, discussions with TfL are underway to implement the first working ZEC taxi rank in the LEN.

## 6. Lighting

6.1 The table below shows the current performance for reactive responses for lighting.

	Sept Performance		Oct Performance		Nov Performance		Target from 1 April 14	Previous Contract Target
Priority 1 (2 hour)	100%		97%		100%		98%	98%
Priority 2 (24 hour)	99%		100%		96%		98%	98%
Priority 3 (48 hour)	100%		98%		100%		98%	90%
Priority 4 (7 day)	98%		100%		97%		98%	98%

6.2 5775 maintenance activities have been completed, of which 53% were relating to outages. It should be noted that on average the time taken to fix outages is approximately 18 hours.

6.3 There has been an increase in the number of reported day burning lights. An evaluation of CMS control, along with options for the future, is currently underway and photo-electric cells are now being implemented to correctly control lights where signalling issues are experienced. Since the implementation of photo-electric cells, we have fixed 1302 day burners.

6.4 20 lamp column Electric Vehicle charging points have been installed in the quarter.

## 7. Road Management

7.1 The table below shows the number of Fixed Penalty Notices (FPNs) issued to work promoters for failure to correctly apply for permits to work. This includes both the utilities and our own contractors. The number of FPNs issued fluctuates based on the errors within promoters' work.

	Oct Performance		Nov Performance		Dec Performance		Target
FPNs	93		59		24		60

7.2 The table below shows the volume of activities on the highway:

	October Volume	November Volume	December Volume	Previous three months' average
Utility Works	822	798	776	781
Crane Licences	94	66	53	95
Temporary Structures	207	160	85	164
Road Closures	138	110	85	127

## 8. Surface Water Management

8.1 Quarter 3 of the 2017/18 programme experienced no operational issues. Due to the Christmas close down, there was a decreased number of routine visits. September had a high clean rate even with the most gullies attended per month to-date. FM Conway has reported that even during night works they encounter access issues with vehicles parked on single and double yellow lines. Therefore, they will use a car lifter from Parking Services to access gullies.

8.2 FM Conway has completed a two-month CCTV pilot survey of lateral lines (outlets to the Thames Water sewer). The report has highlighted the many areas in need of attention and this programme will trigger a range of preventative works to protect the current drainage infrastructure. Given the success, FM Conway has been asked to continue the programme until the end of the financial year.

## **9. Cycling**

9.1 The cycle hangars trial in Ilbert Street, for bicycles to be stored securely, is currently ongoing. This will last until May 2018 after a full year's trial where we will then assess whether the hangars will be extended to other parts of the city. However, any further hangars will be subject to planning permission, as was the requirement for the trial hangars.

9.2 TfL continues to progress Cycle Superhighway 11 (CS11) and the scheme is still being discussed with The Royal Parks and the Crown Estate Paving Commission (decision makers) regarding the gate closures in Regent's Park. Westminster City Council objected to the previous scheme which included the closure of 4 gates, supporting residents' concerns about traffic impacts during the busiest times of the day. To date, the Council has not been asked to comment formally on the emerging revised scheme or provide approval for the length of CS11 on our network. We are also awaiting modelling results for the proposals south of Regent's Park (in Portland Place).

## **10. Public Protection**

### **10.1 Knife Crime Plans**

A Westminster Partnership Knife Crime Plan has been created to coordinate interventions between key partners. The plan focuses on two areas: the evening and night time economy, and youth violence and gang activity. Each plan provides a series of strategic objectives relating to safeguarding young people, intelligence sharing, preventative education and enforcement. Operational activity is themed into four areas: prevent, protect, prepare and pursue.

### **10.2 Moped Enabled Crime**

Moped theft and moped enabled crime continue to be a local priority and Operation Venice is the Metropolitan Police Service's (MPS) response to this. Moped enabled offences in 2017 were double those of 2016, despite a small reduction in the last few months. The MPS, in conjunction with partners, has had increasing success in identifying and bringing offenders to justice, such as for multiple thefts and violent smash and grabs. The MPS is also working with partners to reduce the thefts of mopeds used in these offences.

### **10.3 Metropolitan Police Public Access and Engagement Strategy**

The Mayor's Office for Policing and Crime (MOPAC) Public Access and Engagement Strategy consultation has concluded. As part of a programme to reduce the MPS Estate's portfolio from over 400 buildings to approximately 100, MOPAC has confirmed that in Westminster:

- Charing Cross Police Station will be staffed 24 hours a day by Public Access Officers;



- The front counters at Belgravia and West End Central are now closed;
- Paddington Station is to be replaced with the Church Street development. The proposed opening hours will be 10.00-18.00hrs Monday to Thursday and 09.00-18.00hrs on Friday.

The Charing Cross Front Office experienced an increase in attendees on the first few days after the closures, however, a new triage system has been implemented and is working well. The Metropolitan Police continue to support the local communities with the Neighbourhood Policing Teams who remain unaffected by these changes.

At the time of writing, a decision on the proposed Borough Command Unit merger was expected to be made formally at the end of January.

#### **10.4 Effective Neighbourhood Working Programme**

The purpose of the programme is to define and implement a neighbourhood approach for a World Class Westminster, where services are delivered locally and are tailored to the needs of the community. This is a Council-wide programme, designed to save £900,000 in 2018/19, which will be delivered in two phases. The first phase, in 2017/18, includes City Management and Communities, Growth Planning and Housing, and Public Health.

A formal staff consultation on the proposed model and structure began on 22<sup>nd</sup> January 2018, with a 45-day consultation period after which a new structure will go live in July 2018.

#### **10.5 Westminster Integrated Street Engagement Unit (ISE)**

As part of one of the key #MyWestminster projects, we are creating the ISE to support homeless people. This will be a multi-agency unit that will bring Council resources together with local police teams and externally commissioned outreach and substance misuse services, in a formal partnership structure. The aims of the unit are to:

- develop and promote a relationship with substance support services to ensure rapid access to treatment and harm minimisation services;
- commission some of the work to a recognised charity with a focus on social care as the first approach for anyone encountered on the streets in the daytime;
- reduce street-based anti-social behaviour (ASB) and criminality across the city;
- provide a reassuring presence and improve perceptions amongst residents and businesses of action being taken to combat street-based ASB and criminality.

#### **10.6 Victims Code**

The Victims Code of Practice (VCOP) is a statutory document which sets out the services and information that victims of crime are entitled to. As a result of our Victims Delivery Group, we are arranging a peer review of partners' services to see how we are meeting our responsibilities. We are also leading on designing a minimum set of standards that victims in civil cases should be entitled to in Westminster.

### **10.7 New Year's Eve Street Enforcement Operation**

City Inspectors led a multi-agency street enforcement operation to ensure a safe event. Activities included:

- Targeting the illegal sale of tickets
- Visiting key licensing premises

### **10.8 Shisha Event, London Metropole, Edgware Road (30.11.18)**

City Inspectors, in conjunction with Marble Arch BID, organised the event which educated businesses on legislation that covers shisha activity and promoted compliance. Over 25 businesses attended, including property landlords Portman Estates and Church Commissioners who were keen to understand their responsibilities.

### **10.9 London Crime Prevention Co-Commissioning Fund**

Community Safety is supporting five proposals in the second stage of the co-commissioning programme:

- Taith – a therapeutic project to tackle harmful sexual behaviours in young people across 9 London Boroughs including Westminster, Kensington, Hammersmith and Wandsworth.
- Out There Response and Rescue – a pan-London project to address the challenge of young people being exploited across so-called 'County lines' to deal drugs.
- Inside Out – a project embedding resettlement workers in the secure youth estate (e.g. YO1 Feltham) to improve support for young people while in custody, and improve their resettlement back into the community.
- Minerva – service supporting female offenders in the community across 15 London boroughs.
- Support for LGBT and male victims of sexual violence – a project to provide specialist sexual violence advocates while also upskilling non-specialist responses to victims of sexual violence.

These represent 5 of the 8 proposals that have reached this stage in the co-commissioning programme. Collectively the 8 proposals are asking for somewhere in the region of £15m against a £10m budget so it is expected that some will not receive funding. A final decision is expected from MOPAC towards the end of January.



## Business, Planning and Transport Policy and Scrutiny Committee Briefing

<b>Committee date:</b>	<b>8 February 2018</b>
<b>Author:</b>	<b>Cllr Daniel Astaire</b>
<b>Portfolio:</b>	<b>Cabinet Member for Planning and Public Realm</b>
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Please find below an update on key areas of activity from the Planning and Public Realm portfolio since the committee last met.

### 1. Development Planning

#### Telephone Boxes and advertising

Lobbying of the Government has continued, with local authorities from across the country showing support. New World Payphones/Clear Channel recently came forward with a proposal to remove all 193 modern design kiosks (which are roughly 20 years old) and install 45 new kiosks with integral LED advertising screens in locations currently occupied by NWP kiosks. Their existing 31 traditional K6 boxes will be retained and refurbished.

