



City of Westminster

# Committee Agenda

Title: **Community Services, Business and Planning Policy and Scrutiny Committee**

Meeting Date: **Monday 9th November, 2020**

Time: **6.30 pm**

Venue: **This will be a virtual meeting**

Members: **Councillors:**

Karen Scarborough (Chairman)	Christabel Flight
Geoff Barraclough	Lindsey Hall
Ruth Bush	Eoghain Murphy
Richard Elcho	Hamza Taouzzale

**This will be a virtual meeting. Members of the public and press are welcome to attend the meeting and listen to the discussion Part 1 of the Agenda.**

[Link to live meeting](#)

**This meeting will be live streamed and recorded. To access the recording after the meeting, please revisit the link.**



**If you require any further information, please contact the Senior Committee and Governance Officer, Artemis Kassi ([akassi@westminster.gov.uk](mailto:akassi@westminster.gov.uk) or 078 1705 4991).**

**Corporate Website: [www.westminster.gov.uk](http://www.westminster.gov.uk)**

**Note for Members:** Members are reminded that Officer contacts are shown at the end of each report and Members are welcome to raise questions in advance of the meeting. With regard to item 2, guidance on declarations of interests is included in the Code of Governance; if Members and Officers have any particular questions they should contact the Head of 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 by Members and Officers of the existence and nature of any pecuniary interests or any other significant interest in matters on this agenda.

**3. MINUTES**

To agree the minutes of the committee meeting held on 14<sup>th</sup> September 2020.

**(Pages 5 - 10)**

**4. UPDATE FROM THE CABINET MEMBER FOR BUSINESS AND PLANNING**

Councillor Matthew Green, Cabinet Member for Business and Planning, to provide a verbal update to the Committee on current and forthcoming issues in his portfolio and to answer questions from Members.

**(Pages 11 - 24)**

**5. UPDATE FROM THE CABINET MEMBER FOR COMMUNITY SERVICES AND DIGITAL**

Councillor Paul Swaddle, Cabinet Member for Community Services and Digital to update the Committee on current and forthcoming issues in his portfolio.

**(Pages 25 - 34)**

**6. REPORT ON THE COUNCIL'S APPROACH TO EMPLOYMENT, TRAINING AND SKILLS**

To receive a report on the Council's approach to employment, training and skills, highlighting the work of the Westminster Employment Service particularly in the context of COVID19.

**(Pages 35 - 74)**

**7. UPDATE ON THE PLANNING REVIEW PROGRAMME**

**(Pages 75 -  
166)**

To receive a report that provides an overview of the implementation of the Planning Review programme from October 2018 to date. The Planning Review programme comprises a number of projects that in combination deliver improvements to the processes and practices of the planning service to address the recommendations made by Cabinet on 25 October 2018 in light of the Planning Advisory Service report on the function of the Planning Service, which was undertaken earlier in 2018.

**8. WORK PROGRAMME REPORT AND ACTION TRACKER FOR 2020 - 2021**

**(Pages 167 -  
174)**

To review the work programme and action tracker.

**9. ANY OTHER BUSINESS**

**Stuart Love  
Chief Executive  
1 November 2020**

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**CITY OF WESTMINSTER**

## **MINUTES**

**COMMUNITY SERVICES, BUSINESS AND PLANNING  
POLICY & SCRUTINY COMMITTEE  
14 SEPTEMBER 2020  
MINUTES OF PROCEEDINGS**

Minutes of a meeting of the **Community Services, Business and Planning Policy & Scrutiny Committee** held on 14 September 2020 at 6.30pm **on TEAMS**.

**Members Present:** Councillors Karen Scarborough (Chairman), Geoff Barraclough, Ruth Bush, Richard Elcho, Christabel Flight, Eoghain Murphy and Hamza Taouzzale.

**Also present:** Councillor Paul Swaddle (Cabinet Member for Community Services and Digital) and Councillor Mark Shearer (Deputy Cabinet Member for Community Services and Digital).

**Apologies:** Councillor Lindsay Hall.

### **1. MEMBERSHIP**

- 1.1 The Chairman advised that Councillor Ruth Bush was substituting for Councillor Andrea Mann.
- 1.2 The Chairman welcomed Councillor Paul Swaddle (Cabinet Member for Community Services and Digital) and Councillor Mark Shearer (Deputy Cabinet Member for Community Services and Digital) to the meeting.
- 1.3 The Chairman advised that Councillor Matthew Green (Cabinet Member for Business and Planning) would not be attending the meeting. Any questions that Members had regarding the Business and Planning portfolio would be placed on the Committee's Action Tracker.
- 1.4 The Chairman welcomed Chris Roudette who was a volunteer for Westminster Connects who took part in the discussion on Westminster Connects.

### **2. DECLARATION OF INTEREST**

- 2.1 There were no declarations of interest.

### **3. MINUTES**

- 3.1 **RESOLVED:** That the minutes of the meeting held on 8 June 2020 be approved for signature by the Chairman as a true and correct record of the proceedings.

### **4. QUESTION AND ANSWER SESSION: CABINET MEMBER FOR COMMUNITY SERVICES AND DIGITAL**

- 4.1 The Committee received a written update from the Cabinet Member who responded to questions on the following topics:

- the enormous success of establishing rapidly the Westminster Connects as part of the Council's response to COVID-19.
- the success of continuing to offer virtual services which included information, e-books and sessions through social media during the pandemic.
- the implementation of the Movement Strategy and the introduction of semi-permanent 'Play Streets' around Westminster.
- the Council's work to address and prevent digital exclusion of residents.
- the launch and offer of the pending Access to Culture resident's card.
- the importance of capturing the outcomes after the delivery of the Digital Street Markets Project.

- 4.2 The Committee noted that the Council had been shortlisted for 'The Barrier Removal Award' which is a category in the Connected Britain Awards. The Council's application highlighted the work the Council had undertaken to achieve some of the fastest fibre deployment in the country, including its work on the Connect Westminster Project, Parking Bay Suspension discount for fibre providers and our City-Wide Wayleave Agreement.

- 4.3 The Committee congratulated and thanked the staff and volunteers for their fantastic work during the COVID 19 crisis and now in connection with the recovery response.

### **4.4 ACTIONS**

1. That an update on tendering a contract to provide 5G from lampposts be sent to the Committee.
2. That an update on finding a new premises for the Westminster Adult Education Service (WAES) be presented at the next meeting.

## 5. QUESTION AND ANSWER SESSION: CABINET MEMBER FOR BUSINESS AND PLANNING

- 5.1 The Committee received a written update from the Cabinet Member which covered current and forthcoming issues in his Portfolio.
- 5.2 **ACTION:** That a briefing note detailing the due diligence that has been undertaken to make sure that Groundwork can deliver the Westminster Wheels scheme be sent to the Committee.

## 6. WESTMINSTER CONNECTS

- 6.1 The Committee received a report on Westminster Connects, the service set up to respond to the increase in needs as a result of the pandemic and the large number of volunteers who wanted to help their community. The Committee noted how Westminster Connects had been able to mobilise thousands of residents to support those who were more vulnerable by the pandemic and to mobilise staff, voluntary community sector organisations and businesses to work collaboratively in Westminster.
- 6.2 The Committee welcomed Chris Roudette who was a volunteer with Westminster Connects on the Shopping Service and the Meal Delivery Service. Chris advised of the benefits and value of establishing Westminster Connects for both the residents and the volunteers. He explained how he had found volunteering a very positive experience and how Westminster Connects had demonstrated that residents could rapidly come together to help their community. He emphasised how much residents appreciated the meal service as well as the face to face contact with another person. He advised that going forward Westminster Connects should consider if local volunteering was a better way to deliver their services because of the travel time around the borough.
- 6.3 The key themes that emerged from the Committee discussion were:
- the huge achievements of the Westminster Connects due to the rapid response by the Council and the volunteers willing to help their communities.
  - the need to develop volunteering opportunities and understand how to shape and support volunteers into these opportunities instead of mass recruitment.
  - the need to manage volunteer's expectation so they did not feel disappointed if they were not immediately given a task.
  - they welcomed role the Council played in coordinating information and volunteer referrals for the voluntary sector.
  - the future use of interactive Voice Recognition (automated calls) to directly reach residents who need help and support.
  - member engagement with local businesses regarding corporate volunteering.
  - the importance of engaging with hard to reach communities to promote and encourage volunteering in their local area.

- the support given to food projects such as North Paddington Food Bank.
- the development of efficient IT systems to enhance the delivery of services.
- the possibility of further extending the befriending service as connection with others was very important for people's mental health.

6.4 The Chairman thanked everyone who had given up their time to attend the meeting and contribute to the discussion.

6.5 **RESOLVED:** The Committee concluded with the following comments, which would be forwarded to the Cabinet Member for Community Services and Digital:

1. That the Committee welcomed the report and thanked everyone for all their incredible hard work over the past few months.
2. That the Council should continue to build on the Westminster Connects platform to enable effective partnership working with Westminster's voluntary sector in the future.

## 7. CONTACT CENTRE PERFORMANCE AND UPDATE

7.1 The Committee received a report giving an overview of the two main contact centres operated by Agilisys, a brief overview of other contact centres operated across the Council and an update on the contact centre review project. The Committee noted that the report focused on their performance from January to July including service levels and targets and customer satisfaction.

7.2 The Committee heard that the current contract with Agilisys had performed well and that during the Covid-19 pandemic Agilisys had been exceptional in working with the Council to ensure all agents could work from home and deliver the same standards of service to all customers, including being the first point of contact for Westminster Connects services for vulnerable residents.

7.3 The Committee further heard about the wide range of different services handled through the two main contact centres and the work being undertaken on improving a range of online services for customers. The Committee noted that there were significant opportunities in providing digital services as it allowed the Council to offer services in a more timely and consistent way.

7.4 The Committee discussed the consultation carried out with residents and that users were being placed at the heart of how the Council was designing their digital offer. The Committee welcomed that the digital offer would not replace any existing services. The Committee noted that it was the intention to make the Council's digital services much better than other services, so it became the channel of choice for customers, because of its readily available information and quick regularly updates.

7.5 The Committee were also given an update on the Contract Centre Review project which was established to ensure customers received a consistent experience when contacting the Council and investigate opportunities to improve the commercial models, leverage technology and streamline operations. The Committee noted that the contract review project would continue to progress the design of an assisted service hub operating model.

7.6 Other issues discussed were the consistent performance over all contact centres, maximum wait times and the pay and conditions for staff.

### 7.7 **ACTIONS**

1. That the Committee be kept up to date regarding the publication date of the Contract Centre Review Project.
2. That details on the incentives for channel shift within contact centre contracts be sent to the Committee.
3. That details of the pay and conditions for staff working at the contact centres be sent to the Committee.

7.8 **RESOLVED:** The Committee concluded with the following comment, which would be forwarded to the Cabinet Member for Community Services and Digital:

1. That any changes to the service that came out of the contact review project take account of all Westminster residents including those who may not have access to the internet/digital devices.

## 8. **ACTION AND RECOMMENDATION TRACKERS AND COMMITTEE WORK PROGRAMME**

### 8.1 **ACTION AND RECOMMENDATION TRACKERS**

8.1.1 **RESOLVED:** That the Action and Recommendation Trackers be noted.

### 8.2 **COMMITTEE WORK PROGRAMME**

8.2.1 The Committee requested further information on the Bike Apprenticeship scheme and employment schemes.

8.2.2 **RESOLVED:** That the Committee review the Council's approach to Employment, Training and Skills in light of the COVID 19 pandemic and receive an update on progress against the recommendations in the Westminster Adult Education Service (WAES) strategic review.

**9. TERMINATION OF MEETING**

9.1 The meeting ended at 8.31pm.

CHAIRMAN \_\_\_\_\_

DATE \_\_\_\_\_



## Community Services, Business and Planning Policy Scrutiny Committee

**Date:** Monday, 9 November 2020  
**Portfolio:** Business and Planning

**The Report Of:** Councillor Matthew Green, Cabinet Member for Business and Planning

**Report Author and Contact Details:** Chloe Baker, Cabinet Officer  
[cbaker@westminster.gov.uk](mailto:cbaker@westminster.gov.uk)

### COVID-19 Recovery

#### 1 Hardship Rate Relief Screening Appointments

- 1.1 Five redeployees from Planning have joined the Business Unit in supporting the Business Rates team. The team screen applications for Hardship Rate Relief to ensure that businesses are eligible to apply and ensuring that they have received any other support they are eligible for.
- 1.2 A total of 305 one to one appointments have been conducted with businesses. As a result of these appointments taking place, we have been able to identify a number of businesses which were eligible for other financial support. So far, a total of £2,024,894.24 worth of alternative support has been identified and awarded to businesses. This amount is still likely to increase as there are further businesses which have been identified as potentially eligible for alternative funding awaiting to be confirmed. This alternative financial support is a combination of government grants, small business rate relief and expanded rate relief.

#### 2 Rapid Response Digital Skills Training or High Street Businesses

- 2.1 The Business & Enterprise Service has partnered with “Three” and “Imperial Business School” to deliver free digital skills training to Westminster businesses. The training aims to support businesses, particularly on the high-street, to continue to trade and deliver their goods to their customers in spite of COVID-19. The training responds to a specific demand in Westminster to support high-street businesses with developing an online presence, social media promotion, online trade and managing logistics with regards to stock management and delivery of goods. The training is open to all Westminster businesses and covers the following topics:
- How to go about setting up a Google pin
  - How to create a website for free but also options for professional website development
  - How to drive traffic to a business website
  - Search Engine Optimisation

- How to develop a social media presence and use these platforms as a means of business promotion
- How to conduct online transactions and the creation of the technical functionality required to take online payments
- How hospitality businesses can set up digital customer registration for track and trace
- Identifying the most appropriate and sustainable fulfilment partner to manage logistics, stock management and delivery
- How to bootstrap it/do it yourself if you're not large enough to warrant partnering with a fulfilment partner at this time
- Signposting to a directory of couriers, local and eco-friendly freight methods
- Signposting to a directory of platforms where businesses can self-promote their products, goods and services i.e. ShopAppy.com, Not on the High Street, Etsy etc
- Peer-to-peer mentoring in relation to online trade and delivery (Westminster businesses sharing experiences with each other)

**2.2** 32 businesses were supported in the first cohort in September 2020. The training course commenced for the second cohort the week commencing 26 October 2020. A final cohort will be supported in mid-November.

### **3 Commercial Property Advice Seminars**

**3.1** The Business & Enterprise Service has collaborated with the GLA and Gerald Eve LLP to provide free masterclasses, one-to-one sessions and online resources and guidance to micro-and small businesses on the topics of business rates and lease negotiation. Many established small businesses face being displaced from their existing premises due to sharp property price increases proposed by their landlords and are having to find new premises in other parts of London that may meet their needs. The current COVID-19 circumstances have significantly altered the negotiations of leases and has made the introduction of this specialist advice service all the more timely/relevant.

### **4 Expert Professional Panel and Helpline to support Westminster's businesses in crisis**

**4.1** The Business & Enterprise Service is convening a professional panel of expert organisations willing to provide pro-bono support to businesses in crisis. In many cases there may be elements of the business that owners may need to consider such as restructuring, raising finance, pivoting into more profitable areas, identifying salvageable aspects of the business, staff redeployment, and where it is ultimately unavoidable, managing redundancy processes and business closure processes professionally and responsibly. The professional panel can undertake an independent evaluation of the business and help the owner to determine the right course of action to take.

**4.2** This programme's overarching goal is to support businesses to reorganise, adapt and pivot away from existential challenges enough so they can weather this difficult period of major economic adjustment and bounce back when the economy starts to improve again. However, in cases where closure is unavoidable it seeks to ensure businesses are wound down responsibly and ethically and that the employees of these businesses are supported through this process via a proactive and timely 'Response to Redundancy' service. This is to be offered by the Westminster Employment Service (WES) and Westminster Adult Education Service (WAES) in partnership with the Department for Work and Pensions (DWP) and a range of education and training providers to re-skill, up-skill and identify alternative employment opportunities. By the City Council intervening

in this way and at this time, we can assist in mitigating the impacts of the recession locally.

**4.3** We will convene an open and inclusive expert professional panel through a partner search/call. We anticipate many of the panellists coming from Westminster's well-established financial and professional services sector or via relevant companies with social value commitments to the City of Westminster. However, by ensuring that the panel remains open and inclusive, we will be able to attract a vast array of expert organisations wishing to offer their services and expertise to Westminster businesses on a pro-bono basis. Panellists will be organisations who are best placed to provide advice, guidance and support based on their expertise and professional disciplines. The expert professional panel will comprise of organisations covering the following disciplines:

- Lawyers
- Accountants
- Banks
- HR Specialists
- Leadership & Management Specialists
- Sales & Marketing/Business Development Specialists
- IT/Tech & Innovation Specialists
- Business Mentors & Coaches
- Restructuring/Investment Specialists
- Insolvency Practitioners

**4.4** The support will be triaged by the Westminster Business Unit via a new dedicated helpline where core details of the business and their needs /challenges will be recorded. Businesses calling the helpline will be advised as part of the triage session with the Business Unit, as to which type of support is most relevant for the business. The Business & Enterprise Service will undertake due diligence checks on all prospective members of the panel and the panel will remain open and inclusive so as to avoid the City Council giving the impression that it endorses any supplier over another. To this end, it is imperative that the choice remains with the business to select a supplier so an online directory of experts on the panel will help them to self-select the supplier or service provider they wish to take up the service offer with.

**4.5** The directory will be categorised according to professional disciplines/area of business need which will enable businesses to navigate and select the most relevant support. The details of the call, the business and the understood business need will then be passed on to the relevant supplier selected by the business. To ensure the service is highly responsive to the urgent circumstances the business finds themselves in, once the referral is made, the selected supplier must call the business back within 24 hrs (1 working day).

## **5 Business Preparedness & Continuity**

**5.1** In July 2020, the Business & Enterprise Service convened a working group with Westminster's BIDs, the New West End Security Group, PP&L and Prepare & Prevent colleagues specifically to support Westminster businesses with developing preparedness and continuity in light of COVID-19.