A legal agreement was proposed to ensure all 193 are removed and the K6 boxes maintained. This agreement will state:

1. Within 12 months of the date of the consent, NWP will remove 193 existing Kiosks and replace them with 45 upgraded NWP Kiosks at locations approved by the planning committee.
2. Within 12 months of the consent date refurbish 31 existing K6 design kiosks in accordance with the refurbishment schedule set out in a schedule.
3. NWP will maintain the new NWP Kiosks to a reasonable standard in accordance with the maintenance schedule, including the cleaning of each kiosk at a minimum frequency of once a week.

4. NWP will fund the planting of 45 roadside trees in the City of Westminster, in locations identified by the City Council.

The benefit of the proposed scheme is the removal of all the modern kiosks, however, this had to be weighed against the harm to amenity caused by the advertising panels of the new kiosks. There is also no guarantee that other companies will not apply for prior approval to put their kiosks on those locations where New World have removed their kiosks and the applications were refused consent. Unfortunately, the Planning Inspectorate consider the kiosks and advertising acceptable and granted consent on appeal.

Following a survey of kiosks around Oxford Street and a sample in other locations planning contravention notices were served last year. The responses have been received and are currently being analysed to establish whether a case can be made to enforce against redundant or infrequently-used kiosks.

## **2. Workload and Recruitment**

- 2.1 The number of applications received has dropped over the last month, and this is expected to last until the summer of 2018. It is not unusual for application numbers to drop prior to the local elections in May. There are still a high number of vacancies in development planning and a recruitment process is in place to fill some of these positions.
- 2.2 Following the recent departure of Tony Fenton in Building Control, Julian Tanton has been appointed as his successor.

## **3. Planning Fees**

The Government has delivered the 20% increase in planning fees, which comes into effect this month. It is proposed to use the increase in income to off-set savings that need to be delivered in development planning for the financial year 2018/19.

## **4. Planning Policy**

### **Neighbourhood planning**

On 22<sup>nd</sup> November 2017 the Knightsbridge Neighbourhood Forum formally submitted the draft Knightsbridge Neighbourhood Plan to the Council for publication and examination. This is the first Neighbourhood Plan in Westminster to have reached this stage in the formal process.

At this stage, the Council's role is to check that the neighbourhood forum has submitted all the required documentation - we are not at this stage required to consider whether the draft plan actually meets the basic conditions set out in regulations that neighbourhood plans have to meet. Officers have concluded that the plan has been properly submitted. Under the regulations the Council has to publish the plan for a minimum 6-week consultation period. We will also liaise with the Neighbourhood Forum to appoint an independent Examiner to conduct the independent examination of the Plan that is the next stage in the process.

The Council will itself be commenting on the draft Plan and ensuring that its views are presented to the independent examiner. If the examiner considers that all statutory requirements have been met, a referendum with local residents will then need to be held before the Council can formally adopt the Plan. Once adopted, the Plan forms part of the statutory development plan and should be used (alongside the Council's own planning policies and the Mayor's London Plan), in determining planning applications in the Knightsbridge Neighbourhood Area.

The consultation is taking place from 20<sup>th</sup> December 2017 to 14<sup>th</sup> February 2018 – two weeks longer than the statutory requirement for 6 weeks, to account for the festive period. The draft Plan is available on the Council's website, with hard copies available for inspection at the Council's Offices at 5 The Strand, at Victoria Library, and at Mayfair Library.

#### **Office to residential change of use: Article 4 Direction**

The Council will shortly start consultation on a Direction under Article 4 of the General Permitted Development Order that will require developers proposing the change of use of a building from offices to residential in the Westminster Central Activities Zone (CAZ) to make full planning applications. This is to take account of the Government decision to make a temporary permitted development right allowing these changes of use without the need for full planning permission - originally proposed to end in 2016 – permanent. At the same time the Government is withdrawing an exemption covering the CAZ, meaning that boroughs in central London wanting to be able to use the planning system to manage these changes of use must make their own Article 4 Directions.

The proposed Direction is a “non immediate” one. That means that once it is formally “made” it will be subject to six weeks’ formal consultation. Subject to any comments made, it can be formally confirmed twelve months after it is made. It is intended that the Direction will come into force on 1st May 2019, so it is in place before the current exemption ends at the end of that month.

Once in place, the Direction will mean that the Council can continue to use its planning powers to decide when it is appropriate to protect offices in the CAZ. This is important given that since 2010/11 Westminster has lost over 300,000 square metres of office floorspace to residential use. This loss has had a significant effect on the availability of office space in key markets, resulting in less choice for occupiers and upward pressure on rents. As this will simply continue an already existing exemption it is unlikely to have a significant impact on housing delivery.

## **5. Community Infrastructure Levy (CIL)**

### ***Westminster CIL***

It will be recalled that CIL works with liability arising at the point that planning permission is granted (when a “liability notice” is issued) and is paid when work starts (when a “demand notice” is issued). Larger schemes can pay CIL by instalment.

Since charging started on 1 May 2016, the Council has issued a total of 187 liability notices for payment of WCC CIL for a total value of **£79,944,058**. Demand notices have been issued for payment of **£19,985,448**. Of this total of **£12,212,077** has been paid and there is therefore currently an outstanding sum of **£5,192,737.97** payable by the end of March 2018 and another sum of **£2,699,595.60** payable by October 2018.

The Cabinet CIL Committee met for the first time on 2<sup>nd</sup> November 2017. This decided on expenditure of £7,444,077 for a number of projects:

- Hanover Square public realm
- Church Street Green Spine
- Queensway
- Strutton Ground
- Beachcroft House sensory garden
- Play facilities
- Parks landscaping and infrastructure improvements
- Berkeley Square infrastructure improvements
- Hall Park Estate CCTV

## ***Mayoral CIL***

The Mayor of London is proposing a new Mayoral Community Infrastructure Levy to replace the charges that have been in place since April 2012. For Westminster this involves an increase from £50 per square metre of net increased floorspace for all uses to £80 psm for residential uses and commercial uses outside the CAZ and within the CAZ to £185 psm for offices, £165 psm for shops and £140 psm for hotels.

The regulations governing how CIL is set currently require two rounds of consultation. The City Council commented during the first round in June 2017 raising concerns about the size of the increases being proposed and the quality of the viability evidence and infrastructure planning brought forward to justify it. The second round of consultation was launched in December 2018; as a result of the representations we made an area around Paddington was removed from the CAZ zone in which the higher commercial rates are proposed.

The deadline for comments on this round is 4th February and officers are preparing a response for my approval so we can submit this by the deadline. While the change to the charging zone boundary is welcome, it is likely we will maintain our previous comments on the evidence base being used to justify the proposal and will reserve our right to be heard at the public examination of the proposals, expected to be held this autumn. The Mayor hopes to be able to start levying the new charges from April 2019.

## **6. London Plan**

In December 2017 the Mayor of London published his draft replacement London Plan for public consultation. The draft is considerably longer and more detailed than the current London Plan and it deals with matters of planning process and procedure far more than its predecessors.

The draft Plan is based on promoting “good growth” which builds strong and inclusive communities, makes the best use of land, creates a healthy city, delivers the homes Londoners need, grows a good economy and increases efficiency and resilience – an approach that sits well with the Council’s promotion of “the right kind of growth”. It also gives welcome support for many of the approaches being taken by the City Council in revising its City Plan, such as widening the current West End Retail Special Policy Area to cover leisure uses as well as retail; the balance between uses in the CAZ; our approach to designation of special policy areas to protect specialist uses like tailoring in

Savile Row; our policy on basement development; and the emphasis on making the most efficient use of space. Our concerns are likely to centre on the degree of prescription on matters that go beyond the scope of the Mayor's spatial development strategy set out in legislation – matters of strategic importance to Greater London.

Officers are currently considering the Mayor's proposals and preparing a formal response for my approval. This will be submitted to the Mayor to meet his consultation deadline of 2 March 2018.

After this round of consultation the next step will be an examination in public, currently expected to be held this autumn. This is led by an independent panel, which will report to the Mayor suggesting changes to the draft Plan. Once the Mayor has decided whether or not to accept these he will submit the proposed Plan to the Secretary of State who has a six-week period in which to consider whether to direct any changes. Assuming he does not, the draft Plan is laid before the London Assembly which has 21 days to decide whether to reject it in its entirety. Assuming this does not happen the Mayor can then formally publish his Plan.

**If you have any queries about this report or wish to inspect any of the background papers please contact Charlie Hawken x2621 [chawken@westminster.gov.uk](mailto:chawken@westminster.gov.uk)**





## Business, Planning and Transport Policy and Scrutiny Committee

<b>Date:</b>	8 February 2018
<b>Classification:</b>	General Release
<b>Title:</b>	Lane Rental Schemes
<b>Report of:</b>	Kevin Goad, Director of City Highways
<b>Cabinet Member Portfolio</b>	Cabinet Member for City Highways
<b>Wards Involved:</b>	All
<b>Policy Context:</b>	Maintaining a World Class Westminster
<b>Report Author and Contact Details:</b>	<b>Jonathan Rowing x3147</b> <a href="mailto:jrowing@westminster.gov.uk">jrowing@westminster.gov.uk</a>

### 1. Executive Summary

This report looks at the possibility of the principle of Lane Rental being applied to streets managed by Westminster Council. It highlights the potential benefits and risks of such a change while highlighting the existing scheme operated by Transport for London.

### 2. Key Matters for the Committee's Consideration

1 - Would the Committee support the principle of a Lane Rental Scheme being implemented within Westminster Council's network? Are there any particular areas of concern that need further investigation or action?

2 - How does the Committee consider the balance between the needs of residents and the needs of the road-user can be achieved? Does Lane Rental pose any challenges that would need to be addressed in any potential Westminster Lane Rental Scheme?

3 - Would the Committee like to see any potential Westminster Lane Rental Scheme also apply to areas of high footfall which may not currently meet the thresholds for such a scheme?

### **3. Background**

- 3.1 This report looks at the existing Lane Rental Scheme in operation on parts of Transport for London's road network. It also highlights potential opportunities to expand such a scheme to streets maintained by the City Council and looks to draw out thoughts on some of the potential benefits and challenges of such a change. A consultation by the Department for Transport on the extension of such schemes has closed with the responses by Authorities currently under consideration. The Committee is invited to make recommendations as to how the City Council should proceed in this regard.

#### What is Lane Rental?

- 3.2.1 Lane Rental is the process where organisations undertaking works on the highway pay to take up carriageway space. It can only be applied to the most sensitive parts of a road network and only at certain times of day. The legislated intention is that it is always possible to avoid the charge through certain behaviour or timing of work. As the charge is avoidable it should not be passed on to the end consumer in the form of higher bills or charges for services. However, additional charges may be made to customers requiring works on Lane Rental streets associated with completing the works in a manner to avoid excess charges (such as charging for more labour to complete the works in less days and therefore pay less Lane Rental).
- 3.2.2 If a scheme is in operation then Lane Rental Charges must apply to all works on the highway equally, meaning that the maintenance works undertaken by the local authority also may be liable for payment on the same terms as those undertaken by utilities.
- 3.2.3 Lane Rental is an extension of the widely adopted Permit Scheme powers. Permits, operated in Westminster since 2010, require utilities or Council contractors to apply for permission to work on the highway. While Council Officers cannot refuse permission to work (utilities retain their statutory rights to work in the highway) they can dictate timings or methodologies. Fees are paid for the processing of the Permits (at rates set by statute) but the charge has no mechanism to encourage prompt completion of works. Lane Rental, by being a daily charge, positively encourages the works to be completed as quickly as possible and can drive investment in new technology which would otherwise be uneconomically viable.
- 3.2.4 Two pilot schemes have been in operation since 2012. They are run by Kent County Council and Transport for London (TfL). This report will look at the TfL scheme due to the greater impact that this has on Westminster's streets.

#### TfL's Lane Rental Scheme

- 3.3.1 The Transport for London Lane Rental Scheme (TLRS) was first introduced on 11 June 2012. Following analysis and stakeholder consultation the TLRS areas were changed with the new areas taking force on 1 July 2014 and covering 56% of the TfL road network (TLRN), down from 57% originally. The TLRS is

designed to minimise disruption caused by roadworks and streetworks in specified traffic-sensitive locations by applying a daily charge for each day that the street is occupied by an activity promoter's works. The daily charge is not applied if the works take place outside traffic sensitive times providing all activity promoters with an incentive to change behaviour and adopt less disruptive practices

3.3.2 Charges are applied at £800 or £2,500 per day between certain times.

Charge Band	Type	Daily Charge	Typical Charging Times	
			Monday to Friday	Saturday and Sunday
1	Segment	£800	06:30-10:00 and 15:30-20:00	12:00-18:00
2	Segment	£2,500	06:30-22:00	12:00-18:00
3	Pinch point	£2,500	07:00-20:00	12:00-18:00

Source: TfL 2016/17 Monitoring Report

The TfL network within Westminster has sections of high, low and no charge rates. The individual streets are shown on maps in **Appendix 1**.

3.3.3 TfL can waive the charge for works during chargeable periods in certain situations:

- Collaborative working- where more than one company work together to reduce overall disruption.
- Using innovative technology
- Where there is no net loss to carriageway space – the traffic management or work space takes up the same footprint as an existing island or when an existing island has been removed in order to create adequate temporary working space
- Implementing future proofing methods to the road network – such as providing additional ducting and access chambers to reduce the number of future interventions on the network from utility providers
- Using extraordinary measures – where special provisions have been made to reduce congestion that are over and above normal practices

Between April 2016 and March 2017 a total of 187 waiver applications were submitted to TfL, with 81 per cent receiving approval (152).

3.3.4 Across London this scheme generates large amounts of charges that are paid to TfL. It should be noted that the largest payer of Lane Rental Charges in London is TfL itself.

Sector	No. of Works where Charges were Recovered	Number of Days	% Low Charges (£800/day)	% High/PP Charges (£2,500/day)	Total Charges Recovered	Average Charges per Work	% of Total Charges Recovered
TfL	135	2,973	15%	85%	£5,630,500	£41,707	47%
Gas	150	1,912	28%	72%	£3,008,600	£20,057	25%
Water	280	1,264	37%	63%	£1,756,600	£6,274	15%
Electric	129	626	34%	66%	£910,500	£7,058	8%
Telecoms	130	361	22%	78%	£618,600	£4,758	5%
<b>Total</b>	<b>824</b>	<b>7,136</b>			<b>£11,924,800</b>		<b>100%</b>

Source: TfL 2016/17 Monitoring Report

- 3.3.5 TfL can deduct reasonable operating costs from the income received. It cannot reimburse its own Lane Rental charges from income received from third-parties. The legislation establishing the pilot schemes in operation strictly limits how the additional income from charges is spent. Unlike other charges it cannot be spent on general maintenance or subsumed into wider Authority budgets but can only be spent on projects deems to mitigate the adverse effects of Streetworks. To ensure the money is correctly managed TfL set up a committee. The Lane Rental Governance Committee (LRGC) is formed of senior managers from TfL and utility companies who have responsibility for ensuring that the expenditure of surplus income generated from the TLRS is in accordance with DfT regulations. The LRGc meet quarterly to review requests for funding from the net proceeds, which must be used for purposes intended to reduce the disruption and other adverse effects caused by street works. Applications must also directly or indirectly benefit London.
- 3.3.6 In early 2017 Westminster Council, along with the City of London and TfL successfully applied for a joint bid for funding to cover additional monitoring and planning of out of hours works. This ensures that some of the charges paid by those disrupting the highway are being used to minimise the disruption caused by those working out of normal hours.
- 3.3.7 TfL strongly believe the Lane Rental scheme to be a success in terms of its impact on traffic flow across London. While it is generally seen that congestion has increased, often due to the demands for roadspace for pedestrians and cyclists reducing that available to vehicular transport, it seems that the impact of the TLRS has been to mitigate this. In TfL's latest full financial year report on their scheme they show that the TLRS has either facilitated slower declines in functionality for the road user or provided positive improvements when compared to their network not subject to the scheme. The summary of TfL's stated benefits and some of their statistics on its operation are included as **Appendix 2**.
- 3.3.8 The full latest copy of TfL's Monitoring Report April 2016- March 2017 (53 pages) is available here: <http://content.tfl.gov.uk/lane-rental-monitoring-report-apr-2016-mar-2017.pdf>. This provides comprehensive data on the impacts of their scheme in operation. It is not reproduced as an appendix here due to size considerations but Members of the Committee are invited to review the report.