**5.2** Many businesses are experienced in accounting for major events and incidents such as counter-terror related activity, within their risk registers and have therefore implemented various measures to mitigate the impacts of such risks. However, they have not previously had to factor in the risks and impacts posed by a pandemic. The need to support businesses to account for the risks, develop preparedness and robust continuity and resilience plans is further exacerbated by the anticipation that subsequent waves of

the virus is likely, as too is the deepening economic impact. By collaborating with Westminster's BIDs, we will ensure consistency of messaging and support measures.

- 5.3** A number of initiatives have been developed/are in development that will aid businesses in achieving preparedness, continuity & resilience. They aim to ensure that businesses are able to continue trading through the pandemic in a COVID-secure manner.

## **6 Pop-up Activation and New Business Development Programme**

- 6.1** The Business & Enterprise Service is working at pace with teams across Economic Development, Regeneration, OSD, Cultural Policy, Place Shaping and Communications & Events to implement a new programme that aims to:

- respond quickly and effectively to the impact of COVID-19 on the high street to maximise opportunities to activate the vacant units whilst also supporting the creative and cultural sectors and start-up businesses;
- stimulate the appropriate development of small businesses with a focus on social enterprises, co-operatives and employee-led businesses; and
- develop a programme of wrap around support that maximises opportunities for self-employment, including support for those seeking to invest their redundancy packages in starting their own business, and addresses the barriers to starting a business in Westminster.

- 6.2** This presents an exciting opportunity to trial and test innovative uses of Westminster's ground floor spaces to contribute to a more resilient, inclusive and thriving local economy post-Covid. The programme will be delivered in two phases.

- 6.3** Phase 1 – This phase of the programme will address the immediate need to activate retail frontages over the coming months with a particular focus on the West End which is seeing unprecedented levels of void units. It will entail the activation and curation of void spaces using creative installations, displaying local creative talent, working with existing UK and international brands and showcasing innovative start-ups. We will work collaboratively with key stakeholders in the West End including New West End Company, The Crown Estate, Grosvenor, Portman Estates and Shaftesbury to build upon existing proposals and to trial and test innovative ideas in the West End.

- 6.4** We will facilitate proposals with landlords and commercial property agents to provide further meanwhile uses in ground floor units supporting creative, community, training and cultural Pop-ups. Examples of this could include showcasing predominantly online retail businesses such as independent ethical fashion brands in addition to working with international brands and designers to showcase upcoming talent. There is an opportunity to develop Oxford Street as a 'show room' displaying the most innovative and forward-thinking brands, that may have a large online following but no physical store presence.

- 6.5** Phase 2 - This phase of the programme will seek out people who are looking to start a new business particularly those that will have a social/community/environmental business focus. We will focus on supporting:

- Westminster residents, including a priority focus on female and BAME residents
- Central London residents looking to start a business in Westminster
- Unemployed and recently made redundant
- Furloughed workers with self-employment aspirations
- Young people leaving school/college

- 6.6** We will create the right environment and support for the development of social impact, environmental and community businesses within Westminster, providing them with the

opportunity to occupy vacant ground floor spaces and contribute to a more resilient and inclusive economy. We will provide a free business support course focused on the social, community, environmental sectors. After participants complete the course, they will be further supported by the Business Unit to find a suitable empty premise and will receive further support through coaching, workspace, a network and funding opportunities. We will work with a social sector organisation to deliver a course focused on people in the early stages of setting up a social enterprise or community business.

- 6.7** Once the course has been delivered, businesses that are identified as suitable to take over a vacant unit, will be matched to premises relevant to their business venture, ensuring that it compliments existing activity on the high street through a targeted approach. In addition to the West End being a key priority for occupation of vacant units, the following local centres will also be supported: Church Street, Harrow Road, Pimlico, Bayswater, Mayfair, Baker Street and Marylebone.
- 6.8** To provide further support to businesses capable of taking over a vacant space, capital grants will be awarded to support the refurbishment of assets to bring them into use by businesses. An initial proposal is to make available £2,500 grants for Pop-up uses and £5,000-£10,000 grants for longer term uses for businesses that align with council priorities. This capital funding is part of the reconfigured 'Stimulating the Economy' Capital Programme Spending Review (CPSR) and is currently being reviewed due to be confirmed in early November.

## **7 Westminster Investment Service**

- 7.1** Westminster has typically not needed to focus on attracting inward investment with its attractive central location, vibrant retail, leisure and hospitality scene, impressive cultural offer, highly skilled workforce and transport links. However, with high levels of unemployment, thousands of vacant units and increasing numbers of business deaths as a result of the economic impact of COVID-19, combined with growing uncertainty around the impact of Brexit, interventions will be needed to support the economy back to pre-COVID levels, provide jobs to residents and help influence the type of economy we want to see in the future for Westminster.
- 7.2** The new Westminster Investment service, based within the Business and Enterprise team, will attract sustainable investment to Westminster that will focus on the re-occupation of vacant units, contribute to the creation and safeguarding of employment and stimulate economic growth. This will be achieved through attracting new inward investment and retaining and supporting the growth of indigenous businesses calling Westminster their home.
- 7.3** The vision for the service is to build on Westminster's success to date in attracting high-growth international business and helping local entrepreneurs to scale, to continue to market Westminster as a world leading global city and to develop an even higher quality of offer for workers, residents and visitors going forward. The service will have the following objectives:
- Attract sustainable investment to Westminster to contribute to the creation of employment and stimulate and accelerate economic growth.
  - Encourage and support London based entrepreneurs to scale their businesses within Westminster and safeguard opportunities for residents.
  - Encourage and support UK based businesses to locate within the borough, offering them a light introduction to a London option.
  - Address the loss of occupied active frontages in the West End by identifying new occupiers and supporting them to launch successfully.

- 7.4 The service will be delivered by working collaboratively and building upon activities already being carried out by key stakeholders, particularly London and Partners who already focus on bringing FDI into London and the central London BIDs, such as New West End Company and HOLBA which fund inward investment/destination promotion activity. We will work with the infrastructure and processes that are already in place and will provide an enhanced offer that can demonstrate and showcase the value of locating a business in Westminster.
- 7.5 The key partners and stakeholders that will be involved in delivering this service include:
- **London and Partners** - international trade, investment and promotion agency for London, on average secures around 18 new business investments in Westminster per year.
  - **Embassies, High Commissions and Consulates** – we will capitalise on the fact that Westminster is home to a significant number of international Embassies, High Commissions and Consulates and encourage the Lord Mayor of Westminster to develop engagement and international connections to promote and support the work of the Westminster Investment Service.
  - **London First** - a business campaigning force, with over 200 members, that are uniquely placed to champion the city and help keep London competitive.
  - **The Great Estates** – including Grosvenor, Portman Estates, Crown Estate and Shaftesbury who have their own inward investment programmes.
  - **Westminster Business Improvement Districts** – 14 BIDs across Westminster with a vested interest in their geographic district and many have their own inward investment programme.
  - **Westminster Commercial Property Agents and Property Owners** – including the industry representative group, Westminster Property Association which represents the voice of property owners and looks to drive the economic prosperity of Westminster.
  - **Visit London** – visitor guide to London showcasing the best cultural and hospitality offers the city provides.
  - **Westminster universities** – including King’s College London, Imperial College, LSE, London Business School which consistently rank as some of the best universities in the world and can provide a skilled labour force for prospective businesses.
  - **Westminster 100** – to be developed as part of the service and will include Westminster’s strategically significant businesses with which the council can maintain a proactive working relationship, that will help to showcase the best of what Westminster has to offer and influence inward investment decisions. The Wiltshire 100 will include key hospitality, leisure and cultural businesses in Westminster that can support our investment concierge experience.
- 7.6 The Westminster Investment service is an opportunity to influence the types of business we want to be located in the borough. Working collaboratively with our partners, we will strategically identify and target the businesses we would like to see located in Westminster. The sectors identified as having the highest growth potential include cleantech, digital and health. In addition to looking at growth potential, the policies of an organisation, such as paying London Living Wage, employing local residents and using a local supply chain, will be considered to maximise the benefits for Westminster residents.
- 7.7 The service will then provide a ‘Concierge Offer’ that will provide a tailored approach to the interested business highlighting the borough’s relevant unique selling points e.g. Soho’s renowned status as a creative and cultural hub. We will work with existing companies in Westminster to showcase the best of the borough through hospitality and

cultural organisations and we will link potential investors to property agents, universities and existing local businesses in order to make the transition as seamless and impactful as possible.

## **8 Westminster Wheels**

- 8.1** Building on the remarkable response of the community during the pandemic and as a front line offer to support greening initiatives, vibrant communities and digital access and skills, we are developing an ambitious new community project, *Westminster Wheels*. This programme aims to refurbish 2,000 bikes per annum delivered by 30 unemployed residents including care leavers.
- 8.2** The initiative will divert unwanted bikes from becoming waste to provide affordable refurbished bikes, focusing on low income families impacted by COVID-19. The ambition is to build a sustainable business through the sale of bikes. In addition, it will donate circa 20% bikes every year to encourage young people from vulnerable families to cycle and help them attend work and training.
- 8.3** Taster days for the Westminster Wheels project started on Monday 26 October. Throughout September and October, premises have been identified which will serve as a workshop and shop for the project and bike businesses have been engaged to support the project. Our aim is to open both the shop and workshop in December following fit out of an old bookmaker's on Church Street.

## **9 Westminster Employment Service (WES)**

- 9.1** The Council has designed two mentoring and employment support projects which will utilise Westminster Connect Volunteers and help the job prospects of residents. Mentors are currently being trained through our partners 'One Westminster' and 'Groundwork London' with the aim to train 70 volunteers by the end of March 2021 to support our Employment Services' clients.
- 9.2** Short, employer-led training courses delivered by WAES commenced in September with 3 week training, Level 1 Qualification in Public Service. In November, courses covering Childcare and Social Care will commence and our aim is to help the progression of clients into roles within the Council and with our suppliers and businesses that have vacancies and want to support local communities.
- 9.3** A new financial capability and wellbeing coach joined the team on 5 October 2020. Over the next six months they will be engaging with families in need of financial capability and wellbeing support in Churchill Gardens to help them maximise their incomes, reduce their debt, help them to make affordable repayment arrangements and make onward referrals to external services to help with any wellbeing issues. They will be working collaboratively with colleagues in the Bessborough Family Hub to generate referrals from the community.
- 9.4** Our financial capability officer delivered a training session through the Advisor Academy on financial capability and Universal Credit (UC), on 21 September. The aim of the training was to provide coaches and other colleagues with the tools that are used by members of the team providing this offer, so that they can confidently provide this support to clients. The training covered better-off in work calculations, personal budgeting, income maximisation, an overview of UC and how to make referrals to financial capability support for more complex cases. The training was well attended by WES coaches and we also had colleagues from Housing and Westminster Employment (WE) attend.

- 9.5** More detail on WES recovery activities and programmes are set out in a separate full report on this Committee agenda.

## **10 Planning Recovery**

- 10.1** The Planning Department continues to operate efficiently despite the continued need for the majority of staff to work remotely. As noted in the previous report to Committee, a site visit protocol was introduced in September and this enabled site visits to occur for applications where this is necessary to establish the acceptability of the proposals.
- 10.2** With England returning to a 4-week lockdown period as of 5 November, the Planning Department will take a view on site visits and consider alternative solutions should site visits not be able to take place.

## **11 Virtual Planning Committees and Inquiries**

- 11.1** To date, there have been 15 virtual Planning Applications Sub-Committee meetings. The meetings initially attracted high viewing figures (247 views on 14 April, 129 on 28 April and 133 on 12 May). This was due to a combination of a backlog of major and complex cases resulting in more viewers per item along with significant interest from the development industry, other local authorities and academic observers interested in how the Council had responded to the constraints imposed by the coronavirus pandemic.
- 11.2** Following the third virtual committee meeting on 26 May, viewer numbers have steadily transitioned back towards expected average levels of between 40 to 80 viewers, depending upon the number of items on a given agenda and scale and complexity of the applications under consideration. This viewer level is consistent with the viewer levels experienced prior to the switch to virtual planning committees.
- 11.3** Since the beginning of lockdown in March 2020, Planning Applications Sub-Committees have been operating using Microsoft Teams video conferencing software, following the coming in to force of temporary legislation to enable virtual public meetings on 2 April 2020. Prior to this, between February and March 2020 the planning committee meetings had begun to be live streamed and recorded using Civico software, which is a software platform specifically designed to stream and record conventional office based local authority public meetings. The virtual meetings using Microsoft Teams commenced on 9 April and public speaking for Ward Councillors was reintroduced at the Sub-Committee meeting on 12 May, with other speakers able to make verbal representations from 26 May onwards.
- 11.4** The proportion of viewers watching the recordings of the committee meetings subsequent to the live streaming of the event is relatively low at present (11% of total viewers on average). This may be a result of the link to the Microsoft Teams virtual meeting recordings being less visible and accessible relative to the Civico system, which hosts all of the recordings made prior to April 2020 on a single easily navigable home screen embedded within the Council's website. Conversely, the Microsoft Teams meeting recordings are only accessible via the link embedded in the committee meeting agenda. To resolve this and other limitations resulting from the use of Microsoft Teams planning committees will move back to the Civico software platform by the end of November 2020, following Civico's development of a remote app that allows their software to now host virtual public meetings. The new Civico app will also enable easier

future transition to hybrid planning committee meetings and beyond that a return to conventional office-based committee meetings.

- 11.5** Most planning appeals are dealt with by way of written representations and as a result these have been impacted to only a limited extent by the coronavirus pandemic. A small number of appeals are heard by Inspectors by way of hearings or public inquiries. The public inquiry for the Holocaust Memorial was held in October and early November. Officers have worked collaboratively to ensure the inquiry can proceed virtually without undue delay. The inquiry has been held using Microsoft Teams for participants and has been available to view as a live stream and as recordings on YouTube. This has ensured that the inquiry proceedings have been more publicly accessible than had it been held conventionally in committee room, whilst also maintaining the ability of interested parties to contribute to the inquiry process.

## **12 Westminster Adult Education Service (WAES) recovery**

- 12.1** All the curriculum areas have planned their provision to meet learners' needs and sweeping changes have been introduced. Our entry level learners are the most vulnerable and, therefore, WAES is delivering more face-to-face learning for this group. Similarly, those areas requiring practical skills development have more face-to-face learning planned. WAES have also introduced streaming between classrooms to allow all learners to benefit from the learning, while still practising safe social distancing.
- 12.2** WAES has invested in specialist software to provide those learners who require it more opportunities, while studying remotely in accounting and maths. Some of this provision is now 100% online. WAES has achieved 99% of its Term 1 enrolment target to date and has also secured additional COVID-19 Response Funding from the GLA to assist learners into work, acquire digital skills and help with mental health.
- 12.3** WAES has prioritised the discretionary support fund to support learners with IT equipment so they can engage effectively in online learning. To date, WAES has supported more than 50 learners with equipment. This is in addition to the usual childcare and travel support that is provided routinely. In addition, we have adapted the learning centres in our three sites to allow learners to book the use of computers to either engage in their online lessons or for traditional working. This has been done to allow learners who are not socially mobile or have the appropriate home environment to undertake online learning.
- 12.4** A collaboration between WAES and WES has been established to allow employment-related training to directly impact Westminster residents. These are short intensive programmes. There is a full plan for the entire academic year and our first two cohorts of learners were 100% Westminster residents. WAES is also working closely with the Job Centre on employer-led training opportunities, where all learners participating are guaranteed interviews for real jobs. Our first Sector-Based Work Academy is due in November 2020.

## **13 Hospitality**

- 13.1** The second phase of the Movement Strategy was focused on the opening of the hospitality sector in the City. Since July, the council has offered an extensive package of

help for food and beverage businesses, including temporary measures to facilitate outdoor dining, extended until the end of October 2020.

**13.2** Feedback from surveys undertaken with premises, local businesses, stakeholders and residents demonstrated how valuable these measures had been. Some of the results indicated that:

- an estimated 500 businesses benefitted from the schemes;
- 75% of those surveyed would recommend outdoor dining in Westminster;
- 84% residents and visitors felt positively about the council helping local businesses to reopen;
- 73% agreed with the temporary measures, including timed road closures, pathway extensions and the use of parking bays; and
- 75% key stakeholders believed the temporary measures rolled out by the council had increased footfall in their area since lockdown had eased, in some cases more than 50%.

**13.3** The council is extending alfresco dining schemes into the winter months, with a comprehensive guide available to businesses explaining the council's support for heaters and umbrellas and associated application process, 'winter appropriate' schemes to support al fresco hospitality, and outdoor table and chair processes. Businesses are consulting with residents and other businesses on these schemes to ensure their viability and appropriateness.

## **Operational Issues**

### **14 City Plan**

**14.1** Public hearings took place between 28 September and 15 October 2020 and delved into detail of every policy in the City Plan and the evidence supporting them. The hearings were run by the independent planning inspectors appointed by the Secretary of State.

**14.2** Much time was devoted to exploring the housing supply evidence and discussion on the principle of affordable housing contributions from commercial development and on the building height policy. All of the hearings were recorded and are available on the council's website to watch.

**14.3** Upon conclusion of the hearings, the Inspectors stated that, with their proposed modifications, the Plan can be found sound. This is an entirely normal outcome for a local plan examination and the council has in fact proposed a number of modifications it would like to make to the Plan to improve its effectiveness. The Inspectors will be writing to the council to outline any further modifications it feels are necessary to make the plan sound. Those modifications will then be subject to a six week public consultation. It is likely that the consultation will close in early January and following this the Inspectors will write their final report which sets out how the Plan must be amended for it to be adopted. Receipt of the report concludes the examination and is the point at which the Plan can start to be used to determine planning applications. The plan can then be formally adopted at the next appropriate Full Council meeting.

### **15 Neighbourhood plans**

**15.1** The Soho and Fitzrovia West Neighbourhood Plans are currently under examination by an independent examiner. Thus far the examiner has asked the council and Forums to agree a statement of common ground on the policies in the respective plans. Aside from these neighbourhood plans, a number of others are at an advanced stage of drafting,

however the council has advised Forums to wait for the outcome of the City Plan examination before progressing further given that neighbourhood plans must be in general conformity with the strategic policies of the adopted City Plan.