### Impact of TfL Lane Rental on Westminster Residents

- 3.4.1 As noted above the stated aims of TfL's scheme to reduce disruption and increase journey time reliability have broadly been met. TfL's reports also show an increase in collaborative working whereby more than one company works at the same time to reduce cumulative disruption. Officers support the concept of the scheme and believe it is a driver for good behavioural change by the industry.
- 3.4.2 However, potential negative impacts are present for Westminster residents. It should be noted that the TLRN enables works to take place on chargeable streets without charge if they are undertaken outside of chargeable hours. In practice this means that works at night or at weekends are not subject to the charge. While the traffic-impact rationale of such a position is clear there is the potential for conflict with the City Council's environmental policies regarding out-of-hours working. While TfL may be the Highway Authority for the TLRN the environmental powers remain with the City Council.
- 3.4.3 Prior to the setup of the scheme TfL met with Officers to agree a protocol where no permission to work out of hours should be given without first approval being granted by WCC Noise Team Officers. It was agreed that the City Council would be understanding of the network pressures on TfL, especially at certain key points on their network, but that no blanket approvals would be given and each application would need to be assessed on a case-by-case basis. In general, with a few notable errors over the years of operation, this process has worked well.
- 3.4.4 However, the nature of the TLRN means that there is always pressure to facilitate works out of hours and this makes this a constant topic of discussion between Officers, TfL, and utilities. Were Westminster not to have such a strong position on the rights of residents regarding avoidable noise disruption, and were Officers not so focused on supporting this, the TfL's Lane Rental Scheme would have created considerable extra noise disruption through extra out-of-hours works which would not have previously been economically viable. Without Lane Rental to offset the additional costs to contractors for working at weekends or at night (as opposed to normal hours) there would be far less pressure to undertake works at those times.
- 3.4.5 Working outside of normal working hours can lead to additional costs associated with materials, equipment and resource. Depending on how much work needs to be carried out outside of normal hours, contractors may find it difficult to secure enough resource to carry out the work as some staff may not want to work the unsociable hours.
- 3.4.6 There are also some concerns that the quality of highway reinstatements could decrease as a result of some works promoters rushing jobs to avoid paying more lane rental charges. In order to combat this increased supervision by the highway authorities could be required but this should be able to be funded out of the income generated by lane rental charges.

- 3.4.7 There is a possibility that some works promoters may prioritise other works rather than works that needed to be carried out on lane rental roads to maximise the amount of money they are able to spend on their assets. This may mean that instead of being pro-active and undertaking planned maintenance work on assets located in lane rental roads some works promoters may instead choose to take a reactive approach and only carry out work when absolutely necessary ie. when the works become urgent. This could lead to a longer term degradation of the pipes, cables and manhole covers seen on Lane Rental streets.

#### Extension of Lane Rental beyond TfL and Kent.

- 3.5.1 In September 2017 the Department for Transport (DfT) consulted on the continuation of the pilot schemes run by TfL and Kent CC, the potential extension to other Authorities, and an alternative measure to Lane Rental. **The full consultation pack is provided in the Background Papers.** This document also provides useful background legislative information regarding the principles of Lane Rental.

- 3.5.2 The options all consultees were asked to consider were:

*Baseline Option (do nothing). This would mean the current schemes would end in March 2019 and no new schemes would be permitted. Permit schemes would be the main way that all road works were managed on all roads.*

*Option 1: Retaining lane rental as it currently exists but only in London and Kent. This would require a minor amendment to secondary legislation to remove the sunset clause.*

*Option 2: Roll-out lane rental to other local authority areas. This would allow other local authorities to operate lane rental schemes but on condition that certain other criteria were met, for example, a permit scheme was in operation. This could be on a limited basis or it could be deployed more widely. It would be for authorities to ask for approval from the Government for schemes.*

*Option 3: Using permit schemes to deliver the key objectives of lane rental, i.e. stricter control and planning of works on the busiest roads at the busiest times. This would involve amending permit schemes and adding a new 'Super Permit' for works on the most congested roads. This would use permitting, which applies to all works on all local roads, to implement the key policy aims of lane rental and would allow those 60% of permitting LHAs who operate permit schemes to vary their schemes and include this new level of permit without the need for any approval from the Government.*

- 3.5.3 With the agreement of the Cabinet Member for City Highways, the Westminster Council response welcomed the opportunity to consider the potential for a Lane Rental Scheme to operate in Westminster but did not in any way commit the Council to such a scheme were powers to be granted by the DfT.

3.5.4 Officers replied supporting option 1 (to allow TfL and Kent to continue their schemes) and supporting option 2 whilst highlighting the risks or specific concerns.

3.5.5 Specific concerns raised were:

- Impact on residents of pressures to have more works out of hours. Given the Council's strong position on preventing out-of-hours disruption this could cause difficulties for the Council in showing that application of the regulations was fair and that charges were avoidable. If they become unavoidable, as permission to work out-of-hours is never given then the scheme potentially becomes non-compliant and contractors could pass costs on to customers. The Council would also need to demonstrate that refusal for out-of-hours works was not motivated by the desire to see more income generation in up-front fines.
- Restrictions on spending of charges received. The TfL experience shows that the regulatory restrictions on the use of money received in Lane Rental charges are very tight. They have built up a considerable balance that they cannot spend and cannot be written-back to general maintenance liabilities. Officers foresee this would be a problem for any Borough too. Administering the disbursement of the funding from the income pot is labour-intensive. The holding of multiple smaller sums of Lane Rental income across London would be cumbersome but any pooling of the income pot would have associated sovereignty challenges too. The Westminster response suggested that the restrictions be reduced to enable Authorities to also spend the money directly on measures to improve traffic flow or reduce disruption while also being able to invest in new technology or opportunities as appropriate.

3.5.6 Benefits of the current scheme that were highlighted were:

- Lane Rental is seen as the best way to ensure that there is a time pressure on works to get them completed promptly.
- As the charges can be waived where innovative technology that reduces total disruption is used it is seen as a way to make previously uneconomic investment in new ways of working attractive.
- It is seen as a driver for change and co-operation between those working on the highway. It encourages companies to work together and to work more closely with the Highway Authority.
- Daily charges are relatively simple to administer and while they can be a blunter tool than charging by the hour (which would enable closer management of disruptive works, it does not need so much administration and monitoring to be effective.

3.5.7 The Council response did not support Option 3 whereby "Super Permits" would be used instead of additional Lane Rental Schemes. The concept of Super Permits is that at certain locations susceptible to disruption a much higher Permit fee would be charged for works. It was the view articulated in the Westminster response that such a process would not encourage prompt

completion of works and would create additional administration for no benefit to the road-user.

- 3.5.8 While the DfT is still considering the consultation responses it was confirmed in December 2017 that the “sunset clause” would be removed to enable TfL and Kent CC to continue with their schemes. Option 1 has therefore been approved by the DfT. Options 2 and 3 remain to be determined.
- 3.5.9 It should be noted that any Westminster Lane Rental Scheme would only apply to a small amount of the City’s network. TfL could only justify application to 56% of their network and by its nature most of their streets are busier than most operated by WCC.
- 3.5.10 While the table in section 3.3.4 shows that the cost to TfL of charges for their own schemes is very high, it should not be assumed that the equivalent costs to WCC in terms of Lane Rental charges would be similar. These figures are for a pan-London scheme covering all of Greater London. The likely small footprint of any scheme were it to be approved would mean it very unlikely that the Council would need to find additional millions of pounds on top of costs of any maintenance costs. However, this also means that any income from third-parties would also be of a similar proportional size. Lane Rental schemes should not be looked upon as income generation.

**If you have any queries about this Report or wish to inspect any of the Background Papers, please contact Jonathan Rowing x3127**  
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## APPENDICES:

### Appendix 1- TfL Lane Rental Maps for Westminster

<http://content.tfl.gov.uk/westminster-north-lane-rental-map.pdf>

<http://content.tfl.gov.uk/westminster-south-lane-rental-map.pdf>

### Appendix 2- Summary of TfL's stated benefits of their scheme up to March 2017

Analysis has shown that for the period 1 April 2016 to 31 March 2017:

- 99 % of TfL works and 87 % of utility works taking place in TLRs segments avoided incurring a TLRs charge
- 1,679 days of lane rental were saved through early discussions with works promoters
- Between April 2016 and March 2017 the Lane Rental surplus funded 19 applications totalling £4,340,031 for roadworks congestion busting projects. Where it has been possible to calculate, the estimated social cost of delay saved through use of the funding is £37,673,107.

Compared to a baseline of 1 October 2010 to 30 September 2011:

- Average collaborative work sites per TfL period have increased from 16 to 47 (194%)
- Average number of days of disruption avoided per TfL period has increased from 110 to 141 (28%)
- There has been a 31 percentage point increase in planned utility works taking place overnight on TLRs segments since the scheme was implemented from 11 to 42%
- The total number of works completed within TLRs segments has decreased by 6% (1,309 works)
- Average 24hour vehicle flows on TLRs segments increased by 2% and by 4% on non-TLRs segments
- Average vehicle flows per lane in the TLRs are 19% higher than in non-TLRs segments
- Highway Authority (TfL) serious and severe disruption caused from planned works in TLRs segments fell by 62% (utility also decreased by 38%)
- The total number of hours of serious and severe disruption in TLRs segments has decreased by 195 hours (53%)
- Journey times and JTR saw deterioration in both TLRs and non-TLRs segments.
- Overall journey time deterioration has been worse in non-TLRs segments during AM, inter and overnight periods (up to 1.2% worse in the AM peak when compared to TLRs segments)
- JTR has deteriorated this year by -2% in the AM peak and -3% in the PM peak when compared to the 2010/11 baseline. Further analysis has revealed that 90% of the AM peak and 66% of the PM peak depreciation was attributed to the A406 North Circular Road, where there were two major schemes constructed and a series of vehicle breakdowns and collisions that were the cause of significant delays.
- It was found that within Major Work Impact Areas (MVIAs) the journey time deterioration was much more significant, and outside of MVIAs journey time increases in both TLRs and non-TLRs were very similar, which indicates a general deterioration of road network performance caused from increases in demand and the knock on effect of the huge investment programme taking place in London.
- Frustrations associated with 'Repeated roadworks on the same stretch of road within the same year' have continued to reduce (down 22 percentage points since 2011). It

is reasonable to assume that the implementation of TLRS has had a positive influence on these results

- The other greatest improvements in customer satisfaction between 2011 and 2016 were reductions in frustrations associated with 'Seeing streets partially closed, but no-one working there', 'Takes too long to carry out the work' and 'Lack of explanation about why roadworks are being carried out' (19, 18 and 18 percentage points respectively)

## **BACKGROUND PAPERS**

**Paper 1-** DfT consultation paper on the future of Lane Rental as per section 3.5

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/640876/the-future-of-lane-rental.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/640876/the-future-of-lane-rental.pdf)



## Business, Planning and Transport Policy and Scrutiny Committee

<b>Date:</b>	8 <sup>th</sup> February 2018
<b>Classification:</b>	General Release
<b>Title:</b>	Apprenticeships in Westminster
<b>Report of:</b>	Greg Ward, Director of Economy
<b>Cabinet Member Portfolio</b>	Cllr Robert Davis MBE DL, Deputy Leader and Cabinet Member for Business, Culture & Heritage
<b>Wards Involved:</b>	All
<b>Policy Context:</b>	World Class Westminster
<b>Report Author and Contact Details:</b>	<b>Eileen Gallagher x4031 egallagher@westminster.gov.uk</b>

### 1. Executive Summary

- 1.1 This paper provides an overview of Apprenticeships, recent Apprenticeship reforms including the introduction of the Apprenticeship Levy and the activities planned to promote and stimulate Apprenticeship growth across Westminster.
- 1.2 The Government has reformed apprenticeship delivery in England. The aim is to increase the number of high-quality Apprenticeships whilst ensuring they are more rigorous, better structured, independently assessed and aligned to the needs of employers. The reforms are also designed to partly address the skills shortages reported by many industries and Britain's poor productivity record.
- 1.3 The initial reaction from the business community has however not been encouraging. There has been significant reduction in demand for apprenticeships nationally. It is thought that this is partly down to the need for businesses to more clearly understand the new scheme and this is a role that the Council can support.

- 1.4 To that end, a new Apprenticeship Development Officer post has been created, jointly funded by the Economy Team and Children's Services (Tri-borough). The remit is to engage with businesses across Westminster and work closely with Education colleagues and senior leaders in schools and colleges to increase the uptake of Apprenticeships.
- 1.5 To raise the profile and value of apprenticeships as a route to sustainable employment and career progression, the Economy team has also developed an Apprenticeship Growth Plan. The plan draws together both internal and external stakeholders in a collaborative partnership approach to delivery. Engagement in the first year will focus on five selected industry sectors.
- 1.6 The Economy Team has also recruited a new broker to manage employment and apprenticeship obligations on the part of contractors and developers and a data analyst to review and monitor historical and recent commitments.
- 1.7 People Services, working in partnership with the Westminster Adult Education Service (WAES) has developed the Council's new internal Apprenticeship programme, the Westminster Apprenticeship Academy. Apprentices recruited since April 2017 are employed directly by the Council.
- 1.8 The detail that supports this Executive Summary is set out below in the Background section of this paper.

## **2. Key Matters for the Committee's Consideration**

- 2.1 In the wake of new government legislation and the subsequent reaction from business nationally, the Committee is invited to review the main activities and approach developed to support apprenticeships in Westminster. These are:
  - The joint work of the Children's Services and Economy in externally promoting and supporting apprentices in the Borough
  - The new internal approach to the recruitment and support of apprentices which has been led by People Services in partnership with the Economy Team and the Westminster Adult Education Service
  - The activity designed to ensure that both Council contractors and developers fulfil obligations they make to support apprenticeships
- 2.2 The Committee is specifically asked to respond to the following questions
  - What more could be done to support apprenticeships in Westminster?
  - What if anything is missing in the current Council approach to supporting apprenticeships?
  - Is the current resource to support apprenticeships sufficient or does this require further review?

### 3 Background

#### What is an Apprenticeship?

- 3.1 An apprenticeship is a genuine job with an accompanying development programme. It enables individuals to earn while gaining valuable skills in a specific job role. This is through a wide mix of learning in the workplace, formal off-the-job training and the opportunity to practise new skills. Individuals aged 16 years and over (with no upper age limit) can apply. Employers can offer apprenticeships to new entrants or grow talent from amongst current employees. The minimum duration of an apprenticeship is 12 months. In terms of employer responsibilities, there must be a genuine job available with a contract of employment.
- 3.2 Apprenticeships are now available to degree level and beyond. Over 50 national universities currently offer a range of degree apprenticeships with more to be confirmed. Apprenticeships have equivalent educational levels as illustrated at table 1. There are 15 different bands of funding available for Apprenticeships ranging from £1,500 to £27,000.

**Table 1:** Apprenticeship Levels

<b>Apprenticeship Title</b>	<b>Level</b>	<b>Equivalent Educational Level</b>
Intermediate Apprenticeship	2	5 GCSE passes
Advanced Apprenticeship	3	2 A level passes
Higher Apprenticeship	4, 5, 6 and 7	Foundation degree and above
Degree Apprenticeship	6 and 7	Bachelor's or master's degree

#### Apprenticeship reform

- 3.3 As set out in the Executive Summary, the government has reformed the way apprenticeships are funded and delivered in England. A key element is the Apprenticeship Levy, introduced in April 2017. The levy is intended as a means of funding apprenticeship training and is expected to raise in the region of £2.8bn by 2019-20.
- 3.4 Employers now also play a crucial role in developing new apprenticeship standards via trailblazer groups. A Trailblazer is made up of a group of employers who work together to design the new standards. A Westminster based business is currently a member of a trailblazer group established to design a Degree apprenticeship in Architecture.

## The Apprenticeship Levy

- 3.5 From April 2017, employers in England with a paybill of three million or more are required to pay the Apprenticeship Levy. The levy is paid at a rate of 0.5% of total payroll through PAYE on a monthly basis. Employers with a paybill of less than £3 million a year will not pay the levy. The government will ask non-levy-paying employers to make a 10% cash contribution to the cost of the apprenticeship training, paid directly to the provider, with the government covering the remaining 90%. Small and medium sized businesses with less than 50 staff will receive 100% of Apprenticeship funding costs from the government.

### Initial market reaction to the new levy

- 3.6 Unfortunately, the initial business reaction to the new levy and reforms has been lukewarm. The number of apprenticeships starts dropped significantly in the first three months following the introduction of the levy. Provisional figures for 1st May to 31st July 2017, the first quarter the levy was introduced, show that starts dropped by more than 60%. Between May and July 2017, apprenticeship starts decreased to 43,600 from 113,000 over the same period the year before, a decrease of 61%.
- 3.7 Clearly, the last year has presented a huge change for employers in terms of apprenticeship funding. As such, employers may have needed a period of time to adjust and plan for opportunities presented by the levy. The Council's role is therefore pivotal in supporting employers analyse and plan for future workforce development, incorporating apprenticeships as an integral component of their recruitment and retention strategy.