**15.2** The designations of Pimlico and Victoria Neighbourhood Forums have expired and consultation on their re-designation closed on 16 October. The responses to that consultation are being considered and it is likely that they will be recommended for re-designation.

**15.3** An application for the re-designation of Maida Hill Forum has been received and consultation will start soon.

## **16 Planning Review**

**16.1** The operational impacts on the planning service of the Planning Review are set out in a separate full report on this Committee agenda.

## **17 Ongoing public realm projects**

**17.1** The public realm programme has continued to be delivered throughout this period. There have been some minor delays in delivery due to staff resources being diverted to the delivery of the Movement Strategy and a pause in the private sector schemes coming forward. It is anticipated that this will be rectified across the second half of the year. A developing risk is the lack of engagement from Transport for London (TfL) on project delivery outside their London Street Space programme. This will have an impact on the schemes requiring signal change and modelling work. Discussions with TfL are ongoing.

**17.2** We are on site at Queensway making improvements to the pedestrian environment by providing wider footways and removing loading from the road at peak times. We are also improving lighting, planting new trees and introducing cycle parking.

**17.3** The renovation of Christchurch Gardens was completed in early September. The park has new planting, new seating opportunities, SUDS, new lighting, new natural stone and feature paving, a drinking water fountain, new trees and a panel commemorating Ignatius Sancho.

## **18 Ongoing place shaping projects**

**18.1** The original programme for delivery of Strand Aldwych was impacted by COVID-19. The programme has been revised to bring forward the delivery of a meanwhile version of the scheme, moving forward with the traffic changes along Aldwych. This will facilitate wider business and cultural recovery efforts in the area and provide the opportunity to test components of the management model towards the final scheme. It is to be noted that given the signalling changes and modelling work required around this scheme, the approval of traffic changes along Aldwych are reliant on TfL resource availability.

**18.2** In regard to the Future Victoria project, whilst technical work has continued throughout lockdown, public engagement and engagement with TfL has been challenged as a consequence of the pandemic. The project ambition and intent to place public engagement at the heart of the design process remains intact. The programme has been revised to ensure that a robust engagement strategy is in place as lockdown lifts. Alternate means to engage and ensure community representation are currently being explored.

## 19 Markets

- 19.1** As part of our efforts to ensure Westminster's markets are COVID-secure, we have provided free face masks to all Westminster traders. Although face masks are not compulsory at outdoor markets, we are strongly encouraging traders to wear masks when serving customers. In addition, we have recently installed hand sanitiser dispensers at all of our markets, to ensure that traders and customers feel safe while on the markets. These sanitisers can hold 7L of hand gel and will be refilled on a weekly basis.
- 19.2** We recently rolled out our branded market banners at Strutton Ground, Maida Hill, Rupert Street and Berwick Street markets. This follows Tachbrook Street market, where the banners were installed earlier this year. The banners will also be installed at Church Street shortly once we have finalised the size of the banners, as we are currently exploring the possibility of installing larger banners at Church Street.
- 19.3** Following a study at Church Street which found that almost 60% of the recyclable waste generated at the market is cardboard but the majority is not recycled due to contamination, we are devising a new waste management strategy. This will see traders separating cardboard from general waste and will require an extra operative from Veolia, who will collect the separated cardboard waste.
- 19.4** Following the success of the Caulibox Reusable Lunchbox Scheme pilot at Tachbrook Street market,<sup>1</sup> we are now working with Caulibox to further develop the scheme. This will see us develop an app to improve user experience and eliminate human error. Additionally, a tech focused drop off point that is able to recognise boxes being deposited to avoid cross contamination issues and investment in multiple box sizes to accommodate for different food portion sizes. In line with our commitment to end the use of single use plastic and improve the sustainability of our markets, we have partnered with a sustainable packaging provider, Element. We have negotiated a discounted rate for Westminster traders (<https://westminster.myelement.co.uk/>) and are working together to design Westminster-branded sustainable packaging.
- 19.5** The Peter Street storage unit has been transformed into a modernised storage unit, with upgraded facilities. The newly installed fridges have been allocated to traders and a new charging system is being designed with Avison Young, to be implemented once the rent-free period comes to an end.
- 19.6** As part of our vision to expand Maida Hill market, we have reached an agreement with the Housing team to take over two vacant garages beneath the Lydford Road housing estate and transform them into a new storage unit for the market. This will replace the existing storage unit on Elgin Avenue when the current lease expires in December.

## 20 Digital Street Markets

- 20.1** The Digital Street Markets Project is split into two elements; a Wi-Fi network for each of Westminster's markets and a digital training programme.
- 20.2** The procurement for the Wi-Fi operator began on 18 August. All of the bids were evaluated and moderated on 14 October and a price and quality score were determined

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<sup>1</sup> See page 3, 1.14 of the previous Cabinet Member for Economic Development, Education and Skills' report to the Economic Development, Education, Skills and Place Shaping Policy and Scrutiny Committee, September 2019 ([https://westminster.moderngov.co.uk/documents/s33905/Item\\_5\\_Cllr%20Barnes%20PS%20Report.pdf](https://westminster.moderngov.co.uk/documents/s33905/Item_5_Cllr%20Barnes%20PS%20Report.pdf))

for all bidders. The project will be going to the Procurement Advisory Board on 10 November to agree contract award.

- 20.3** The other element of the project is a digital training programme to support traders and small businesses to make use of the improved connectivity that they have available to them. A key purpose to this training is to support businesses to improve turnover and help drive customers to the market areas. Before going out to procurement, the specification is being revised to reflect the different delivery models for the training that will be required due to changing COVID regulations. Once completed, an OJEU procurement will be carried out to secure the best possible training provider.
- 20.4** To support greater participation in the training we are working with the Westminster Adult Education Service to develop an ESOL course tailored to the type of language that is used on both the Digital and Enterprise Training Courses.

## **21 Mayor's Workspace Accreditation Programme**

- 21.1** Two enterprise spaces that were catalysed by the Business & Enterprise Service as part of the City Council's Enterprise Space Programme have successfully achieved the Mayor of London's Workspace Accreditation. Pop-Hub Leicester Square (Interim Spaces) and Somerset House Studios Trust (The Exchange) were both awarded the accreditation on 15 October at the Mayor's Workspace Event. Westminster joined 8 other London Boroughs in the Workspace Accreditation Scheme's Pilot which commenced in February this year. Workspaces were assessed and evaluated against a number of metrics including: Affordability, Business Support, Community Impact and Responsible Business.

## **22 Westminster Adult Education Service**

- 22.1** WAES received an interim visit from Ofsted on 29 and 30 September 2020. The purpose of the visit was not judgemental but to see how the sector has responded to the pandemic. The report is complimentary about the processes that WAES has used and highlights areas of good practice for the sector.
- 22.2** In October, WAES held its first ever Higher Education (HE) Careers fair, which focused on inspiring learners to think big and plan for their futures. There were career-planning workshops with a focus on applying for jobs in a digital world, including how to make your LinkedIn profile pop. It featured the following universities delivering insight sessions and answering questions to encourage more young people and adults into HE:
- University of Westminster
  - University of East London
  - Goldsmiths University of London
  - University of West London
  - Birkbeck University of London
  - London South Bank University
- 22.3** Other guest speakers included staff from Matrix, National Careers Services and the Westminster Employment Service. The sessions were well attended, with over 100 learners participating.

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## Community Services, Business and Planning Policy and Scrutiny Committee

<b>Date:</b>	<b>Monday 9 November 2020</b>
<b>The Report Of:</b>	<b>Councillor Paul Swaddle OBE, Cabinet Member for Community Services and Digital</b>
<b>Report Author and Contact Details:</b>	<b>Gemma Stanton, Cabinet Officer</b> <a href="mailto:gstanton@westminster.gov.uk">gstanton@westminster.gov.uk</a>

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This report seeks to update the committee on matters pertaining to the Community Services and Digital portfolio focusing on:

1. COVID-19 Response and Recovery; and
2. Operational Updates.

## **1. COVID-19 RESPONSE AND RECOVERY**

### **1.1 PHYSICAL ACTIVITY, LEISURE AND SPORTS (PALS)**

#### **1.1.1 LEISURE CENTRES**

In order to ensure that we can continue to provide our much-valued leisure centre services during these difficult times, and having reviewed usage levels since re-opening, we announced on Monday 26 October that there will be a temporary reduction in opening hours across all our leisure centres from 1 November. All leisure centres will remain open (when they are permitted to do so) and to compensate for the reduction in opening hours, all memberships will be upgraded to 'multi-site' access from 1 November so users can attend all leisure centres across the City. As a result of this multi-site access, after 1 November, there will be the opportunity to attend a leisure centre in Westminster from 6.30am to 10pm weekdays and 7am to 8.30pm on weekends. If a local centre is not open, there will be alternative provision close by that will be.

However, in-line with the Prime Minister's recent announcement of a four-week lockdown in England, sadly our leisure centres will now also be required to temporarily close from Thursday 5 November. When leisure centres can reopen, we will revert back to the reduced opening hours introduced on 1 November and the 'multi-site access' upgrade to all memberships will also remain in place. Information and advice will be updated on our website as soon as further details become available.

#### **1.2.1 ACTIVESTREETS PROGRAMME**

The temporary School Streets programme, as reported previously, continues to remain in place during term time. The temporary School Streets programme involves localised improvements to increase pedestrian space at schools across Westminster, and will remain in place as an emergency measure until December 2020.

As a reminder, School Streets are pedestrian and cycle zones outside the school main entrance usually in operation for up to an hour and a half in the morning and afternoon (to complement the school drop-off and collection times), Monday to Friday term-time only.

## **1.2 VOLUNTARY AND COMMUNITY SECTOR (VCS)**

### **1.2.1 WESTMINSTER CONNECTS**

In preparation for winter, we have redeployed 20 additional staff into the Westminster Connects service to provide more support to vulnerable residents, including the shielding; people over the age of 70 who are living alone; and people made vulnerable through hardship.

Before the announcement made by Government that England will be entering a second lockdown from Thursday 5 November, the teams had been reaching out to the shielding group via letter, and from Monday 26 October, this also included automated telephone calls. This has enabled residents to contact Westminster Connects by phone or through the automated response, so we can call them back and refer them to the service they need. As of the end of October, we have received requests for help about safeguarding, wellbeing, shopping, and medicine collection, and have been referring residents into the services provided by community partners and the Council. During the last week of October, calls to the Westminster Connects helpline increased by 50%, with a total of 357 calls.

Following the recent announcement regarding a second lockdown for England, the Westminster Connects team have begun to meet with wellbeing providers, food bank and shopping providers to help streamlining referrals and making sure there is capacity across Westminster during lockdown. Westminster Connects works closely with our voluntary sector partners who deliver these services to make sure they have the resources they need, to refer volunteers to them, to support with practical problem solving of logistical issues, and to maintain good levels of support for residents across the borough, and communication between organisations.

The Westminster Connects team have also increased our call outs for volunteers for drivers to help with deliveries, as well as volunteers to help provide wellbeing and befriending support.

## **1.3 CULTURE**

On 12 October, we delivered a Culture Network event, which was attended by 73 representatives of our cultural and creative sectors. It was as an inclusive online forum to focus on sharing good practice in terms of responses to the pandemic situation. Richard Watts, an expert in cultural organisation development and Founder Director of 'People Make It Work', was invited to facilitate the event and present about national cultural recovery trends. The Council's Cultural Policy and Projects Officer (CPPO) curated the event programme that included the presentations from 10 Westminster-based organisations.

We recognise the pandemic has hit the cultural and creative sectors disproportionately hard and have continued to provide support. We have scheduled a further two conference calls with key cultural stakeholders, hosted by the Leader, in mid-November and mid-December. The purpose of these calls is to find out about whether the Arts Council Recovery grants announced on 15 October are sufficient to support organisations to continue until Spring 2021, and whether the Council can do more to support the return of visitors to cultural districts through, for instance, further adaptations to the public realm to support outdoor queuing, hospitality activities and events.

## **1.4 COMMUNITY ENGAGEMENT AND NEIGHBOURHOODS**

On Monday 26 October, we hosted our first online Open Forum event using Facebook Live, which received 129 simultaneous 'live' views. The video has been made available to watch following the event, and has now received over 1300 views. These figures equal or improve on the previous two Leader's Facebook Live events held on 17 April 2020 and 29 May 2020. During the event, many questions were responded to 'live' covering the main theme of climate emergency and the environment, as well as our COVID-19 response and other issues of concern to our residents. Those questions or comments that there was not time to address 'live' will have received a written response from the Council.

Open Forum events will be held quarterly, and each event will have a different theme; themes for future events can be based on different ways the Council is supporting recovery and other topics of interest to Westminster residents. Events will be held solely online with the potential to move towards a hybrid of

digital and face-to-face for future events, once national Government advice allows larger-scale face-to-face meetings.

## **1.5 CUSTOMER SERVICES AND DIGITAL TRANSFORMATION**

### **1.5.1 WEBSITE**

Following the Government's announcement to move London into Tier 2, we updated the Council's corporate website homepage and COVID-19 information structure. This included an updated main (hero) homepage image to clearly reflect the new restrictions, a colour-coded banner across the site, and the re-ordering and prioritisation of practical information for residents and businesses. Our 'Westminster is Open' campaign information was also updated to encourage visitors to the area, but with a continued and enhanced focus on socialising responsibly.

We continue to see increased visitor numbers to the Council's corporate website week on week, with a significant boost in traffic over the last three weeks to all coronavirus resources.

With the Government's announcement that England will be entering a second lockdown from Thursday 5 November, the Council's corporate website underwent further changes to provide refreshed information and guidance for residents and businesses. The website's COVID-19 content is reviewed regularly, with decisions made based on changes to restrictions and real user data, to surface the right information at the right time.

### **1.5.2 SOCIAL MEDIA**

Public health and other recovery messaging is also continually promoted via the Council's corporate social media platforms, with new tactics trialled including the promotion of behaviour change messaging through influencers, and content tailored for young people. As engagement fatigue is evident with Public Health England and central government COVID-19 content, there has been an emphasis on more positive and locally-tailored communications encouraging engagement with the public (for example, the launch of a face-covering selfie call to action). The Council's recently-adopted Nextdoor platform is proving particularly useful for public health updates, with highly targeted information regularly shared about testing sites.

### **1.5.3 INFORMATION TECHNOLOGY (IT)**

The IT team have continued to deliver priority digital projects to support the Council's response to COVID-19. These priority projects included developing:

- A Customer Relationship Management (CRM) system to store details of vulnerable residents who may require additional support services as a solution to allow residents to request our shopping support service;
- The provision of an online resident parking permit application and renewal service went live in August; and
- The Housing Contact Centre Telephony project to deliver new omni-channel capabilities including text and social media goes live at the end of October.

## **2. OPERATIONAL UPDATES**

### **2.1 PHYSICAL ACTIVITY, LEISURE AND SPORT (PALS)**

#### **2.1.1 PADDINGTON RECREATION GROUND: CAPITAL IMPROVEMENT WORKS**

Work continues to take place to further enhance the existing facilities at Paddington Recreation Ground and build upon the capital works undertaken and completed in Phase One. This includes:

- Upgrading and replacing the existing hockey pitch surfacing;
- Upgrading and replacing the water cannons to the upgraded replacement hockey pitch;
- Refurbishing spectator seating;

- Upgrading and replacing the existing 400 metre athletics track surface to match the new 60 metre sprint track; and
- Improving the landscaping and planting surround all the new facilities.

We anticipate Phase Two to be completed by Spring 2021.

In addition to this, the PALS team have recently secured circa £100,000 from the Little Venice and Maida Vale Neighbourhood Community Infrastructure Levy (CIL) fund, to provide some additions and enhancements to existing facilities at Paddington recreation Ground, particularly for children and young people. The additions and enhancements consist of 'Paddington Small World', Climbing Boulders, and the replacement 'Youth Shelter'.

### **2.1.2 LISSON GREEN PITCH**

The new '3G' artificial turf pitch is now in place together with new fencing gates and upgraded floodlights at following completion at the end of September and successful site testing on 14 October. Minor works including the installation of benches and the possible inclusion of a water fountain are currently being investigated, and Westminster Housing work to finalise a Community Use Agreement to cover the management and operations of the pitch.

### **2.1.3 JUBILEE COMMUNITY LEISURE CENTRE**

The contractor, Boshers, has been making good progress on main site works over the last two-months. A monthly community newsletter is now in place, as well as marketing site hoardings on-site to promote ActiveWestminster and the nineteen homes that will be provided by Westminster Builds as part of the development.

### **2.1.4 LUTON STREET COMMUNITY LEISURE CENTRE**

The main site works are still making good progress, with the current forecast for practical completion of the leisure centre expected in July 2022, as reported previously.

### **2.1.5 QUEST ACTIVE COMMUNITIES (PLUS) ASSESSMENT**

Under the Quest Active Communities (Plus) Assessment, our Year 2 Directional Review Improvement workshop took place in August after being postponed following national lockdown. In line with national government guidance, the assessment was carried out virtually. Westminster City Council was the first local authority to undertake a Quest assessment virtually and received the following branding - Active Communities (Plus) Directional Review 2020 - maintaining Very Good. A highlight quote from the assessors' report stated:

*"The range of data and insight used to inform the development of strategies, plans and programmes. The partnership with 'Trust Impact' has added a new dimension to this work area and clearly moved the agenda on since the previous Quest Assessment. This work is continuing to develop and is an example of good practice. The focus on developing a 'fit for purpose' impact assessment tool will not only be important for Westminster but for the sector."*

Our next truly integrated full Quest Active Communities (Plus) Assessment is now due in August 2021. As set out in the ActiveWestminster 2018 – 2022 Strategy, at the next assessment we will involve more partners, beyond Council and its main leisure contractor to continue to provide an external assessment of not just our organisational performance against our strategy objectives and priorities, but as the ActiveWestminster partnership and a place.

## **2.2 VOLUNTARY AND COMMUNITY SECTOR (VCS)**

### **2.2.1 WESTMINSTER CONNECTS**

We have recently completed the rebranding of the Westminster Connects service. The new brand is bright and fresh and very much puts people connecting with people at the heart of it.

As a way of thanking the volunteers for their hard work and support, and as part of the rebrand of the service, we showcased films and photos of our volunteers for a week on the screens at iconic Piccadilly Circus in October.