### Promoting apprenticeship growth in Westminster

- 3.8 The following tables provide a general indication of apprenticeship starts in Westminster for the period 2011/12 – 2016/17 (derived from constituency data for Cities of London and Westminster and Westminster North)

#### Parliamentary Constituency data on Apprenticeship Starts

Parliamentary  
Constituency

Cities of London and Westminster

Apprenticeship - Starts							
Geography	PCON/Region/England	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17 Full Year (Provision)
PCON	Cities of London and Westmin	520	450	400	460	440	370
Region	London	47,230	45,070	40,050	45,550	46,280	44,220
National	England	515,000	504,200	434,600	494,200	503,900	485,500
<b>Total</b>	<b>Grand Total</b>	<b>520,600</b>	<b>510,200</b>	<b>440,400</b>	<b>499,900</b>	<b>509,400</b>	<b>491,300</b>

Parliamentary Constituency data on Apprenticeship Starts

Parliamentary Constituency

Westminster North

Apprenticeship - Starts

Geography	PCON/Region/England	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17 Full Year (Provision)
PCON	Westminster North	330	270	250	280	260	260
Region	London	47,230	45,070	40,050	45,550	46,280	44,220
National	England	515,000	504,200	434,600	494,200	503,900	485,500
<b>Total</b>	<b>Grand Total</b>	<b>520,600</b>	<b>510,200</b>	<b>440,400</b>	<b>499,900</b>	<b>509,400</b>	<b>491,300</b>

- 3.9 A new Apprenticeship Development Officer post is jointly funded by the Economy Team and Children's Services with a remit to, engage with businesses across Westminster to stimulate apprenticeship growth.
- 3.10 To raise the profile and value of apprenticeships as a route to sustainable employment and career progression, the Economy Team has also developed an Apprenticeship Growth Plan. The plan draws together both internal and external stakeholders in a collaborative partnership. Engagement in the first year will focus on five selected industry sectors: Construction & Property, Retail, Hospitality, Life Sciences and Health, and the Creative and Cultural sector
- 3.11 A sector based employer engagement strategy is deemed most appropriate because businesses typically identify themselves by sector. The five sectors were derived from research conducted by Economy team. It is envisaged that activities will include employer events in conjunction with the Business Improvement Districts and other stakeholders including Westminster based training providers.
- 3.12 The Apprenticeship Growth plan includes **a target of 100 apprenticeship opportunities** to be generated with Westminster businesses. To meet this target, the Apprenticeship Officer has engaged with 62 Westminster employers since joining WCC in Mid-August 2017 and now meets with a minimum of five employers per week. Developments since the post started include discussions with the London Early Years Foundation who would like to recruit 20 apprentice nursery assistants and a healthy food chain that has a target of 160 apprentices. By August 2018, this target should therefore be comfortably met.
- 3.13 The following serves to illustrate some of the activities undertaken as part of the Apprenticeship Growth Plan.

- Two apprenticeship information events have been held in conjunction with the BID's, (Northbank BID in March 2017 and Victoria BID in October 2017). Both were well attended by Westminster businesses.
  - The 11th National Apprenticeship Week (NAW 2018) will run from 5<sup>th</sup> to 9<sup>th</sup> March 2018.
- 3.14 For National Apprenticeship Week, Westminster will highlight one of the five sectors each day. Examples of plans agreed are as follows:
- Construction & Property, in partnership with the University of Westminster, the Faculty for Construction and the Built Environment. An employer focussed event aimed at promoting the University higher and degree apprenticeships.
  - Hospitality, in conjunction with Westminster Kingsway College. An opportunity for young people to observe hospitality apprentices and speak to hospitality employers about the industry.
- 3.15 Other activities in the growth plan include researching Westminster employers with traditional graduate recruitment schemes that do not yet engage in apprenticeships. The introduction of the levy, coupled with the emergence of higher and degree apprenticeships could offer a real alternative to employers.
- 3.16 The Apprenticeship Growth Plan also recognises the requirement to enable more young people including Looked After Children, Care Leavers and young people with special education needs to access opportunities to start or re-start their careers as apprentices if desired.
- 3.17 The Apprenticeship Development Officer has also linked in with all the Westminster secondary schools to support careers information. There is a recent statutory requirement for schools to publish a statement of intent outlining how they will enable access to specific year groups by training providers and employers. This is an opportunity to further support Westminster schools engage with apprenticeships.

### **Westminster Council as an Apprenticeship Employer**

- 3.18 Since the introduction of the Government's reforms, the Council has taken the opportunity to utilise knowledge and expertise across the Economy Team, Westminster Adult Education Service and People Services to:
- Support apprentice growth within Westminster.
  - Increase the demand amongst Westminster residents.
  - Deliver the Council's own high quality internal programme.
- 3.19 The Council has reviewed and further developed its own apprenticeship programme. Prior to April 2017, delivery was by the London Apprenticeship Company (LAC). Apprentices were employed by the LAC and hosted by the Council. Whilst numbers averaged 50 per year, few apprentices went on to be



employed by the Council and the number of Westminster residents taking up apprenticeships was very small at around 10% of total recruitment.

- 3.20 Since the introduction of the reforms, the Council pays approximately £35,000 per month to the HMRC as an Apprenticeship levy. This money is available under a funding agreement with the Education and Skills Funding Agency (ESFA) to fund apprenticeship training and assessment. This includes new apprentices or existing staff who complete an apprenticeship programme to support their professional development. The Council is also subject to an apprenticeship target to employ an average of at least 2.3% of their staff as new apprentice starts over the period of 1 April 2017 to 31 March 2021. The Council has a duty to 'have regard' to the target which means that it can actively consider apprenticeships, either for new recruits or as part of career development for existing staff.
- 3.21 People Services, working in partnership with the Westminster Adult Education Service (WAES) has developed the Council's new apprenticeship programme, the Westminster Apprenticeship Academy. Apprentices recruited since April 2017, are employed directly by the Council and funding covers the cost of training and assessment.
- 3.22 **Westminster currently has 54 apprentices within Council services.** Twenty-two joined before April 2017 and are employed by the London Apprenticeship Company (LAC), hosted by Westminster. A further 32 have been employed on Westminster contracts since the introduction of the Apprenticeship Levy in April 2017. Since bringing the Council's apprenticeship programme back in-house, it has been expanded, with a variety of apprenticeships now set up in procurement, finance, town planning, public health, children's services, outdoor learning and libraries. As a result, there is a more diverse group of individuals applying for the opportunities and an **increase in the number of residents** applying for and placed into roles. **Over the past two years the number of residents who have become apprentices working for the Council has increased from around 10% of all apprentices to 25% and this proportion is growing.**
- 3.23 The Council continues to offer an entry level apprenticeship programme for new starters, focusing on opportunities for Westminster residents. Two cohorts of entry level opportunities have since been recruited with a third planned for February 2018. Partnership working with WAES and the Westminster Employment Service has resulted in an increase in the number and quality of the applications received. Over 100 applications have been received for the 32 opportunities since April 2017. Of the 32 that started since April 2017, eight have been filled by Westminster residents, including one long term unemployed resident and one returner to work. Where Westminster residents are unsuccessful in securing Apprenticeships and need further support this provided through the WES employment coaches and through WAES. These candidates are then assisted in applying for future roles.
- 3.24 Internal Apprenticeships represent an excellent opportunity to develop the skills of existing staff and since April 2017, ten employees have started an

Apprenticeship programme to support their professional development. Further internal Apprenticeship programmes are currently being developed in project management, finance, digital and technology and leadership and management. These are to launch this year in March 2018.

### **Promoting Apprenticeships through planning and the supply chain**

- 3.25 During the consultation on the Westminster Employment Service in 2016, Finance & Corporate Service Scrutiny Committee requested information on the aggregate contribution of the Council's supply chain and developer community to local apprenticeships. At the time, data was difficult to obtain. This necessitated a detailed review of processes as well as an internal audit.
- 3.26 The audit was overseen by the Director of Economy with inputs from Planning, Policy and Procurement. The purpose was to gather information on the current process of securing apprenticeships and traineeships and to assess the adequacy and effectiveness of the controls in place. Overall the audit confirmed that further work was required to strengthen the monitoring, compliance and the procedures for agreeing commitments.
- 3.27 As a consequence, the Apprenticeship Development Officer now collaborates with colleagues from Westminster Employment Service to ensure apprenticeship opportunities derived from section 106's and procurement exercises are maximised and where possible filled by Westminster residents.
- 3.28 Also in response to the audit findings, Economy Team has recruited a new broker to manage employment and skills plans with contractors, clarified processes for agreeing the delivery of the plans and has hired a data analyst to review past commitments. A summary of aggregate commitments, including apprenticeships is also set out at table 2 below.
- 3.29 A "Meet the Team Breakfast" event with contractors and developers was held in December and attended by 57 contractors and developers. New monitoring arrangements will commence in January and monthly community based job fairs with suppliers and developers will start in February. The purpose of the job fairs is to highlight the negotiated opportunities and give residents as much advance notice about roles so as to allow them to prepare. Many of the candidates will then work alongside the coaching support offered through the Westminster Employment Service.

**Table 2. Employment and skills commitments through Planning, Procurement & Business Rate Relief. 2018-21**

Commitment	Planning (s106)	Responsible procurement	Business Rate Relief	TOTAL
Local Jobs	292	183	-	<b>475</b>
<b>Apprenticeships – Westminster</b>	143	276	9	<b>428</b>

Training & qualifications		895		<b>895</b>
Work experience placements	28	781	18	<b>827</b>
Curriculum support activities	18	-	-	<b>18</b>
Graduate placements	2	-	-	<b>2</b>

#### **4 Conclusion – Apprenticeship Growth in Westminster**

- 4.1 The Council’s apprenticeship agenda has gained considerable momentum and the approach is much more integrated than in the past, with several services supporting activity. Despite an initially disappointing set of figures nationally, these Council reforms will serve to ensure that Apprenticeships are of high quality, provide added value to businesses and, by delivering skills to the workforce, help to improve economic productivity.