**2.3 CULTURE**

As reported previously, the the publication of the Council’s Cultural Strategy has been delayed until Winter so the Council can take account of the recovery situation to ensure the strategy is fit for purpose and reflects the impacts of COVID-19. Work is underway to both revise the strategy, and prepare for the rescheduled launch.

**2.3.1 CITY LIONS**

City Lions has continued to offer a mainly online service to our young people, which has proved to be very popular. In conjunction with a move to a mainly online service in light of COVID-19, we expanded our City Lions website to include two portals giving advice on how to get into the creative industries, as well as fun social and educational activities that can be completed in a COVID-19 safe environment.

Even with the COVID-19 restrictions, we have been able to safely deliver our programmes to support residents with events and activities promoting economic, personal and social wellbeing, such as:

- An on-line weekly youth club (called City Lions Live);
- A blended three-day programme of online and face-to-face activities over half-term;
- A variety of online workshops celebrating creativity and creative industries, with the latest one celebrating Ada Lovelace and women in technology; and
- An intensive City Lions Programme for Special Educational Needs and Disabilities (SEND) students of Marylebone Bridge School.

The City Lions team have been reviewing how we can best meet the needs of our young people in the future. For example, the City Lions team have been working to create Mentoring Programmes for disadvantaged young people at Westminster Academy through working with creative industries partners. We hope to roll out this programme across Westminster in the coming months.

**2.4 COMMUNITY ENGAGEMENT AND NEIGHBOURHOODS**

**2.4.1 OPEN FORUM**

We plan to host Open Forum events every quarter going forward, with the next event planned for early 2021. These will be themed to meet topics of particular interest to residents that tie into core areas of the Council’s work to ensure all events are valuable, informative and provide good opportunities to hear resident feedback and ideas.

**2.4.2 WARD BUDGETS**

At the end of October 2020, since May 2018, we have allocated £1,716,101.69 towards 362 ward budget projects. This means there is £1,043,898.31 remaining to be allocated towards ward budget projects until March 2022. A ward-by-ward breakdown of expenditure is available for reference in Figure 1 below.

**FIGURE 1: WARD BUDGET ALLOCATION SINCE MAY 2018 TO END OF OCTOBER 2020 BY WARD**

WARD	COMMITTED	REMAINING
Abbey Road	£94,232.71	£43,767.29
Bayswater	£98,141.29	£39,858.71
Bryanston and Dorset Square	£38,789.30	£99,210.70
Churchill	£101,401.78	£36,598.22
Church Street	£108,754.87	£29,245.13
Harrow Road	£126,023.69	£11,976.31
Hyde Park	£17,046.82	£120,953.18
Knightsbridge and Belgravia	£65,637.00	£72,363.00
Lancaster Gate	£47,600.27	£90,399.73

Little Venice	£78,684.24	£59,315.76
Maida Vale	£83,915.70	£54,084.30
Marylebone High Street	£111,667.87	£26,332.13
Queen's Park	£112,003.61	£25,996.39
Regent's Park	£71,657.17	£66,342.83
St James's	£86,474.39	£51,525.61
Tachbrook	£74,514.62	£63,485.38
Vincent Square	£81,296.96	£56,703.04
Warwick	£125,096.00	£12,904.00
Westbourne	£111,771.48	£26,228.52
West End	£81,391.92	£56,608.08

## 2.5 CUSTOMER SERVICES AND DIGITAL TRANSFORMATION

### 2.5.1 WEBSITE

The new Council corporate website is currently in the build phase, with all content updated and optimised in preparation for go-live. There have been some delays to go-live as focus has been turned to the Council's response to COVID-19 but we expect the new website to go-live in the new year.

As part of this optimised experience, we plan to migrate Westminster Housing's microsite into the new website, to enable a more streamlined user experience.

### 2.5.2 INFORMATION TECHNOLOGY TRANSFORMATION PROJECTS

The pandemic initially slowed down our digital transformation programme as IT staff were tasked with priority projects to support the Council's response to COVID-19; however, the IT team is continuing to work on the following transformation projects:

- The development of online licence application and management, initially targeting licensing of Houses in Multiple Occupation (HMO), Special Treatment Businesses, and Street Entertainment;
- The implementation of the capability to send text messages (SMS) to assist with COVID-19 support services;
- The creation of an online, user friendly process for registering for Free School Meals;
- The replacement of the existing Fraud Case Management System;
- The delivery of the ability for street-based Council officers to issue Fixed Penalty Notices through a full end-to-end mobile platform as part of the Mobile Working Project;
- The delivery of the Registrars Service Improvement Project, which will include a mobile payment system, self-checking kiosks, mobile printing, a comprehensive service and room booking system;
- The Online Housing Register Applications Project, which will replace paper-based housing application forms with an improved online solution;
- The CRM for Housing Project, which is set to improve the management of online service requests from residents;
- A public library room booking solution;
- The creation of a virtual library website to enhance our library service offering; and
- The Housing Self Appointing Repairs (SAR) service, which went live in August, delivering the capability for residents to log repairs appointments online.

### 2.5.3 INNOVATION HUB

The Council is creating an 'Innovation Hub' to foster innovation and creativity through collaboration between colleagues, partners, customers and interested parties as well as promoting learning and the sharing of ideas. The hub will be a relaxed physical space that is equipped with the latest digital technology where we can explore and identify opportunities for innovation, quickly design and test solutions with partners and customers. This will be an environment where we can fail fast and learn quickly and enable us to rapidly deliver excellent smart solutions.

## 2.5.4 SMART CITIES

The pandemic accelerated our ambition to become smarter in how we connect, collaborate and respond to challenges in the city. Technology continues to catalyse change in our ways of working and our communities have greater expectations around the way they engage with our services and what they expect from us.

Since March, use of our digital channels has seen record increases, becoming spaces where residents expect to be heard and to engage more directly. The Council has taken a customer focused approach to designing and delivering our services, using digital as the preferred option wherever possible whilst balancing the needs of our diverse communities and ensuring no-one is left behind. How we become a smart city will continue to evolve, as this path is central to all parts of our delivery.

In the context of COVID-19 and Renewal there has been a recognition that although activities to meet crucial 'smart' commitments are underway, there are gaps in our overall vision and strategy that need to be addressed at pace to deliver and maximise customer benefits long term.

To address this, several initiatives have been commenced with a team of urban innovation experts at PwC. The consultancy has been procured to support the Council with three interconnected pieces of work over the coming six months:

- **Visioning:** first, act as a catalyst to the council's evolving smart city strategy, taking a more collaborative and outward-looking view to our existing approach. The team will galvanise support, gather input and build momentum, as well as explore opportunities for investment and partnership. This will be delivered at an accelerated pace in November 2020;
- Secondly, **set a blueprint and roadmap** for the council's smart agenda, one which builds on our existing strengths as a smart city and 'City for All' commitments, whilst addressing gaps and missed opportunities identified. This is due to conclude in March 2021; and
- **'Smart' Oxford Street District:** in parallel to above, a place-based approach will be taken to this vision by assessing the potential for smart solutions in Oxford Street District specifically. Over the course of six months and three phases, technologies tailored to tackle site-specific challenges and opportunities will be explored and vetted based on multi-pronged research and engagement. This project is being delivered with a cross-departmental team between October 2020 and March 2021 and will be complimentary to the wider place shaping vision in the district.

## 2.5.5 CORPORATE COMPLAINTS

Between the 21 August to 23 October 2020, we received 322 Stage 1 corporate complaints. This figure was up by 37 from the same period the previous year. For the same period, we received 29 Stage 2 corporate complaints, which was down 6 from the same period the previous year.

## 2.5.6 INFORMATION TECHNOLOGY

As the majority of Council staff continue to be supported with remote working solutions, the team plan to launch a new online IT support portal Tech Hub in November.

The IT team also continues to work on a range of technical enablement projects, such as the large scale migration of applications, services and data from the Council's servers to the Azure cloud to improve reliability, availability, supportability, and protection of services and by definition and adoption of a single-sign-on framework, a standard forms engine, a CRM and data warehouse datalink, a data retention policy, and a secure file transfer protocol. The third phase of the IT refurbishment of of the Lisson Grove offices remains on track and is due to be completed in December.

## 2.5.7 TELECOMMUNICATIONS

Following the approval of the Contact Centre Target Operating Model in June 2020, we have moved into full implementation mode, with the first stage being to run a proof of concept and test the assumptions and proposed future models of service. The proof of concept, starting with Housing Solutions, is progressing as per our plan. We have completed the detailed Discovery to validate the nature of calls and are currently analysing the findings to ensure the benefits to customers can be

maximised in the proceeding months. In parallel, we also commenced a similar detailed Discovery for Parking, which is also nearing completion.

The other aspect is procurement of a future provider, where we have completed the extension to Agilisys to May 2022. We are now working towards the procurement of the Assisted Services Hub to coincide with the end of a number of existing contracts. Overall these changes will lead to improvements in services received, greater consistency in messaging and also reductions in the overall costs of operating our contact centres.

## **2.6 BROADBAND AND CONNECTIVITY**

### **2.6.1 CONNECT WESTMINSTER (BUSINESSES)**

The Connect Westminster voucher scheme has been running since August 2017, providing small £2,000 grants to SME's across Westminster. To date the project has received 1075 applications, and issued 949 vouchers totalling £2,131,724 in allocated funding. As a result of the scheme we have seen a 2,264% uplift in download speed and a 10,107% uplift in upload speed.

COVID-19 has had a minor impact on the project over the last year with the number of vouchers we have redeemed lower than we had expected, so we will be submitting a request to extend the projects delivery for another year. This will enable the team to ensure that all vouchers that have been submitted so far can be paid and the remaining funding can be allocated out to additional businesses. This will be a time extension only and not a request for additional funding.

### **2.6.2 CONNECT WESTMINSTER (RESIDENTIAL)**

Prior to the initiation of the residential voucher scheme we have been undertaking connectivity mapping of the borough using data from the Ofcom report issued in May 2020. This has allowed us to create an initial colour-coded map showing the varying levels of connectivity at borough, ward, output area, and postcode level. This is a useful starting point as we can use this for our engagement work where we endeavour to utilise local knowledge to discover tangible levels of connectivity for residents, and any particular reasons areas may show as 'not-spots' but actually experience strong connectivity.

Our next steps are to source more data to accurately display property ownership at street level on a map, ramp up our engagement with ward members, providers, landlords, and residents, and finally collate all of our findings in order to identify a top ten 'not-spot' list to initially target with the scheme, working in conjunction with other Digital Place projects across the Council.

### **2.6.3 CITY-WIDE WAYLEAVE AGREEMENT**

The Council continues to work with providers to provide access to gigabit capable services to council homes as part of the City-wide Wayleave Agreement. So far, 65% of council homes now have access to gigabit capable services, and 17% of council homes now having a choice of operators and competitive marketplace. Plans are well progressed for further infrastructure work, and we are on track to secure access for 80% of council homes by March 2021.

Over the last quarter resident interest and concerns around broadband operator's work in the borough has increased as resident's have started to see the reality of multiple operators installing their infrastructure on their blocks and as programmes of works have reached more of the Council's heritage stock. These concerns have been heightened by differences in technology and hence the aesthetic impact of each operator's infrastructure. To address this, we have made a number of improvements to the communications process around broadband operator activity in the borough and our processes, such as offering an introduction for Resident's Associations, Resident's Voice Groups, Tenant Management Organisations and Sheltered and Supported Scheme Managers to meet the operator to discuss the proposed work, as well as the operator's draft plans for comment and give representatives the option of attending our site visit with the operator to review the proposed plans.

#### **2.6.4 DIGITAL STREET MARKETS**

The Digital Street Markets project is nearing the delivery stage now, with all preparation nearly complete. As a reminder, the project will deliver the following over the next 2-and-a-half-year period:

- 9 Digital and Business Support Training Courses;
- 6 Digital Skills Workshops; and
- WiFi networks deployed to each of the street markets managed by Westminster City Council.

#### **2.6.5 5G SMALL-CELL PROJECT**

Ontix, Westminster's Small Cell Concessionaire, started deployment of Fixed Wireless Access on Westminster City Council lamp columns in January 2020. The solution mounts equipment on a lamp post and the customers' premises and delivers gigabit capable services in an area that historically could not receive superfast broadband. This approach has the benefits of reduced street works as the fibre dig is reduced to between the point of presence and the lamp post. This is an approach that they are seeking to use in much of Westminster's hard to reach areas.

Ontix has been working with multiple customers to deliver infrastructure and connectivity as a "neutral host". The concession has incentivised investment in networks, systems and processes which promote efficiency and which would not have happened otherwise.

The small Cells are currently all 4G, as the equipment manufacturers have not yet produced a 5G small cell that can be deployed on street furniture. The multi-national organisations recognise that 4G will service most of their customers for several years to come, but as there is still no 5G iPhone, they will use them to densify their 4G networks.

Currently, Ontix have indicated a total of 137 sites have been surveyed. A total of 16 Wi-Fi sites and 9 small cell sites are live, with another 49 small cell sites built but not live yet.

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# Community Services, Business and Planning Policy and Scrutiny Committee

<b>Date:</b>	9 <sup>th</sup> November 2020
<b>Classification:</b>	General Release
<b>Title:</b>	Westminster Employment Service: the Council's approach to employment, training and skills in light of COVID-19
<b>Report of:</b>	Debbie Jackson, Executive Director, Growth Planning & Housing
<b>Cabinet Member Portfolio</b>	Cllr Matthew Green, Cabinet Member for Business & Planning
<b>Wards Involved:</b>	All
<b>Policy Context:</b>	City for All and Economic Recovery  The Westminster Employment Service promotes opportunity for all through supporting residents into training and sustained employment. Outcomes which the Service supports include healthy, active lifestyles; economic independence; improved mental health and wellbeing; and reduced isolation.
<b>Report Author and Contact Details:</b>	<b>Tom Harding, Head of Responsible Economy</b> <a href="mailto:tharding@westminster.gov.uk">tharding@westminster.gov.uk</a>

## **1. Executive Summary**

- 1.1 This report summarises the council's approach to employment, training and skills since April 2019 and following the COVID-19 pandemic. The report focuses on activity led by the Westminster Employment Service (WES or the Service) and our joint work with other services and providers, including the Westminster Adult Education Service (WAES).
- 1.2 Background information is set out at Appendix I, including details of our approach for the year ahead. Key matters for the Committee's consideration are set out below at paragraph 2.

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

The Committee is asked to consider:

- I. the contribution which the Westminster Employment Service has made to supporting local residents in response to the emergency;
- II. the strategic priorities and activities for the year ahead; and
- III. the evaluation of the Service which will be completed next spring. To assist with this, the Committee may also consider nominating a Councillor to provide a critical friend function to officers as the evaluation progresses.

## **3. Background**

*Our approach to employment, skills and support during the emergency*

- 3.1 The economic impacts on residents during the COVID-19 pandemic are apparent – the rates for residents claiming workless benefits have increased significantly, especially for younger people and the over 50s. Overall claimant rates have moved from 2% to 5.5%, representing over 10,000 adults, though this remains lower than London averages.
- 3.2 In the most affected wards in Westminster, one in nine adults is now actively seeking work. Almost 30,000 residents in Westminster at the end of July were furloughed and advertised vacancies have reduced by 50%.
- 3.3 The council's approach to providing support for residents impacted has been led by the Westminster Employment Service, working across council departments, in collaboration with the Jobcentre and local businesses. This scrutiny committee and its predecessors have previously received reports regarding the work of the Service. Information set out in this report and accompanying presentation provides both a recap of the offer and how the team has adapted to meet community need.
- 3.4 During lockdown, the WES team rapidly adapted to community need, playing a leading role in Westminster Connects. Over half the WES team were involved in setting up, managing and supporting the delivery of the programme; mobilising volunteers; connecting business to local projects; and establishing the weekly Community Intelligence Forum.
- 3.5 There was an evident need for financial capability scale up in response to the pandemic. The Financial Capability Officer in the WES supported the formation

of a team of redeployees from the Libraries Service by training them up to respond to and assist Westminster businesses affected by the pandemic, many of whom have no recourse to public funds.

- 3.6 Throughout this period, the WES has continued to deliver its core business of supporting clients in need through regular welfare and check-in calls and at a time of increased levels of anxiety. Recruitment activity by most employer partners has been significantly reduced; however, a notable achievement during this period includes our work with housing. Our work with Housing colleagues, local hostels and charity partners has helped the street homeless, who had been housed locally into employment, as illustrated below in the Appendix (*See Our Reconfigured Service offer*).

*Our approach and priorities for the next year*

- 3.7 Based on community need, feedback from our employer partners and experience of harnessing volunteers effectively through Westminster Connects, our strategic priorities and approach for the year ahead are:

- ***To focus on growth sectors and deliver short training and re-skilling courses designed and delivered with local employers.*** New courses have commenced working with WAES and our aim is to help 360 residents to re-skill and train for roles in health, social care and green industries, including cycling and horticulture.
- ***Harnessing Westminster Connects volunteers as mentors and to support our clients.*** Our objective is to enhance our offer and manage increases in demand for our Service by making use of volunteers from across the City, including from contractors, developers and local businesses.
- ***Strengthening support for Young People not in education, employment or training.*** We have reallocated coaching support to provide increased capacity to work with growing numbers of young people impacted by the downturn. Other programmes developed in partnership with WAES and local charities will deliver support for young residents at risk of being involved with crime. We will also employ residents within the council, harnessing the Kickstart wage salary being made available by DWP.
- ***Partnerships with local charities & businesses.*** All our work is delivered in partnership and our approach is to work as an effective network with other providers. We co-ordinate our work through a monthly provider network, supporting front-line staff from local charities with training and by helping charities impacted by the downturn by directing resources offered from businesses.

- 3.8 The ambition of the Service is to continue to improve the offer, focused on access to skills, training courses and our core coaching offer, which has underpinned our approach to successfully supporting residents over the past four years.

- 3.9 A full evaluation of the Service is underway and will be completed by April 2021. The evaluation presents the Service and this Committee with an opportunity to understand in greater depth how the Service is meeting local need and the effectiveness overall and some of the adaptations made in recent months. As stated, member input would be valuable and the Committee may wish to nominate a councillor to be involved in the evaluation process, reporting back to the Committee in due course.
- 3.10 Appendix I sets out further information regarding the Westminster Employment Service and for consideration by Committee:

Section	What the Section covers
<b>Introduction</b>	Overview of the purpose of the Service, who we help and a recap of the Business Case
<b>Context</b>	Demand for our Service from residents & employers and the changing nature and characteristics of those needs since April 2020
<b>Our Reconfigured Service</b>	Our work with Young People, wellbeing and volunteer-led support; training and re-skilling courses and partnerships with and support for local charities and providers
<b>Targets and indicator measures</b>	Our targets for 2020/21 and other indicators which we track to assess our impact and effectiveness
<b>Look ahead and strategic priorities</b>	Including milestones for evaluating the Service and projects the team is currently designing to improve the offer to residents
<b>Further information</b>	The section introduces how the service will be evaluated and provides further information on the value for money of the Service

**If you have any queries about this Report or wish to inspect any of the Background Papers, please contact Tom Harding**  
[tharding@westminster.gov.uk](mailto:tharding@westminster.gov.uk)

**Background Papers**

Appendix I.

# Appendix 1

## Westminster Employment Service

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Background Information for Scrutiny Committee

November 2020

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Section	What the Section covers	Page number
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# 1. Introduction

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# Overview of the Service

In July 2017, the Council launched the Westminster Employment Service to support the Council's ambition of a *City for All*. Our objective is to **transform the lives of vulnerable residents through employment.**

Our service works with the support of colleagues from across the Council, partners and commitment of over 100 local employers.

The Westminster Employment Service is delivered by a committed team of employment coaches providing 1-2-1 support to residents in their communities. Our coaches work alongside our Westminster Adult Education Service, our employer team and a wide range network of local charities, Colleges and other public agencies.



# Our core activities

What makes the service unique is its understanding that accessing employment often requires a **wide, multi-faceted range of support** for multiple and complex needs. It also requires **close engagement with employers** who understand the added value of employing vulnerable residents. However, none of this would be possible without effective partnerships enabling centralised referrals.

As a holistic service, our aim of supporting Westminster residents into employment is to be achieved through **5 key activities which work together to create sustainable and long-term change** to clients' lives.



# Who we help

We help residents with health conditions and disabilities to live independent lives, families looking to return to work and young people transitioning from not in education and employment, including our own children leaving care.

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# Focussing on those most in need

Since 2017, we have focused our services on residents with some of the most significant barriers to employment.

The quality of personalisation we offer is a key strength of our services, evidenced in the positive feedback from clients.



# Justification & business case – recap

- **At a time of rising unemployment**, residents need access to opportunities to re-skill and train with pathways into well paid roles in sectors that are growing.
- There is **insufficient support for workless residents** through mainstream programmes to meet demand from residents – e.g. the Work & Health Programme and Working Capital will deliver jobs for an estimated 2% of the long-term unemployed population in Central London.
- Recent analysis of just one of our coaching services for residents in temporary accommodation, shows that clients supported are **3 times as likely to be in work**, they earn £1,000 more and have £300 less rent arrears than comparable Westminster residents not engaged in the project.
- Investing in more comprehensive **community-based support for priority groups** will reduce pressure on Jobcentre Plus and DWP and generate savings for public services. An evaluation of our FACES Coaching Service illustrated the wider benefits beyond employment of our work – an investment by WCC Public Health of £200,000 resulted in 78 families and 154 children being taken out of poverty and a reduction in the number of people with a Common Mental Health Disorder.
- **The Service has secured over £7M** in discretionary and external funding in the past 3 years, with no call on the Council's General Fund to deliver the service. Over this time the Service has support over 2,000 residents into employment.

## 2. Context

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# Demand for our Service

## Claimant count & referrals

As of September 2020, **the claimant rate in Westminster was 5.5% - up from 2% a year ago** – with men and those aged 50+ being the groups claiming the most benefits as a result of the deteriorating employment situation. The wards with the highest claimant rate are Church Street, Queen's Park and Westbourne, with a 152%, 169% and 178% increase in claimant rates in comparison to the previous year, respectively.

Many young people within the City already face a difficult route into adulthood and the economic downturn has disproportionately impacted this group. The Resolution Foundation found that since March, one third of 18-24 year old employees (excluding students) lost jobs or were furloughed, compared to one-in-six adults.

## Economic activity

Data from the 2019 Annual Population Survey indicates that Westminster's rate of economically active residents (74.3%) is low in comparison to almost all other London boroughs. This means there is a **high proportion of residents who are unemployed but would like to work**. Of the 25.7% economically inactive residents, 25% wanted a job but do not have one due to caring responsibilities, long-term sickness, amongst other factors.

This data does not yet reflect the impact of Covid on the labour market nor the expected rise in redundancies following the end of the Job Retention Scheme. According to IPPR's research, **over 1 million more people may be under the pre-Covid poverty line** by the end of the year, compared to a scenario where the pandemic had not occurred.

# Demand for our Service – employers

- Westminster businesses have been severely impacted by Covid with **9 out of 10 reporting reduced productivity**, and **4 in 5 businesses expecting profitability and turnover to reduce over 2020** (Business Tracker Survey, July 2020).
- **Retail/wholesale and the hospitality sectors were those with the highest number of furloughed staff** at the time of the survey. The end of the Job Retention Scheme is expected to impact on the number of redundancies in these sectors.
- The last Employer Skills Survey, carried out in 2017, found that **‘skill-shortage vacancies’** (vacancies that are hard-to-fill due to applicants lacking skills, qualifications or experience) **accounted for 22% of all vacancies in the UK**. Despite this, **the poorest adults with the lowest qualifications were the least likely to access adult training**, according to the Adult Skills Gap Report.
- In 2019, **66% of Westminster businesses reported having difficulties recruiting for roles** due to a low number of applicants or a lack of experience/skills.

## 3. Our Reconfigured Service Offer

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# Our reconfigured service offer & priorities



Focus on **growth sectors** and providing short training and re-skilling courses designed and delivered with local employers



Harnessing **Westminster Connects** volunteers as mentors and to support our clients.



Strengthening support for **Young People** not in education, employment or training



**Partnerships** with local charities & businesses

# Lockdown case study - Supporting Rough Sleepers

This programme was set up by WCC using government funding to provide a wrap-around service for a group of rough sleepers (thirty-eight individuals) who were moved into temporary accommodation during lockdown and to help them find work, as they were not entitled to any public funds and this would be the only way of getting them off the streets. It involved The Rough Sleeping Team, Housing, Westminster Employment Service (WES) and three homelessness charities.

Many of these individuals are from Eastern Europe and some were working cash in hand for low wages and sleeping on the streets, so that they could send money home to their families or were otherwise finding it hard to secure work due to language barriers.

WES provided one-to-one coaching support to help as many of these people into work as possible. So far, by working together, we have helped sixteen ex-rough sleepers into work. The individuals will now be able to apply for settled status.



# Increasing support through mentors & volunteers

## **Youth Mentor programme:**

- Training volunteer mentors to provide support to Westminster residents between the age of 16-24 who are currently at risk of becoming NEET. The mentor will work with the young person over a 6 months period
- The mentoring programme is managed by council partner, Groundwork
- Our ambition is to train and pair 30 mentors and mentees by April 2021

## **Volunteer employment programme – there are 2 distinct areas:**

1. Supporting Westminster residents to improve their employability skills through volunteering with Connects
2. Training 40 volunteers to support unemployed residents with basic employability skills – e.g. CV development, interview prep etc.
3. Our ambition is to have 100 unemployed Westminster residents benefitting from the service by April 2021

# Support for Young People

## **What we are doing – overview of our support**

We have 5 coaches dedicated to supporting young people, particularly vulnerable young people. Our team of coaches sits within services already working with young people including the Integrated Gangs and Exploitation Unit, Looked after Children's Services plus coaches working with young people not in education, employment or training.

Our work to support NEET referrals is managed through a virtual NEET Team made up of internal services that engage with a variety of vulnerable young people and an external organisation that holds the data for young people who are NEET (Prospects).

**During the year we have increased the support within our team for young people by two coaches and as referenced above, a new mentoring programme, harnessing trained volunteers via Westminster Connects will work alongside our coaches to provide additional support to young people.**

Positive Pathways and Kickstart are two new programmes the Service is partnering with. Positive Pathways will support at risk young residents (19 –24 years old) and families around Church Street and Westminster borders to reduce crime and support career development through embedded ESOL and pre-employment elements. Kickstart will provide wage subsidies for employers creating new jobs for young people, including within the City Council.

# Support for Young People

## Our partnerships with services and local organisations to support young people.

- **Virtual NEET Team** – the Integrated Gangs and Exploitation Unit, Youth Offending Team, Looked After Children’s Services, Early Help, Tri-borough Alternative Provision, Prospects and WES.
- **Kickstart Scheme – DWP programme managed by Jobcentre Plus, 6-month placements to help young people access the job market**
- **Youth Mentoring Programme** – 6 month mentoring programme in partnership with Groundwork London and Westminster **Befriend a Family**, see slide below.
- **Positive Pathways** – delivered by WAES in partnership with GOALS UK and supported by Job Centre Plus targeting at risk young residents and families to reduce crime and support career development

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## What will be delivered:

Across our partnerships and by increasing the support which we can directly offer through WES and by promoting other schemes including Kickstart, our aim is to:

- Ensure every NEET has access to training courses, apprenticeship and job opportunities.
- Through our Coaches, we will work with 89 young people and help 40 of them into jobs.
- Kickstart Scheme – will create 30 WCC jobs for young people by the end of March 2021

# Connecting with Services

WES is connected in with over 100 employment, skills and resident support organisations. Some of the ways in which we work with our ever-expanding network are:

**Signposting to other services** through the creation of a provision map on our webpage, This will give residents a detailed overview of the many different support services within the borough and support signposting where needed, it will also enable much more collaboration between providers which will ultimately lead to an improved provision landscape for residents. Residents will be able to access local support, tailored to their needs, by filtering the options available on the map, e.g. If a resident requires support with updating their CV, suitable interview clothing, they can specify this and a list of providers who provide this support will appear along with their location, access criteria and typical customer journey.

**Referring WES clients** to suitable pathway support, as well as receiving referrals to WES from services. Working with others to support our client's journey and tackle any obstacles.

**Advocating for smaller organisations** who require support when working with bodies such as London Councils, as well as supporting funding bids to GLA and others.

**Leading meetings and forums** to share organisational practice, develop plans to tackle economic needs and to give a voice to all our stakeholders.

**Responsible Economy Newsletter**, a monthly bulletin promoting the work we do with businesses, community partners and projects needing investment support

**Creating partnering agreements** with organisations to underpin ways of working and collaborative focuses.



# Notable Examples of Collaboration

WES host a virtual **monthly Employment & Skills Provider Network Forum** with partners which regularly involves 40 – 60 people from a variety of organisations – In light of covid19 we have covered the following themes, The New Normal - the impact on services and looking forward, Emerging Jobs and the Current Labour Market, Digital Inclusion, Supporting young people and Supporting BAME communities.

The **Responsible Business Network** is a virtual monthly platform which brings together Great Estates, Business Improvement Districts, FTSE 100 companies, Developers and WCC Suppliers. The platform provides an opportunity for regular communication between businesses, Voluntary Community Sector (VCS) and private sector stakeholders in the borough, to make networking more accessible, embrace our Community Investment Portfolio and where possible work together for mutual benefit. The vision is to create a responsible **business community** that makes **Westminster** a better place to live for **all**.

**Advisor Academy training sessions restarted in September** with sessions on an Introduction to WES for the Community Development Officers in the Regeneration Team in Church Street and Young People & Employment training delivered by Brent Foundation. In October we ran Financial Capability & Universal Credit training to upskill front-line workers on these topics and have sessions arranged for Good Record Keeping, Trauma Informed Practice and Motivational Interviewing between now and the end of 2020.



# Focus: Training Courses

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# Short training & re-skilling courses

- ✓ Short employer led training courses in growth sectors throughout 2020/21
- ✓ Partnership between WAES and our Employment Service and working with other training providers
- ✓ Aspirational, accessible and engaging
- ✓ Accredited training leading to guaranteed interviews, live jobs and traineeships
- ✓ Support for trainees from WES Coaches and our volunteer industry mentors
- ✓ Courses: Horticulture, Public Sector, Skills for Leadership, Bike Mechanics, Construction, Childcare & Social Care



# Short training & re-skilling courses – Public Sector



3 week training, Level 1  
Qualification in Public Service



6 Courses for 78 residents



City of Westminster



# Training courses – Childcare & Social Care

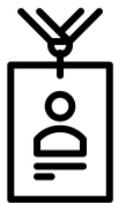


3 week leading to level 1 in health and social care



age 61

6 courses training 78 residents



Vincentian Care Plus  
We make your HOME CARE difference



Sagecare Ltd



# Training courses – Bike Mechanics & Retail



**CYCLE  
CONFIDENT**

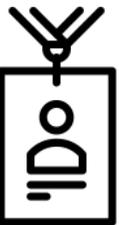
6 weeks leading to level 2 cycle  
mechanic (City & Guilds)



age 62



3 courses training 30 residents



# 3. Targets & performance indicators

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# Revised targets



1000 residents accessing the service (last year 778).



400 into employment (last year 390)



840 residents with significant interventions: volunteering, training, work trials/placements, receiving financial capability and wellbeing support (last year 596).

## Other indicators which we track

Beneficiary data – BAME, Disability  
Ethnicity and ward

Job sustainment

Volunteers engaged with WES

# 4. Look ahead

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# Strategic priorities and key activities

## Enhancing the service offer to residents

- **Increasing our Westminster Connects volunteers** to support with language skills and CV development. From Oct 2020
- Agree a strategic approach with Jobcentre Plus to **integrate more work coaches** with WES / community providers to support higher demand / new need. By December

## Skills, retraining and employment opportunities for residents in growth sectors

- Build relationships with St Mary's, Cleveland Clinic and introduce a new **health and social care training course** in November.
- Open a bike repair and maintenance shop and workshop in Church Street. December
- Virtual Reality Pilot for WCC roles. January.

## Ongoing service improvements

- **Evaluation and peer review:** An interim report will be produced in December 2020 and the final report will be available in April 2021.

# Further information

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# Evaluation

The central aims of the evaluation are to **determine the effectiveness of the WES in addressing the existing gap in mainstream employment support and its capacity to generate savings.**

These aims were highlighted in the service's original business case, which puts the WES forward as an effective way to address long-term unemployment in Westminster through collaborative working and a client-centred approach.

Three years following the creation of the WES, this service-wide evaluation will be guided by the following questions:

## Evaluation questions

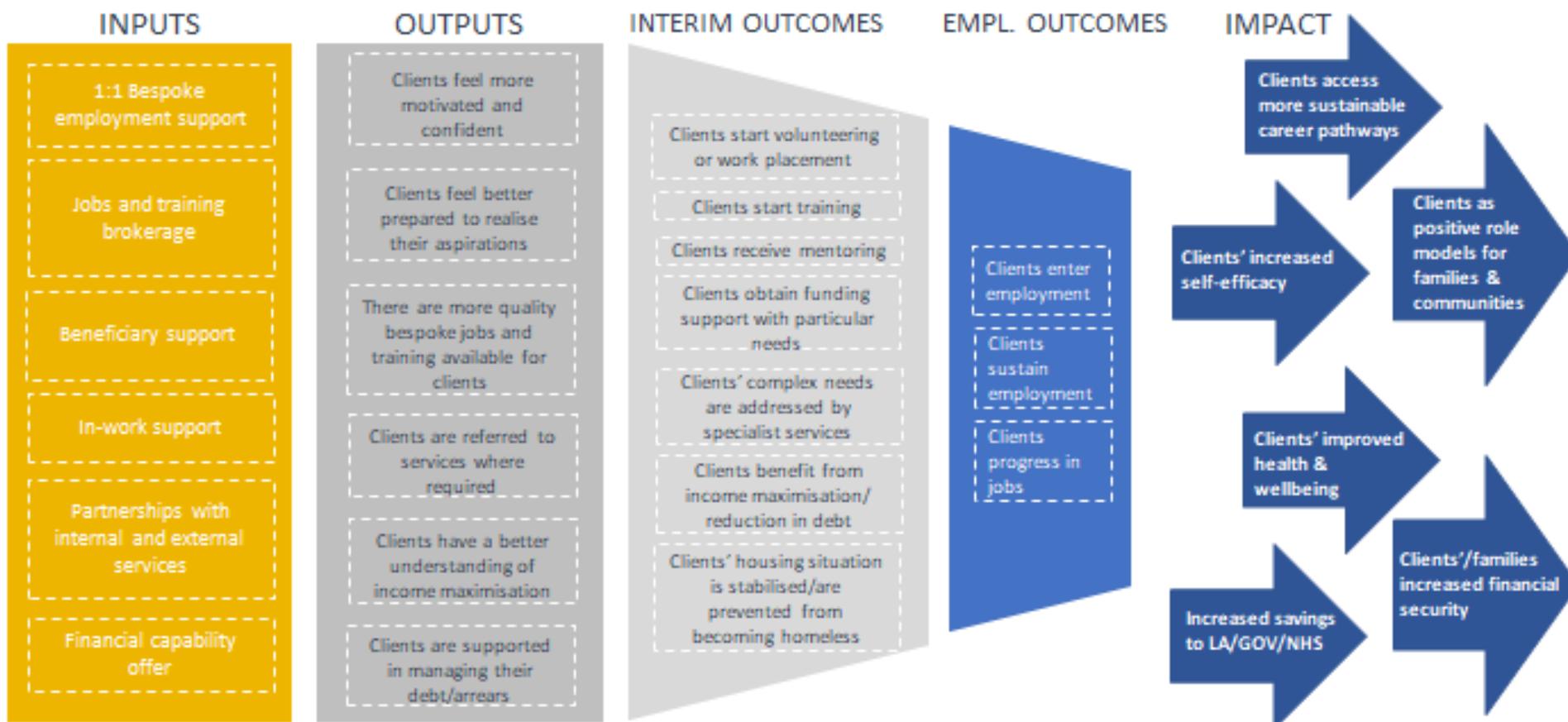
1. What have been the employment, individual and collective outcomes of the service for clients? Are they sustainable?
2. What role has the service's holistic, collaborative approach played in the achievement of its outcomes?
3. What has been the return on investment of the WES for the local authority, central government and NHS over its life cycle?