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## Business, Planning and Transport Policy & Scrutiny Committee

<b>Date:</b>	8 February 2018
<b>Classification:</b>	General Release
<b>Title:</b>	<b>2017/18 Work Programme and Action Tracker</b>
<b>Report of:</b>	Director of Policy, Performance & Communications
<b>Cabinet Member Portfolio</b>	Deputy Leader/Cabinet Member for Business, Culture and Heritage Cabinet Member for Planning and Public Realm Cabinet Member for City Highways
<b>Wards Involved:</b>	All
<b>Policy Context:</b>	All
<b>Report Author and Contact Details:</b>	<b>Artemis Kassi x 3451</b> <a href="mailto:akassi@westminster.gov.uk">akassi@westminster.gov.uk</a>

### 1. Executive Summary

- 1.1 This report presents the current work programme for approval based on discussions at the last meeting in November 2017 and with senior officers. It also provides an update on the action tracker.

### 2. Key Matters for the Committee's Consideration

- 2.1 The Committee is asked to:
- Review, approve and, where required, prioritise the draft list of suggested Work Programme items at Appendix 1; and
  - Note the Action Tracker at Appendix 2.

### 3. Current Work Programme

- 3.1 This work programme takes from the work programme agreed at the Committee's last meeting on 15 November 2017. It is presented here for the Committee to review and amend as appropriate.

- 3.2 There have been four key changes to the Work Programme for the Committee's November meeting.
- 3.3 The first key change to the Work Programme is the re-scheduling of an item on officer advice. The item concerns Building Heights (Getting the Right Growth for Westminster). This item was raised at the meeting in November. Officer advice is still that this will be re-scheduled until a later date in the Committee's Work Programme. This reflects the City Plan programme, including consultation in spring 2018, and takes account of significant changes to relevant national and regional policies and the necessity to take the appropriate time in order to consider these properly.
- 3.4 As discussed at the November meeting, this item is therefore replaced by the item on the Apprenticeship Levy.
- 3.5 The second key change to the Work Programme is the change of focus in the previously planned Utilities/Transport for London item. Officers advised that the February meeting would be an opportunity to scrutinise the TfL Lane Rental Scheme following the recent Department for Trade consultation, which canvassed Councils' thoughts concerning extensions of this scheme. This scheme involves the management of highways disruption caused by planned roadworks by the Utilities and TfL, and was designed to encourage utility companies to avoid digging up the busiest roads at peak traffic times.
- 3.6 The third key change to the Work Programme concerns the Evening and Night-Time Economy Task Group. Following the Cabinet Member portfolio changes in October 2017, Councillor Davis has taken on responsibility for this work and has decided to put it on hold until later in 2018. The Task Group's work has been postponed until May in order to complement the Cabinet Member's portfolio.
- 3.7 Finally, the Committee is asked to note that, as discussed at the November meeting, a review of the first year of operation of the Community Infrastructure Levy was dealt with in a written briefing. This was circulated to committee members in advance of this meeting and no longer features on the Work Programme.

#### **4. Future Work Programme**

- 4.1 Following the changes mentioned above, the Committee's April meeting currently has no items allocated to its agenda. The Committee is asked to prioritise items for review at its meeting on 12 April 2018.

**If you have any queries about this Report or wish to inspect any of the Background Papers, please contact Artemis Kassi**

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#### **APPENDICES:**

**Appendix 1-** Suggested Work Programme

**Appendix 2-** Action Tracker

Appendix 1

ROUND ONE (12 JUNE 2017)		
Agenda Item	Reasons & objective for item	Represented by:
<b>Cabinet Member Q&amp;A</b>	To hold to account and review the activity of the Cabinet Member.	Councillor Danny Chalkley, Cabinet Member for City Highways
<b>Business Rates</b>	An examination of the impact of revaluation on Westminster businesses	Martin Hinckley

ROUND TWO (13 SEPTEMBER 2017)		
Agenda Item	Reasons & objective for item	Represented by:
<b>Cabinet Member Q&amp;A</b>	To hold to account and review the activity of the Cabinet Member	Councillor Daniel Astaire, Cabinet Member for Planning and Public Realm
<b>Broadband update</b>	To receive an update since the last appearance at Committee in March 2016	David Wilkins Councillor Jonathan Glanz G Network
<b>Highways Code of Practice</b>	To review the Council's response to the new code of practice	Kevin Goad

ROUND THREE (15 NOVEMBER 2017)		
Agenda Item	Reasons & objective for item	Represented by:
<b>Cabinet Member Q&amp;A</b>	To hold to account and review the activity of the Cabinet Member	Councillor Robert Davis (Deputy Leader / Cabinet Member for Business, Culture and Heritage)
<b>Overview of Prevent Delivery</b>	To report on delivery of the Prevent Strategy within Westminster	Sara Sutton, Director, Public Protection and Licensing/ Mark Chalmers



Business, Planning and Transport Policy and Scrutiny Committee

<b>Safer Westminster Partnership update</b>	To report on progress in delivery of the Safer Westminster Partnership strategy. To provide an update on the Safer Westminster Partnership Strategic Assessment	Sara Sutton, Director, Public Protection and Licensing
<b>Assets of Community Value/ Pubs</b>	A follow-up to update the Committee since the last report in 2016	Ezra Wallace, Head of Corporate Policy and Strategy/Andrew Barry-Purcell, Place and Investment Policy Manager

ROUND FOUR (8 FEBRUARY 2018)		
Agenda Item	Reasons & objective for item	Represented by:
<b>Cabinet Member Q&amp;A</b>	To hold to account and review the activity of the Cabinet Member	Councillor Danny Chalkley, Cabinet Member for City Highways
<b>The Apprenticeship Levy</b>	To review the scheme since April 2017	Greg Ward June O’Gallagher (LEYF)
<b>The Lane Rental Scheme</b>	To review the existing operation, particularly in light of the recent DfT consultation  To consider the opportunities and challenges of an expansion of the scheme	Kevin Goad Jerry McConkey and David Capon (The Joint Authorities Group UK) Peter Loft, Martin Zelder and Keith O’Brien (Joint Utilities Group) (tbc)

ROUND FIVE (12 APRIL 2018) N.B. This meeting will be affected by Purdah		
Agenda Item	Reasons & objective for item	Represented by:
<b>Cabinet Member Q&amp;A</b>	To hold to account and review the activity of the Cabinet Member	TBC





**UNALLOCATED ITEMS**

Agenda Item	Reasons & objective for item	Represented by:
<b>The Transformation of Oxford Street</b>	To inform the Committee of the plans for Oxford Street	Graham King
<b>Place Shaping</b>	A report outlining this new function, its work programme and priorities	Barbara Brownlee/Deirdra Armsby/Ed Watson
<b>The Night-Tube (Performance and Evaluation/TfL)</b>	To review the first year of operation of all four lines	Richard Barker
<b>Nine Elms Bridge</b>	To update post-consultations	Graham King/Hilary Skinner
<b>Planning's role in delivering more affordable housing</b>	(Tied to the City Plan)	Andrew Barry-Purssell
<b>London's Local Plans - are they supporting Neighbourhood Planning?</b>	(Tied to the City Plan)	Andrew Barry-Purssell
<b>Building Heights – Getting the Right Growth for Westminster and City Plan Revisions</b>	(Tied to the City Plan)	Andrew Barry-Purssell
<b>Cycling Strategy</b>	To update on delivery to include progress of the Cycling Superhighways	Richard Barker - No information from TfL until after the election
<b>Telephone Boxes Across Westminster</b>	To consider the proliferation of telephone boxes across the City from a number of different providers	John Walker / Andrew Barry-Purssell
<b>Crossrail 2</b>	To update the Committee	Graham King
<b>Street Markets</b>	To update the Committee	Richard Barker /Ed Watson/Greg Ward

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## Appendix 2

15 November 2017		
Agenda Item	Reasons & objective for item	Follow Up
Item 4 - Update from Cabinet Members	The Cabinet Member for City Highways to be asked how long the 20mph trial outside of schools would be taking place and whether it was possible to propose an additional location for the trial (Councillor Danny Chalkley, Cabinet Member for City Highways and Olivia Chadelle, Cabinet Officer)	The response was received that whilst the sites need to stay the same for the full year and therefore new sites aren't being added, there is the potential to take suggestions about whether the trial should be made permanent or extended.
	That a link be sent to Members of the Council when the papers for the Cabinet CIL Committee are available	Members will receive e-mail notification.
	Information was requested as to why charges had gone up significantly for electric vehicle owners. (Stuart Love; Artemis Kassi, Policy and Scrutiny Officer)	Completed
Item 5 - Update on progress of the Safer Westminster Partnership	A press release to be provided on the reduction in firework/anti-social behaviour complaints during Halloween and Bonfire Night, particularly in relation to Bryanston and Dorset Square Ward (Sara Sutton, Director of Public Protection and Licensing)	Noted – this was followed up.
Item 6 – Overview of Prevent Delivery	Information to be supplied to the Committee on the links to the Prevent pages on the Council website and the number of hits received	Completed