CONTEXTUAL FACTORS

Covid-19 | Brexit | Welfare Reform | Adult Education Budget | Sustainability Of Labour Opportunities | WES Discretionary Funding

PROBLEM: High LTU rates in WCC and lack of employment support for residents with complex and multiple needs

INTERVENTION: WES



WES APPROACH

Centralised employment hub | Holistic, multidisciplinary support focused on barrier removal | Support for coaches through Advisor Academy | Close engagement with businesses & training providers | Innovative & what works approach

# The teams in WES

We are made up of a number of different teams, each with its own focus:

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Homelessness, Employment and Learning  
Project (HELP)

- High Potential
- Integrated Gangs Unit (IGU)
- NEETs
- WES for All
- Financial Capability & Wellbeing
- Care Leavers
- Church Street Team
- Families and Communities Employment Service (FACES)
- Troubled Families Employment Advisors (TFEAs)

# Helping residents that need our help the most

Since the Service was established in 2017 (to March 2020), we have supported over 1791 residents into employment.

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Of those supported into employment, **45%** had been unemployed for **12 months or more**.



City of Westminster

**Westminster  
Employment  
Service**

Getting to work together

# Value for money & effectiveness

## WES: output per coach

We offer a high level of personalisation which is valued by our clients and given the needs of clients – many of whom have been unemployed for up to 10 years. For 2020, we've adapted our model - on average each coach will work with up to 30 clients at any one time – an increase on 2019/20 (21 per coach).

## WES Benchmarks

The unit cost of a job through WES (Total Cost v Number of Jobs) represents value for money in comparison with other provision and the cost to the exchequer / local services of being unemployed. The cost per job (combining coaching and our jobs and training teams) is £6,000 (400 jobs and expenditure of £2.4m on WES). Given the client groups supported, this is on a par and better than a number of comparable programmes.

## Savings to public service of helping residents into employment

- The evaluation carried out by Public Health found that **in 17/18, the WES resulted in savings of £3,649,866**. That equates to **£1.82 return for every £1 spent** (this compares to £1.40 return for every £1 invested in a similar adult employment programme in North Tyneside, for example)
- The evaluation of the HELP team in 2018 found that the team would result in **£1.1m of net public benefits for service users over 2 years (17/18 and 19/20)**

# What our Service users say

From our recent Public Health evaluation, service user feedback was overwhelmingly positive.

- Clients highly value the person-centred approach adopted by our Employment Coaches, who reportedly go above and beyond to support clients with their employment, education and wider needs.
- By contrast, client's experiences of clients that had previously used an alternative employment service were not positive. Service users expressed that it was impersonal, did not tailor jobs to individual's needs and did not provide support with any element of the application process e.g. CV preparation or interview skills.



***'You know the good thing with [the Coach], she's not an officer, she's a friend, you can feel free to discuss with her your situation'***

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## Community Services, Business and Planning Policy and Scrutiny Committee

<b>Date:</b>	9 November 2020
<b>Classification:</b>	General Release
<b>Title:</b>	Update on the Planning Review Programme
<b>Report of:</b>	Debbie Jackson Executive Director - Growth, Planning and Housing Tel: 020 7641 1747 Email: <a href="mailto:djackson@westminster.gov.uk">djackson@westminster.gov.uk</a>
<b>Cabinet Member Portfolio</b>	Cllr Matthew Green, Cabinet Member for Business and Planning
<b>Wards Involved:</b>	All
<b>Policy Context:</b>	City for All
<b>Report Author and Contact Details:</b>	Oliver Gibson 07971026919 / <a href="mailto:ogibson@westminster.gov.uk">ogibson@westminster.gov.uk</a>

### 1. Executive Summary

- 1.1 This report provides an overview of the implementation of the Planning Review programme from October 2018 to date. The Planning Review programme comprises a number of projects that in combination deliver improvements to the processes and practices of the planning service to address the recommendations made by Cabinet on 25 October 2018 in light of the PAS report on the function of the planning service, which was undertaken earlier in 2018.
- 1.2 Summary updates on progress on implementing the Planning Review programme have been reported to each of the Policy and Scrutiny Committee meetings held during 2019 as part of the Cabinet Member's updates. The detailed update in this report was intended to be reported to committee meeting schedule for 23 March 2020, which was cancelled due to the introduction of the Coronavirus lockdown. Consequently, some of the content of this report

replicates the report published in advance of the cancelled meeting. However, it has been updated where relevant to include areas of continued progress on the implementation of the Planning Review during subsequent period that has been impacted by COVID-19.

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

- 2.1 This report is a written update on Planning Review progress to implement the Cabinet recommendations of October 2018 and is for information only.

## **3. Background**

### **Scope and Purpose of the Planning Review Programme**

- 3.1 In response to the findings of the PAS review of the planning service carried out in mid-2018 Cabinet made 10 key recommendations with the aim of making the service more proactive, collaborative and transparent, and better able to contribute effectively to the delivery of the Council's City for All vision and other corporate priorities (see the full October 2018 Cabinet report at Appendix 1).
- 3.2 The recommendations made by Cabinet in October 2018 were:
1. To record, and make available post meeting, coverage of Planning Applications Sub-Committee meetings.
  2. To live stream Planning Applications Sub-Committee meetings.
  3. Introduce public speaking rights at Planning Applications Sub-Committee meetings.
  4. Review digital content on the planning process and planning decisions and improve accessibility to the general public.
  5. Improve the way planning policies and decisions are explained to make them easier to understand.
  6. Support resident and Ward Councillor participation at an earlier stage in the process, for example at pre-application stage of major applications.
  7. Increase delegation and review call in procedures to empower officers to take more delegated decisions.
  8. To restate to officers and Members their responsibilities in terms of the Council's gifts and hospitality policies.
  9. To restate to officers and elected Members involved in the planning process that they must retain a distance from land owners, applicants, agents and community stakeholders other than at formally arranged visits and meetings.
  10. Create a new Place Shaping and Town Planning directorate.
- 3.3 The Planning Review programme comprises a number of separate projects of differing scales and complexity, which in combination will realise the aims and objectives of the 10 Cabinet recommendations. In view of the differing scales of the various projects and the varying degrees of complexity of each project, some

of the service enhancements required to meet the Cabinet recommendations have already been realised, whilst a small number of more complex projects remain in their implementation phase, with delivery scheduled during 2020.

- 3.4 The progress of the programme is set out in the following sections of the report in response to each of the Cabinet recommendations.

### **Programme Response to Cabinet Recommendations**

#### **Recommendations 1 and 2:**

***To record, and make available post meeting, coverage of Planning Applications Sub-Committee meetings and live stream Planning Applications Sub-Committee meetings.***

- 3.5 A project was established in early February 2019 to introduce an online platform to deliver live streaming of Planning Application Sub-Committee meetings and the capability to make the archived recordings available to view at a later date.
- 3.6 In February 2020 the Live Streaming capability was fully implemented with the first live streamed Sub-Committee meeting held on 11 February 2020. The meeting considered the high-profile application for the UK Holocaust Memorial and Learning Centre. The recording of that Sub-Committee meeting and subsequent meetings are available on the Council's website at the following link: <https://streaming.westminster.gov.uk/>. Feedback was overwhelmingly positive in terms of the quality of the recordings and the presentation of the meetings.
- 3.7 Data collected up to 24 February in relation to the first two live streamed Sub-Committee meetings indicates that the recording of the Planning Applications Sub-Committee on 11 February was watched (either live or as a recording) 315 times, whilst the following meeting on 18 February was watched 44 times.
- 3.8 However, following the Covid-19 lockdown on the 17 March, the format of committee meetings was adapted to fully virtual meetings and therefore the use of the existing Civico technology was temporarily suspended with the meeting platform migrating over to Microsoft Teams (see below). The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 came into effect on Saturday 4 April 2020 and give local authorities the power to hold remote committee meetings until May 2021. The remote Planning Applications Sub-Committees have been held bi-weekly since 14 April 2020.
- 3.9 Significant initial preparation work was undertaken to ensure the successful operation of these committees, with training and IT support made available for officers and Members. Recordings of all meetings are made available online. The adoption of remote committees and change to Microsoft 'Teams' platform has allowed residents and stakeholders to observe meetings and/or recordings of any virtual meeting via the Council website, ensuring openness and transparency is maintained during the impacted period. While numbers of participants vary across and between meetings and the most recent committee

had significantly less observers, overall the initial figures suggest that virtual committee are generally attracting greater numbers of observers (Table 1).

*Table 1: Observers of Initial Remote/ Virtual Committees*

Sub-Committee Date	No of Applications	No. of Observers
14 April	9 (plus 2 confidential items)	247
28 April	5	150
12 May	5	142
26 May	5	123
9 June	6	8

- 3.10 Officers are currently considering the format for planning committee meetings beyond September 2020 and where possible will endeavour to retain innovative approaches that enhance the accessibility and transparency of the meeting. However, it should be noted that at present the continued use of fully remote or hybrid committee meetings beyond May 2021 would require a change to existing planning regulations.

**Recommendation 3:**

***Introduce public speaking rights at Planning Applications Sub-Committee meetings.***

- 3.11 Following consultation with stakeholders, and development of new procedures and protocols by officers in late 2018, the Planning and City Development Committee (PCDC) resolved in January 2019 to agree the proposed procedures and protocols to allow for members of the public to make verbal representations at sub-committee meetings. Public speaking was subsequently introduced at the Planning Applications Sub-Committee meeting on 26 February 2019.
- 3.12 A 6-month review of public speaking was undertaken in autumn 2019 and reported to the PCDC on 7 November 2019 (see Appendix 2). The review found that the introduction of public speaking had been overwhelmingly well received by stakeholders and that it had enhanced the degree to which the planning committee meetings were viewed as being open and transparent public forums. The review also found that the initially introduced procedures and protocols governing the public speaking process had been successful, but made some minor recommendations relating to the number of speakers permitted, the use of public speaking rights on deferred applications and the provision of a dedicated public speaking ‘slot’ for Neighbourhood Forums. The findings of the review were supported by the PCDC and public speaking procedures and protocols have subsequently been updated in accordance with the PCDC’s resolution. The effectiveness of the public speaking procedure at sub-committee meetings will continue to be reviewed.
- 3.13 Public speaking was temporarily suspended at the first two remote planning sub-committee meetings following the beginning of the Coronavirus lockdown in March to ensure technology was fully tested and to allow guidelines and protocols to be put in place. Following the introduction of a protocol for remote sub-committee meetings, Ward Councillors were able to address the sub-committees from 12 May with other speakers able to make representations from 26 May onwards.

**Recommendation 4:**

***Review digital content on the planning process and planning decisions and improve accessibility to the general public.***

- 3.14 Progression of this aspect of the Planning Review programme is closely linked to improvements being made corporately to the appearance, navigation, accessibility and content of the Council's website. It is expected that improvements to the accessibility and content of the planning sections of the website will be made throughout 2020.
- 3.15 A review of digital content to ensure published documents are relevant and up to date is in the process of being undertaken. This review will substantially reduce the number of out of date and superfluous planning guidance documents published on the website, thereby simplifying the planning application process for applicants.
- 3.16 As noted in paragraph 3.14, the content of the website is currently being examined to promote accessibility across all Council services and this is therefore an ongoing area of work that will continually evolve as new material/guidance becomes available and older content requires archiving. This is therefore an aspect of the service that will need to be continually reviewed going forward as part of 'business as usual' practices within the new PSTP department to ensure that the online content the service provides continues in future to be relevant to current planning processes and policies.
- 3.17 In terms of accessibility, since early 2019, the Council's website has been able to provide residents and other interested parties with e-notifications on planning applications that they have an interested in. The service provides email notifications of all applications within a specified radius of a chosen point within the City. Where residents or other interested parties have opted into this service, this method of consultation is significantly more reliable than traditional paper-based consultation methods (i.e. site notices and neighbour letters) and offers stakeholders quicker and enhanced access to the relevant planning documents. In light of Government signalling in the recent Planning White Paper 'Planning for the Future' that it wants planning consultation to move to digital platforms, it is proposed that this existing service is developed and expanded going forward to enable the Council to move away from traditional paper based consultation methods for planning applications.

**Recommendation 5:**

***Improve the way planning policies and decisions are explained to make them easier to understand.***

- 3.18 The draft new City Plan will undergo Examination in Public in September and October 2020. The subsequent introduction of the new City Plan in late 2020/early 2021 for planning decision making purposes will significantly simplify the development plan for Westminster, consolidating all local planning policies into a single document written in less technical and more accessible language, which will be in conformity with the currently emerging draft London Plan and

2019 NPPF. Planning decisions from late 2020 onwards will therefore be simpler for officers explain and will be based on a more consistent and accessible suite of policies, which better reflects the current needs of the City and its communities, ensuring that planning decisions are more consistent with the needs of residents, visitors and businesses.

- 3.19 Allied to the simplification of the development plan, work will commence later in 2020 on a review of the scope and content of delegated and sub-committee planning reports. The aim of this work will be to examine whether these documents can be revised to make them more accessible and simpler for members of the public and other stakeholders to understand.

**Recommendation 6:**

***Support resident and Ward Councillor participation at an earlier stage in the process, for example at pre-application stage of major applications.***

- 3.20 An 'Early Engagement' project has been set up as part of the wider programme to develop a process through which this recommendation can be delivered, so that early engagement with Ward Members and local communities on planning proposals is enhanced leading to better planning outcomes for local communities. The Planning Review programme team are currently developing a range of community consultation options that developers of larger major schemes will be expected to undertake at the earliest possible point in the pre-application process. The form of consultation that will be expected on major schemes of varying scales will be set out in a new protocol for pre-application discussions on major schemes. The community engagement options are likely to include various forms of face to face engagement (forum events, public exhibitions etc.), as well as use of digital consultation platforms. Consideration is also being given to the impact early public engagement may have on developers seeking advice from the Council on their emerging schemes.
- 3.21 The programme team recognise that early engagement with Ward Councillors and local communities has the potential to help to alleviate the problems typically encountered with current developer led pre-application engagement system, which often results in misrepresentation of views expressed by local stakeholders, and often occurs at the very end of the pre-application process at a stage when developers are not inclined to amend the scheme prior to the submission of a formal planning application. It would also enable officers to better understand local stakeholder concerns and aspirations and enable them to incorporate them in to pre-application advice provided to pre-applicants.
- 3.22 The delivery of a new framework for early community engagement has been delayed by the impact on COVID-19, which has required resources that were being used to progress this project to be used to ensure 'business as usual' processes were maintained during the affected period. As a result, a detailed timescale for implementation has yet to be confirmed, but it is expected that a new early community engagement process will be introduced in 2021.

**Recommendation 7:**

***Increase delegation and review call in procedures to empower officers to take more delegated decisions.***

- 3.23 Following publication of the PAS Review and creation of the Place Shaping and Town Planning (PSTP) department (see also Recommendation 10), there has been a notable cultural shift in the reporting of applications to the Planning Applications Sub-Committees (PASCs). Whereas previously there was a risk averse approach by officers to resolution of minor applications with a small number of objections under delegated powers, now greater ownership of such issues is being taken by officers.
- 3.24 Building upon this cultural shift since the formation of the PSTP department, a project has been set up to identify how existing delegated powers for officers can be extended to more junior officers to empower them to determine many of the simpler applications currently determined by Area Team Leaders, thereby aiding their professional development and enhancing their professional capabilities. This change will also serve to reduce the 'bottle neck' at the end of the application process for applications determined under delegated powers. Officers are currently considering the changes to processes and procedures that are required to enable this change to current working practices to occur, whilst ensuring that planning decisions made under delegated powers continue to be consistent and robust.
- 3.25 Due to the impact of COVID-19 on working practices since March 2020 and the consequential inability to host in person group training activities, the extension of delegated powers to junior officers has been delayed. Consequently, it is expected that these changes to how powers delegated to officers are exercised will be introduced in 2021, following a return to more normal day to day operational arrangements with the Town Planning teams.
- 3.26 Whilst the impact of COVID-19 has necessitated in a pause to the extension of delegated powers for determining applications to more junior officers, it has required the planning teams to innovate in other ways to ensure they can continue to operate efficiently and make high volumes of planning decisions even when working remotely. Since March 2020 the process of making delegated decisions, which was formally partially paper based, has become a fully digital end to end process. This has allowed all officers involved in the delegated decision-making process (admin officers, case offices and Team Leaders) to work more flexibly and is an important first step towards enabling delegated decision making by more junior officers in future. This digital process will therefore be retained even when the service returns to predominantly office-based working/ with less reliance on remote working.

**Recommendations 8 and 9:**

***To restate to officers and Members their responsibilities in terms of the Council's gifts and hospitality policies, and to restate to officers and elected Members involved in the planning process that they must retain a distance from land owners, applicants, agents and community stakeholders other than at formally arranged visits and meetings.***

- 3.27 Officers were reminded in late 2018, and continue to be regularly reminded, that it is their responsibility to record gifts and hospitality, even where it is not accepted, and more rigorous recording of gifts and hospitality is now in place within the service. The relationship of officers with land owners, applicants, agents and community stakeholders has also been recalibrated to ensure that there is an appropriate distance at all times between officers and these stakeholders in the planning process.
- 3.28 The responsibilities for Members involved in the planning process have been reinforced through the revised and updated 'Guidance for Members Making Planning Decisions' document. The guidance document significantly enhances advice regarding the acceptance of gifts and hospitality and recommends that members be mindful, not only of whether the acceptance of gifts or hospitality is lawful, but also whether acceptance may give rise to an adverse perception, either fairly or unfairly.
- 3.29 The updated Members guidance document was reported to the Standards Committee on 11 July 2019. The final version, incorporating the recommendations of the Standards Committee, has subsequently been agreed by the Cabinet Member for Place Shaping and Planning and endorsed by the PCDC on 7 November 2019. The updated guidance is provided at Appendix 3.

**Recommendation 10:**

***Create a new Place Shaping and Town Planning directorate.***

- 3.30 Following the Cabinet decision in October 2018 and the appointment of a new Director of Place Shaping and Town Planning in late 2018, a new Place Shaping and Town Planning department was created combining work of the former Place Shaping and Development Planning functions. Allied to the creation of the new directorate, Highways Planning and Trees officers moved to City Highways within the City Management and Communities directorate to ensure that the advice they provide on planning applications is more closely aligned with the Council's Highways function.
- 3.31 The combining of the Place Shaping function with Town Planning has enabled planning decisions to become more strategically aligned with the Council's place shaping projects and also enabled officers within Place Shaping to understand more clearly the potential opportunities and constraints of emerging development proposals. In combination the two functions are more dynamic in response to emerging development proposals and capable of being more proactive in meeting the needs of new development and existing communities that are impacted by development.
- 3.32 The shared goals and behaviours of the new department have been captured in a new departmental Vision and Core Values, which was developed collaboratively with officers from across the new service area.
- 3.33 Following the formation of the new department, the fees for all non-statutory planning services were reviewed to ensure the Town Planning teams moves

closer to full cost recovery where possible. Pre-application and Planning Performance Agreement (PPA) fees were increased by 15% in January 2020 under the existing fees structure. Further enhancements of the pre-application service, to diversify the services offered and provide additional customer choice, with associated amendments to pre-application fees are under development and may be introduced in future. However, work on these service enhancements have been paused during the initial period impacted by COVID-19.

- 3.34 Formal consultation on the proposed restructure of the Place Shaping and Town Planning Department commenced on 29 January 2020 and lasted for 38 calendar days. Officers and Trade Unions were briefed on the proposals and all officers, directly affected or not, were invited to feedback on the proposals. The consultation report was also supported by an Equality Impact Assessment which was updated during the consultation period.
- 3.35 Due to the impact of Covid-19 and the subsequent Government shut down of services, staff were informed on the 23 March 2020 that the Chief Executive had agreed to put the service review on hold.

### **Programme Future and Completion of Delivery**

- 3.36 The Planning Review Programme has been operational for 23 months, during which time it has delivered significant service enhancements in response to the majority of the Cabinet recommendations from October 2018. It has also overseen a significant shift in culture within the new PSTP department resulting in greater ownership of decision making and resolution of complex planning issues, with reduced need for committee referral. Throughout this period the new department has also become more collaborative and better aligned to corporate objectives through closer working with officers from other departments and directorates.
- 3.37 In light of these achievements, consideration is now being given to the future of the Planning Review Programme with conclusion of the programme at the end of Q2 2020 being considered so that the remaining projects within the programme can be taken forward and delivered more simply and efficiently by officers within PSTP, given that strategic decisions on what options to pursue will have already been taken.
- 3.38 Where projects within the programme remain active or have been delayed due to the impact of COVID-19, these are either entering their delivery phase pursuant to an identified preferred option or are aligned to other corporate programmes/ projects. The early engagement and delegated authority projects are both closely related to the day to day internal processes undertaken by officers within the department and as such, the detailed roll out and implementation of these projects can be more effectively undertaken as individual projects led by the management team within the Town Planning function.

- 3.39 As noted earlier in this report, the enhancements to the accessibility and content of the website are linked to other corporate programmes/ projects relating to the functionality of the website and as such works to improve the planning section of the website can be taken forward as part of these wider corporate initiatives without the need to continue to operate a specific project as part of the Planning Review programme.
- 3.40 The programme is therefore coming to a close and regular reporting will not now continue unless the Committee decides otherwise.

**If you have any queries about this report or wish to inspect any of the Background Papers, please contact Oliver Gibson 07971026919**  
[ogibson@westminster.gov.uk](mailto:ogibson@westminster.gov.uk)

#### **APPENDICES:**

1. Chief Executive's report to Cabinet dated 25 October 2018, including minutes and appended PAS Report.
2. Report to the Planning and City Development Committee dated 7 November 2019 and minutes (containing six-month review of Public Speaking).
3. Updated "Guidance for Members Making Planning Decisions" dated 30 October 2019.

#### **BACKGROUND PAPERS**

N/A



CITY OF WESTMINSTER

# MINUTES

## Cabinet

### MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Cabinet** held at 7.00pm on **Thursday 25th October, 2018**, Room 3.1, 3rd Floor, 5 Strand, London, WC2 5HR.

**Members Present:** Councillors Nickie Aiken (Chairman), Ian Adams, Heather Acton, Richard Beddoe, David Harvey, Tim Mitchell and Rachael Robathan

**Also Present:** Councillors Angela Harvey and Gotz Mohindra

**Apologies for Absence:** Councillor Andrew Smith

#### 1 WELCOME

- 1.1 The Leader welcomed everyone to the meeting.
- 1.2 The Leader extended her thanks to Steve Mair, who was retiring, for his outstanding work to the City Council, and the wider public sector, and for leaving the organisation in a better shape than when he arrived.

#### 2 DECLARATIONS OF INTEREST

- 2.1 Councillor Angela Harvey declared a prejudicial interest in respect of item 5 that she is a Board Director of the CityWest Homes.

#### 3 OXFORD STREET DISTRICT - DRAFT PLACE STRATEGY AND DELIVERY PLAN

- 3.1 Barbara Brownlee, Executive Director, Growth, Planning and Housing, introduced the report. She summarised the outcome of engagement with stakeholders since the last Cabinet meeting in July to inform the development of the draft Place Strategy and Delivery Plan. She then outlined the direction of travel and key themes and features that had emerged and were set out in the draft strategy.
- 3.2 Barbara Brownlee informed Cabinet that the Council had commenced works on Phase 1 of the Oxford Street District Programme last week. These works

will address a number of underlying footway and highway maintenance issues in readiness for the opening of the Elizabeth line.

- 3.3 Councillor Richard Beddoe, Cabinet Member for Place Shaping and Planning recommended that Cabinet endorse the draft Place Strategy and Delivery Plan for public consultation. He stated that the case for change on Oxford Street is compelling. The Council had listened very carefully to the views of stakeholders over the summer. He explained that the overall ambition is to strengthen the world renowned status of the entire Oxford Street district. This includes securing the long term future of the retail sector which is facing pressures from online retailers. This will be achieved by enhancing the district as a destination zone with an unrivalled experience and visitor offer.
- 3.4 Councillor Heather Acton welcomed the district wide proposals and considered the scheme to be cohesive. She particularly welcomed the proposals for the 98 bus to continue running along the full length of Oxford Street. She hoped to see more than four bus routes remaining on Oxford Street. Councillor Beddoe advised that Transport for London is responsible for the capital's bus routes and will ultimately make the decision on the routes and frequency of services running along Oxford Street.
- 3.5 Councillor Adams welcomed the proposals which he considered to be bold and ambitious. He stressed the important role that Oxford Street plays in supporting the wider UK economy as well as London. He suggested that the strategy should include additional provision for pedestrians to traverse the area around Marble Arch which was presently quite challenging. Councillor Beddoe agreed this would be a priority.
- 3.6 The Leader thanked Barbara Brownlee and her team for the considerable work that they had undertaken in a short space of time to develop the proposals.

**RESOLVED:** That Cabinet:

1. Endorsed the draft Place Strategy and Delivery Plan for public consultation commencing on 6<sup>th</sup> November.
2. Agreed to delegate authority to the Executive Director of Growth, Planning and Housing and the Director of Place Shaping and West End Partnership to approve the final public consultation materials for approval by the Cabinet Member for Place Shaping and Planning.
3. Approved expenditure of up to £2.5m for the development of the strategy and the project as outlined in section 8 of this report. This will be funded via an Oxford Street/West End budget as per the Capital Strategy approved by Full Council in March 2018.
4. Approved the re-profiling of the existing Oxford Street/West End budget of £2.5m from 2019/20 into 2018/19.

## Reason for Decision

1. The Council believes that the District would benefit from adopting a place-based approach to determine how to deal with the current and future opportunities and issues. Owing to the complexities of the District, a more responsive approach to developing a range of solutions across the area needs to be adopted. The Council supports the need for a mixed use District and one that places strong emphasis on the amenity of its local residential communities. All this is essential if the District is to continue to thrive. The Council has now developed a draft Place Strategy and Delivery Plan for the Oxford Street District.
2. The Council's commitment to the Oxford Street District is to create a long term and ambitious vision for the whole of the District that will strengthen its world-renowned status as a great place to live, work and visit. Its strategy will support the ambition and respond to the big challenges that the District faces, including: a rapidly evolving retail environment; a place that can cater to a greater numbers of people; providing more attractions; and for Oxford Street to be a better neighbour to the wider district. In the wake of strong competition from retail hubs like Westfield; online shopping; increased business rates; Brexit; and interest rates, the retailers and businesses in the district are finding the trading environment very challenging.
3. The Council will take responsibility for delivering an ambitious set of projects that are affordable but also help to bring about a significant change that will help to counter some of the external factors that the District currently faces. The Council recognises that investment in the District is required in order to retain its status as the nation's high street and a world-renowned destination for domestic and international visitors. It is also essential that investment helps to improve the liveability of the district and provide a greater amenity for our residents. On 7th November 2018, Full Council will be asked to approve the Council's Capital Strategy including allocation of £150 million towards the delivery of the final adopted Place Strategy and Delivery Plan. Additional funding to support the delivery of the final projects listed in the draft Place Strategy will be required from other external sources. The coherent and district wide programme will ensure that Oxford Street District strengthens its reputation.
4. The Policy context relating to this report include the Council's City for All and City Plan policies. The draft Place Strategy reflect these policies and will contribute to delivering these over the lifetime of the project. See appendix 2 for the policies and how the Place Strategy will deliver these.

## 4 PLANNING REVIEW

- 4.1 Councillor Richard Beddoe, Cabinet Member for Place Shaping and Planning, introduced the item. He referred to the fact that upon her election as Leader, Councillor Aiken implemented a comprehensive change to the management of the planning system in Westminster. He referred to the independent review of Westminster's Development Management service undertaken by the Planning Advisory Service (PAS) and highlighted that it had concluded that the Council has a robust planning system, however, it is a reactive, development control led service. It also highlighted the fact that whilst the governance and decision making processes are robust, they are not seen as accessible by residents. Councillor Beddoe stated that Westminster City Council needs to be more ambitious and proactive. The review further concluded that there is a need to improve engagement with residents and the wider community in the planning and decision-making process related to development in their area.
- 4.2 Councillor David Harvey advised that a number of applications in his ward could have been resolved much earlier if there had been more engagement with the community at a much earlier stage.
- 4.3 Stuart Love, Chief Executive, referred to the fact that the PAS review found no impropriety or failure to follow guidelines and protocols regarding hospitality. However, the practice of accepting hospitality from planning applicants was found to be excessive and unnecessary. Stuart Love made it clear that it was not the case that all officers in the planning service accepted gifts and hospitality. The Chief Executive advised that he had reviewed the guidance on gifts and hospitality together with the Director of Law and found it to be clear and robust.
- 4.4 The Leader commented that she had taken note of the views submitted by a number of amenity societies in the last few days on the proposed changes. She explained that the purpose of making changes to the management of the planning system in Westminster is to make the process more open and transparent. She considered that residents should have an opportunity to take a more proactive role at an earlier stage in the planning and decision-making process as well as the opportunity to make verbal representations at Planning Applications Sub-Committees. She stated that this will require a significant culture change for staff and those externally who use the planning system. She considered that further work is required to understand how to best implement the new procedures and that views should be sought from all those with a stake in the planning system in Westminster, most notably residents. This was supported by Cabinet.

### **RESOLVED:** That Cabinet:

1. Endorsed the findings and recommendations of the report submitted by the Planning Advisory Service (PAS) and agreed to take the following steps to:

- a) Improve the openness and transparency of the planning system:
  - We will record Planning Sub-Committee meetings and make the coverage available post-meeting;
  - We will live stream Planning Sub-Committee meetings once an appropriate technological solution has been identified and sourced;
- b) Make it easier for residents to engage with the planning system:
  - We will introduce “public speaking rights” at Planning Sub-Committee meetings;
  - We will review all our digital content on the planning process and planning decisions, particularly that included on the council’s website to improve accessibility for the general public;
  - We will improve the way we explain planning policies and decisions to make them easier to understand.
2. Agreed to support resident and ward Councillor participation at an earlier stage of the process, for example in the pre-application stage of major applications and to adopt a new approach to communicating and engaging their views in proposals. Further details are to be presented to Cabinet following further engagement with stakeholders.
3. Directed the Chief Executive, to present detailed plans to increase delegations and review the call-in procedures, in consultation with ward members as appropriate without the need for escalation to Sub-Committee, thereby speeding up the process. The details of the revised delegation and call-in procedures to be developed in consultation with relevant stakeholders and presented to Cabinet prior to submission to the Planning and City Development Committee for approval.
4. Directed the Executive Director of Growth, Planning and Housing and the Executive Director of Policy, Performance and Communications to submit a joint report to Cabinet setting out the detailed proposals for the introduction of public speaking rights following stakeholder engagement for approval by the appropriate decision making body, to be determined in consultation with the Director of Law.
5. (a) Directed the Chief Executive to restate to both officers and members their responsibilities in terms of the Council’s gifts and hospitality policies. This will include emphasising the importance of exercising sound judgement in dealing with all offers of gifts and hospitality. Noted that in terms of the planning service, this will build on the guidance issued in February 2017 regarding Councillor meetings with developers on particular schemes.

- (b) Requested that the Chief Executive and Director of Law refine the wording in the paragraph below to reflect that this should apply to elected Members involved in the planning decision making process. The revised text to be referred back to Cabinet at a later date

Council officers and elected members involved in the planning process must retain a distance from land owners, applicants, agents and community stakeholders, other than at formally arranged visits and recorded meetings linked directly and specifically to the consideration of planning applications, pre applications, or the development of the local plan.

6. Agreed to create a new Place-Shaping and Planning directorate which reflects the ambitious agenda set by the Leader and Cabinet to deliver a City for All, and for the new service to deliver the direction of travel which will be set out in the emerging City Plan.

### **Reason for Decision**

1. The Leader and Cabinet have set an ambitious agenda to change how the Council operates in a number of areas, including, but not limited to planning.
2. The direction of travel is to shift away from a largely reactive and development management focused planning service towards a proactive and strategic approach, guided by the Council's vision and priorities. This will require cultural change throughout the whole system.
3. It will also mean that, should they wish to, residents and others will have the ability to take a clearer and more proactive role in the planning and decision making process related to development in their area. This includes Neighbourhood Forums, Amenity Societies and the general public.
4. Work is ongoing to finalise the City Plan (the Council's Statutory Local Plan) for public consultation in November 2018. The revised City Plan will be streamlined and place much greater emphasis on positive considerations about the type of development that is appropriate in Westminster. The service which implements this policy framework must therefore also be governed by the same principles.
5. These recommendations are supported by the findings of the PAS report.

## **5 EBURY BRIDGE ESTATE RENEWAL - INITIAL REPORT ON DELIVERY OPTIONS**

- 5.1 Having declared a prejudicial interest, Councillor Angela Harvey left the room during the consideration of the item.
- 5.2 Barbara Brownlee, Executive Director, Growth, Planning and Housing introduced the report. She summarised the outcome of a high level appraisal

of the four delivery options for the Ebury Bridge estate renewal reported to Cabinet in July.

- 5.3 Councillor Rachel Robathan reported that an enormous amount of work had been undertaken over the summer by the finance and housing teams. She explained that Cabinet's support was being sought to undertake further engagement with the market and the Community Futures Group. The results of this which would be reported back to Cabinet at a future time. She stated that the Council had made a commitment to residents and tenants that the estate would be regenerated and she reiterated this commitment.

**RESOLVED:** That Cabinet:

1. Agreed to support the initial selection of Council led delivery through the Housing Revenue Account (HRA) and Westminster Wholly Owned Company (WOC) as the preferred delivery option for Ebury Bridge estate renewal.
2. Noted that the HRA/WOC option provides flexibility to amend the tenure mix of the market sale housing, as set out in Scenario 7 approved in July 2018, and to create hybrid delivery options. Engagement with the market will commence as soon as possible to test the feasibility and support for this delivery option and also for potential tenure changes and hybrid delivery options. The Cabinet Member for Finance, Property and Regeneration will then be in a position to confirm the selection of the preferred delivery route.

### **Reasons for Decision**

1. The Ebury Bridge Estate is one of the five priority estates identified in the Council's Housing Renewal Strategy (2010) as needing significant improvement and investment. In line with the Council's City for All objectives, the overarching objective of regenerating Ebury Bridge Estate is to create a comprehensive renewal that brings about physical, economic and sustainable change that creates additional homes and improves the lives of residents, businesses and visitors alike.
2. In July 2018 Cabinet approved a regeneration scenario (Scenario 7) following detailed evaluation and consultation with residents. This report provides the first stage assessment of potential delivery options for that scenario.
3. Council led delivery through the HRA and WOC is viewed as the preferred approach following the high level appraisal described in this report. With Cabinet agreement, this now will be subject to more comprehensive assessment including:
  - consultation with residents and businesses,
  - soft market testing with the development/construction market,
  - further detailed feasibility work by the Council team.

The Meeting ended at 7.35pm

**CHAIRMAN:** \_\_\_\_\_

**DATE** \_\_\_\_\_



# Cabinet Report

<b>Meeting or Decision Maker:</b>	<b>Cabinet</b>
<b>Date:</b>	<b>25<sup>th</sup> October 2018</b>
<b>Classification:</b>	<b>General Release</b>
<b>Title:</b>	<b>Planning Review – Final Report</b>
<b>Wards Affected:</b>	<b>All</b>
<b>City for All Summary</b>	<b>An open and transparent Council with services accessible and relevant to everyone. Ensuring development in the City works best for those living here.</b>
<b>Key Decision:</b>	<b>Cabinet</b>
<b>Financial Summary:</b>	<b>The reduction of one Director post will result in savings that will be reflected in the 2018/19 outturn.</b>  <b>Any further financial impacts will be delivered within budget and reflected in the 2018/19 outturn.</b>
<b>Report of:</b>	<b>Stuart Love – Chief Executive</b>  <b>Barbara Brownlee – Executive Director, Growth Planning and Housing</b>

## 1. Executive Summary

- 1.1. This report sets out ambitious and wide ranging changes to the Council's Place-Shaping and Planning functions, which will result in a more open, transparent and proactive approach to planning in the city, underpinned by a service and an officer culture focused on delivering the Council's City for All vision. It will therefore also place residents at the heart of the planning process.