# Action Tracker



## Business, Planning and Transport Policy and Scrutiny Committee

Item 7 - Update – Assets of Community Value	A written response to be provided to the Committee on the approach of other local authorities to determining ACVs (Artemis Kassi, Policy and Scrutiny Officer)	Completed
	The Council’s Communications department to be asked to provide an article which is publically available on what ACVs are able to achieve and what they are unable to achieve (Artemis Kassi, Policy and Scrutiny Officer)	Discussed with officers. In progress
Item 9 – Update on the Work Programme	Officers to consult with the utility companies in order to assess whether the appropriate senior executives are available to attend the meeting in February 2018 (Artemis Kassi, Policy and Scrutiny Officer)	Completed
	Clarification to be sought from officers about the timescale of when the Building Heights item is likely to be scrutinised by the Committee (Artemis Kassi, Policy and Scrutiny Officer)	Officers still advise that this item is linked to the City Plan revisions. This item will be reviewed once the City Plan is finalised (May 2018)
	The Committee to be updated on when the Evening and Night Time Economy Task Group is likely to be scheduled (Artemis Kassi, Policy and Scrutiny Officer)	In progress
	The Committee to be informed of how many electric vehicle charging points there are currently in each ward in Westminster (Councillor Danny Chalkley, Cabinet Member for City Highways and Olivia Chadelle, Cabinet Officer)	Completed

13 September 2017

Agenda Item

Reasons & objective for item

Follow Up

# Action Tracker



Business, Planning and Transport Policy and Scrutiny Committee

Item 8 Work Programme	UK Power Networks to be asked to provide a statement on the power network explosion at Oxford Street on 7 September 2017 (Artemis Kassi, Policy and Scrutiny Officer)	Completed
	A written update to be provided on the current position regarding the cycling strategy and progress of the Cycling Superhighways (Anthony Sabato, Service Development Manager; Toby Jacobs, Sustainable Transport Officer; Artemis Kassi, Policy and Scrutiny Officer)	Completed

12 June 2017

Agenda Item	Reasons & objective for item	Follow Up
Item 4 Cabinet Member Update	That a written response is provided to the Committee in relation to the CIL question set out in paragraph 4.3 (Councillor Danny Chalkley and Joe Penny, Cabinet Officer).	Completed
	That a copy of the 'Building Height: Getting the Right Kind of Growth' consultation report, potentially in draft form, is provided to the Committee as soon as it is available (Councillor Daniel Astaire, Cabinet Member for Planning and Public Realm and Madeleine Hale, Senior Cabinet Officer).	Officer advice to Chairman (November 2017) that this item is affected by revisions to the City Plan and can be reviewed once the City Plan is finalised
	That BT be invited to address the Committee, potentially in the autumn (Muge Dindjer, Policy and Scrutiny Manager / Jonathan Deacon, Senior Committee and Governance Officer).	Item on the proliferation of telephone boxes has been added to the unallocated items but should cover other providers as well as BT

# Action Tracker



Business, Planning and Transport Policy and Scrutiny Committee

	That all Councillors and amenity societies were made aware of the Westminster Business Unit drop-in session on 27 June (Greg Ward, Director of Economy).	Requested (Greg Ward)
	The report authors of the proposed items for the November meeting to be consulted as to whether it was still appropriate for them to be considered then (Muge Dindjer / Jonathan Deacon).	Completed
	Councillor Crockett would be consulted as to whether the 'Assets of Community Value / Pubs' item should proceed in November (Muge Dindjer / Jonathan Deacon).	Completed- Councillor Crockett would like to keep this item for November
	The current position in respect of Nine Elms Bridge was ascertained (Artemis Kassi / Jonathan Deacon / Hilary Skinner / Graham King)	Public exhibitions took place in late June / early July 2017. No further information has been published since then.
	That it is monitored when it would be appropriate to scrutinise the Cycling Strategy and a review of the Cycling Superhighways (Muge Dindjer / Jonathan Deacon)	Officer advice is that November would be the earliest time to consider this item.

8 May 2017

Agenda Item	Reasons & objective for item	Follow Up
Item 4 Cabinet Member Update	That a response be sought from Councillor Chalkley on how many penalty notices had been issued to date by "Air Quality Champions"	Completed

# Action Tracker



## Business, Planning and Transport Policy and Scrutiny Committee

Item 5- Work Programme	A follow up report be provided on assets of community value/pubs.  Barry Smith	Programmed for November
	Investigate how best to take forward evening and night time economy item	Proposals made to Chairmen of this committee and Adults, Health and Public Protection Policy and Scrutiny Committee.
	Information to be provided to Committee as to when relevant data can be made available on the night tube.	Information sent to committee 1.6.2017.  Data available from autumn 2017.

21 March 2017

Agenda Item	Reasons & objective for item	Follow Up
Item 4- Cabinet member Update	That a written response is provided to the Committee in relation to the questions 'how many planning committee decisions had been contrary to the officers' recommendations over the previous two years? How many cases were won on appeal?'	Completed  Response sent to Committee on 27.4.17
	That Councillor Astaire contacts Councillor Alexander about developments in the Marylebone Road area (Councillor Daniel Astaire, Cabinet Member for Planning and Public Realm and Madeleine Hale, Senior Cabinet Officer).	Requested (Madeleine Hale)



# Action Tracker



Business, Planning and Transport Policy and Scrutiny Committee

	That a response be sought from Councillor Chalkley in respect of Councillor Scarborough's question on the twenty mph trial scheme (Councillor Danny Chalkley, Cabinet Member for City Highways and Sion Pryse, Cabinet Officer) and the answer circulated to the Committee.	These will go live in May 2017 and run for 6 months. Suggested that committee be updated via the cabinet member report in the Autumn and the evaluation will be in Q4.  Map of schools/zones distributed to committee.
Item 5- Planning Report	That planning officers write to the 2014 intake of Westminster Councillors to inform them of the planning training available	Completed
	That Councillor Astaire, Mr. Smith and Mr. Walker be requested to consider how often and in what format an update on progress regarding delivering housing, including affordable housing, through the planning process is provided to the Committee.	Requested (Madeleine Hale)
	The WPA to be consulted as to whether it might be willing to consider contributing financially towards the Council maintaining a record of the development management (planning application) process.	The WPA's initial response is they see no value in funding such a project. They consider it would not be beneficial for their members or add value to the development management process.
	That Councillor Scarborough is included in the list of councillors to receive a list of applications which were being considered at future planning committee meetings	Completed



# Action Tracker



Business, Planning and Transport Policy and Scrutiny Committee

<p>Item 7- Work Programme</p>	<p>Councillor Chalkley and the relevant officers to be consulted as to whether it was appropriate timing to consider Baker Street Two Way and 20 miles per hour trial areas at the 7 June meeting</p>	<p>Baker Street two way system coming to May meeting.</p> <p>Officers are drafting a briefing note now on 20mph trial areas but evaluation of schemes won't be ready until Feb 2018 as not yet commenced and will run for 6 months.</p>
	<p>Councillor Chalkley and the relevant officers to be consulted on the appropriate timing regarding an update on the Cycling Superhighways</p>	<p>Officers advise that this should be reported November at the earliest.</p>
	<p>Councillor Astaire and the relevant officers to be consulted as to the potential for a task group on parties which make representations in respect of planning applications being able to address the planning committees</p>	<p>Requested (Madeleine Hale)</p>
	<p>Councillor Astaire, the relevant officers and Councillor Crockett to be consulted on the potential for a task group on assets of community value / pubs.</p>	<p>Officers have responded to say no longer appropriate Government has announced they will remove permitted development rights for pubs.</p>
	<p>The Committee requested a document setting out the respective stages that the Neighbourhood Forums are at</p>	<p>Completed sent to Committee on 27.4.17</p>

# Action Tracker



Business, Planning and Transport Policy and Scrutiny Committee

	<p>Councillor Glanz and the relevant officers to be consulted on progress on digital</p>	<p>Councillor Glanz has agreed to be a witness for the meeting considering this item in September</p>
	<p>Those expert witnesses are invited to attend the May meeting in order to address the Committee on business rates.</p>	<p>Sir Peter Rogers has agreed to attend June meeting and this item has been moved to June.</p>