- 1.2. Along with the current review of the City Plan and a renewed commitment from the leadership of the Council to ensure that all of its residents benefit from development, the recommendations set out in this report provide a significant opportunity for the planning service to evolve, placing itself in the strongest position possible to deliver both the City Plan and Westminster's wider corporate objectives. It will also lead to best practice and regain and maintain trust in an important public and regulatory service.
- 1.3. This follows a review of the Council's approach to planning initiated by the Leader of the Council and Cabinet at the start of 2018. The review specifically considered the effectiveness of Westminster's Development Planning service, the role of hospitality, the delivery of corporate objectives and outcomes, and the planning committee system and decision-making process.
- 1.4. This review was supported by the Planning Advisory Service (PAS), which is part of the Local Government Association (LGA).

## **2. Recommendations**

- 2.1. To endorse the findings and recommendations of the report submitted by the Planning Advisory Service (PAS) and to take the following steps to:
  - a) Improve the openness and transparency of the planning system:
    - We will record Planning Sub-Committee meetings and make the coverage available post-meeting;
    - We will live stream Planning Sub-Committee meetings once an appropriate technological solution has been identified and sourced;
  - b) Make it easier for residents to engage with the planning system:
    - We will introduce "public speaking rights" at Planning Sub-Committee meetings;
    - We will review all our digital content on the planning process and planning decisions, particularly that included on the council's website to improve accessibility for the general public;
    - We will improve the way we explain planning policies and decisions to make them easier to understand.
- 2.2. To support resident and ward Councillor participation at an earlier stage of the process, for example in the pre-application stage of major applications, we will adopt a new approach to communicating and engaging their views in proposals.

- 2.3. To direct the Chief Executive, in consultation with the Cabinet Member for Place-Shaping and Planning, to recommend to the Planning and City Development Committee to increase delegation and review the call-in procedures, empowering officers to take more delegated decisions, in consultation with ward Members as appropriate without the need for escalation to Sub-Committee, thereby speeding up the process. The details of the revised delegation and call in procedures be reviewed and recommended for decision at the next Planning and City Development Committee.
- 2.4. To direct the Executive Director of Growth Planning and Housing and the Executive Director of Policy Performance and Communications to submit a joint report to the next Planning and City Development Committee setting out the detailed proposals for the introduction of public speaking rights. A target date for the introduction of public speaking rights is set for 1 December 2018.
- 2.5. To direct the Chief Executive to restate to both officers and members their responsibilities in terms of the Council's gifts and hospitality policies. This will include emphasising the importance of exercising sound judgement in dealing with all offers of gifts and hospitality. To note that in terms of the planning service, this will build on the guidance issued in February 2017 regarding Councillor meetings with developers on particular schemes.

Council officers and elected members involved in the planning process must retain a distance from land owners, applicants, agents and community stakeholders, other than at formally arranged visits and recorded meetings linked directly and specifically to the consideration of planning applications, pre applications, or the development of the local plan.

- 2.6. To create a new Place-Shaping and Planning directorate which reflects the ambitious agenda set by the Leader and Cabinet to deliver a City for All, and for the new service to deliver the direction of travel which will be set out in the emerging City Plan.

### **3. Reason for Decision**

- 3.1. The Leader and Cabinet have set an ambitious agenda to change how the Council operates in a number of areas, including, but not limited to planning.
- 3.2. The direction of travel is to shift away from a largely reactive and development management focused planning service towards a proactive and strategic approach, guided by the Council's vision and priorities. This will require cultural change throughout the whole system.
- 3.3. It will also mean that, should they wish to, residents and others will have the ability to take a clearer and more proactive role in the planning and decision making process related to development in their area. This includes Neighbourhood Forums, Amenity Societies and the general public.

- 3.4. Work is ongoing to finalise the City Plan (the Council's Statutory Local Plan) for public consultation in November 2018. The revised City Plan will be streamlined and place much greater emphasis on positive considerations about the type of development that is appropriate in Westminster. The service which implements this policy framework must therefore also be governed by the same principles.
- 3.5. These recommendations are supported by the findings of the PAS report.

#### **4. Background**

- 4.1. Following the election of a new Leader of the Council and Cabinet in January 2017, a number of changes have been implemented regarding the management of the planning system in Westminster.
- 4.2. In February 2017, new guidance was introduced governing how the Cabinet Member for Place-Shaping and Planning and the Chairman of Planning should engage with planning applicants before and after submission of applications. This guidance set out that such meetings must take place with a Planning Officer present and a record of the meeting and any advice given must be made. The guidance also sets out that once an application is submitted any advice provided by the relevant member will be given to the Director of Planning for inclusion in the committee report.
- 4.3. In early 2018, the Leader of the Council instructed the Chief Executive to undertake a review of the planning system as a whole, learning the lessons from a year of operating the new guidance and with a view to ensuring a modern, open transparent planning service.
- 4.4. In May 2018, PAS were instructed to review the operation of Westminster's Development Management (DM) service. PAS was asked to consider the effectiveness of the service, the role hospitality plays, the delivery of corporate objectives and outcomes, and the Planning Committee System and Decision Making.
- 4.5. PAS reported to the Chief Executive and the Executive Director of Growth, Planning and Housing in September 2018 and this report is the Council's response to that process.
- 4.6. A copy of the final PAS report is attached (Appendix 1) and the key findings are summarised below.

#### **5. Key findings**

##### **5.1. A culture change in planning in Westminster**

- 5.1.1. The PAS review notes that:

*"The Leadership of Westminster has an excellent opportunity to change the narrative about planning and with it the philosophy and role of planning. Westminster does not have to go out and seek development and this could have contributed to the balance at Westminster being tilted more towards reacting to and regulating development"*

*than proactively managing and delivering a vision. The 'City for All' strategy and emerging local plan should be the driving forces that communicate to the community and developers a clear vision for Westminster, how it wants to develop and its priorities. Planning should be placed at the front and centre of how that vision is achieved."*

- 5.1.2. In order to seize this opportunity, it is necessary to implement both structural and cultural changes in how the planning function operates.
- 5.1.3. The Council's current planning service is operating from a purely development control perspective in determining applications and not embracing the wider Town Planning role, which provides for, and requires a much greater degree of creativity and proactivity in assessing applications.
- 5.1.4. The Council has a reputation for delivering innovative and high quality services and both officers and Councillors are keen to ensure that the organisation does not 'rest on its laurels' and continues to change and to innovate.
- 5.1.5. For the planning service this includes finding the right balance between its role as a regulator and the transparent promotor of development that will deliver the key outcomes for all of Westminster's communities. Planning policy and its implementation should be the spatial interpretation of the Council's vision, objectives and priorities both for city management and planning.
- 5.1.6. The review encourages the planning service to explore and develop innovative approaches to city centre management and this should include learning from other UK local planning authorities and global centres.
- 5.1.7. The review recommends that Development Management, planning policy, delivery and regeneration be more closely aligned. The planning function has become development control-led and a largely reactive rather than proactive service which is at the heart of delivering the Council's City for All vision.
- 5.1.8. The planning service should provide leadership in terms of the growth and development of the city and therefore it is recommended that the Council create and appoint a strategic place shaping and planning lead to ensure corporate leadership in all key service areas and a joined up approach to this agenda. This would align with the Cabinet Member portfolio created following the 2018 local elections.
- 5.1.9. The Chief Executive, the Executive Director for Growth, Planning and Housing and the Director of Policy, Performance and Communications have been reviewing the structure of the planning function as part of the review process. It is proposed to delete the post of Director of Planning and the post of Director of Place Shaping & WEP (West End Partnership) and to create a new post of Director of Place Shaping and Planning. This new post will have overall responsibility for the council's Development Management function, including development control and policy implementation. The new post will report to the Executive Director for Growth, Planning and Housing with a dotted line to the Chief Executive.

## 5.2. **Planning Decision Making, including the role of Planning Sub-Committees**

- 5.2.1. There is a need to overhaul the planning decision making process to ensure that decisions are made at the right level with regard to the seniority of officers empowered to take decisions as well as the role of Planning Sub-Committees and in the right way with regard to the engagement of the local community in the process.
- 5.2.2. The review found that current planning application assessment and sign-off procedures are rigorous in Westminster's current planning service, but restricted to senior officers.
- 5.2.3. This is understandable in a high profile borough, where legal challenges to process and decisions are more common than in the rest of the country. Notwithstanding this rigour (which often drives consistency and high standards), strong leaders with forthright views on high standards of design and development need to find ways to pass skills down the chain of command to enable more good decisions to be made, more quickly and efficiently.
- 5.2.4. Passing decision-making to frontline officers will also require officers to work closely with ward Councillors and residents to resolve issues as far as practical in the local area and align decision making wherever possible between the views of officers and those of elected Members who have a democratic leadership responsibility for their locality.
- 5.2.5. Joint working between the local community, planning officers and Members at an early stage can ensure that better outcomes are achieved. Even when issues cannot be resolved locally and matters are taken to a Planning Sub-Committee, good communication provides a way of improving understanding of the issues from different perspectives right at the start of the process and will help improve and clarify decisions taken.
- 5.2.6. Delegation and call-in procedures are too loosely defined and this results in cases appearing on committee agendas that the review team felt could have been dealt with elsewhere e.g. a policy interpretation for the discharge of a condition; a case that had no objections and was recommended for approval; issues and questions on one of the Council's own major regeneration schemes which really should have been dealt with rather than progress to committee for a resolution. There were also several other cases including a mansard roof development and basement developments that could have been resolved outside of committee with some flexibility, creativity and little less risk-averse application of policy.
- 5.2.7. The time of Planning Sub-Committees should be reserved for major schemes involving substantial impact on the city as a whole or those schemes with a strategic importance for the city.

- 5.2.8. As such a review is required of the delegation and call in procedures to ensure that officers are empowered to take decisions on a wider variety of applications and at a more junior level. This will create capacity, a more consistent and efficient service for customers, support career development, increase staff confidence and autonomy, and encourage more aligned local decision-making. This would also have the associated benefit of identifying potential efficiency gains and cost savings.
- 5.2.9. This will also free up time for Planning Sub-Committees to consider a smaller number of strategically important applications in greater depth, including the opportunity for “public speaking rights”, thereby making the process more open and engaging for the public
- 5.2.10 The Executive Director of Growth, Planning and Housing and the Executive Director of Policy, Performance and Communications will support the Planning and City Development Committee to develop detailed proposals for the delivery of public speaking rights and other operational arrangements for planning decision making (including staff delegation and committees).
- 5.2.11 This will include consideration of the process for determining who can speak at Sub-Committee meetings, how much time is allocated for speakers, support for the public to make effective representations, the management of meetings by the Chairman, the layout of the room, timings of meetings e.g. day vs. night time and training requirements for Members sitting on Planning Sub-Committees.

### **5.3 Gifts and Hospitality**

- 5.3.1 The review recommends that Councillors and officers only attend formally arranged visits and recorded meetings linked directly and specifically to the consideration of planning applications, pre applications or the development of policy. Attendance at hospitality events is not required to deliver a good and professional service.
- 5.3.2 As noted above, new guidance was introduced in February 2017 which governs meetings held by the Cabinet Member for Place-Shaping and Planning and the Chairman of Planning with planning applicants. This guidance clearly sets out the type of meetings that are appropriate, that officers must be present and take a record of the meeting, including details of any advice provided which in turn must be presented as part of the planning application papers. This guidance was designed to maintain the integrity and the perception of integrity in the planning service, particularly with regard to hospitality.
- 5.3.3 The review found no impropriety or failure to follow guidelines and protocols regarding hospitality. However, the practice of accepting hospitality from planning applicants was found to be excessive and unnecessary. It has become ‘normalised’ in contrast to the practice of most planning services across the country.

- 5.3.4 The review found that the Council fundamentally needs to re-think its stance on hospitality and make sure that all guidance for staff and members is consistent and up to date.
- 5.3.5 Good practice would be for staff and Councillors to retain a distance from land owners, applicants, agents and community stakeholders other than through formally arranged visits and recorded meetings linked directly and specifically to the consideration of planning applications, pre-applications or the development of the local plan. This provides independence and serves to maintain trust in what is a public and regulatory service.
- 5.3.6 Accordingly, it is recommended that the Chief Executive restate to both officers and members their responsibilities in terms of the Council's gifts and hospitality policies. This will include emphasising the importance of exercising sound judgement in dealing with all offers of gifts and hospitality. To note that in terms of the planning service, this will build on the guidance issued in February 2017 regarding Councillor meetings with developers on particular schemes.
- 5.3.7 Senior officers will be expected, and should be able to discuss and provide guidance to more junior members of staff on what is and isn't considered acceptable.
- 5.3.8 Furthermore, all guidance regarding meetings with planning applicants should be revised in line with the wider recommendations of this report.

## **6. Engagement**

- 6.1 As the changes proposed in this report will require a significant culture change for staff and those externally who use the planning system, in order to take the findings of this review forward, further work is required to understand how to best implement detailed new procedures and guidance in practice.
- 6.2 Accordingly, and because the Council is not best placed to determine exactly how the system should work, views will be sought from all those with a stake in the planning system in Westminster, most notably residents via Neighbourhood Forums, Amenity Societies and Residents' Associations as well as the development industry itself. Views will be gathered via an informal engagement exercise to understand the best way to implement the principles set out in this report, most notably with regard to public speaking rights and delegated decision making.

## **7. Financial Implications**

- 7.1 The reduction of one Director post will result in savings that will be reflected in the 2018/19 outturn. Any further financial impacts will be delivered within budget and reflected in the 2018/19 outturn.

## **8. Legal Implications**

- 8.1 The Town and Country Planning Act 1990 provides the local planning authority with a strategic role within the planning system with a statutory responsibility for management of delivery of planning services within its designated area including Development Control and Planning Policy making functions.
- 8.2 Planning legislation and related government guidance requires that the above services are provided in a professional and effective manner, and in particular that the decision making process is robust and transparent.
- 8.3 The Director of Law has considered the proposals set out in this report and is satisfied that they will assist the local planning authority in effectively discharging its statutory duties as set out above.

## **9. Staffing Implications**

- 9.1 The Executive Director of Growth, Planning and Housing and the Director of People Services will undertake any necessary consultation and ring fencing arrangements and ensure an Appointments Sub-Committee is convened to make the necessary member level appointments.

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

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### **BACKGROUND PAPERS:**

**Appendix 1 - Planning Advisory Service Report - Development Management Decision Making and Committee Review (September 2018)**

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City of Westminster

# Development Management Decision Making & Committee Review

## **City of Westminster Council**

*19<sup>th</sup> September 2018*

Feedback Report

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## 1. Executive Summary

### Review Purpose

- 1.1 The leadership of City of Westminster Council (Westminster) invited the Planning Advisory Service (PAS) to review the operation of Westminster's Development Management (DM) service. PAS has been asked to consider the effectiveness of the service, the role hospitality plays, the delivery of corporate objectives and outcomes, and the Planning Committee System and Decision Making.
- 1.2 The PAS review is part of Westminster's ongoing response to its former lead planning councillor being under scrutiny regarding the subject of hospitality from customers and stakeholders and his role in the planning process.

### Hospitality

- 1.3 Westminster has a professional and operationally effective DM service, and the review found no impropriety or failure to follow guidelines and protocols regarding hospitality.
- 1.4 However, the practice of accepting hospitality from planning applicants, landowners and community groups seems to the review team to be significant and unnecessary. It has become 'normalised' in contrast to the practice of most regulatory planning services.
- 1.5 Good planning practice would be for staff and councillors to retain a distance from land owners, applicants, agents and community stakeholders other than at formally arranged visits and recorded meetings linked directly and specifically to the consideration of planning applications, pre applications, or the development of the local plan. This provides professional and service independence, and serves to maintain trust in a public and regulatory service.
- 1.6 In the context of our recommendations, the review team would like Westminster's Development Management service to be clear on what actions have been taken and what changes have been made to its procedures, protocols and codes of conduct regarding offers of hospitality extended to officers and councillors.

### A Development Management Service for the Heart of a Global City

- 1.7 Westminster is a place of national significance; its place as a world city, royal borough and the seat of parliament, makes for a complex operating environment. Westminster is a place people want to visit and developers want to build in. The council has enjoyed a very good reputation for delivering innovative and high quality services and both staff and councillors are keen to ensure that the organisation doesn't 'rest on its laurels' and continues to look for ways to change, adapt and innovate.
- 1.8 For the planning service this includes finding the right balance between its role as a regulator, and the transparent promoter of development that will deliver the key outcomes for all of Westminster's communities.

- 1.9** The review team met very experienced, professional, creative and talented people across the Directorate including the Development Management service. The review saw a professionally competent DM service, with robust procedures checks and balances, a strong culture of reducing risk and promoting good design, and useful procedures to deal with 'simple' high volume case work. The review team spoke to professional and technical staff who valued the supportive leadership of Development Management, and felt the service provided a strong pre application process that helped reduce risk in decision making.
- 1.10** The review team would encourage the Development Management service to explore and develop innovative approaches to city centre management. Westminster's special position as the retail, cultural and governmental centre of one of the world's most significant global cities should be further capitalised on. This should include city management learning from other global centres, or perhaps taking a leading role in an aspect of "global city management". Learning about modern approaches of Development Management can also be found in many other UK Local Planning Authorities.

### **Staff Delegation and Development**

- 1.11** Planning application assessment and sign-off procedures are rigorous in Westminster's Development Management service, but restricted to senior officers. This is understandable in a high profile Borough, where legal challenges to process and decisions are more common than in the rest of the country. Notwithstanding this rigour (which often drives consistency and high standards), PAS would advise the service to explore more delegation of decision making to support staff development, succession planning and opportunities for efficiency gains and cost savings. A 'command and control' approach is often established to reduce errors and omissions but can sometimes have the opposite effect, or offers no real benefit because checking and sign-off is 'someone else's job' and removes the responsibility from the frontline case officer. Strong leaders with forthright views on high standards of design and development, need to find ways to pass skills down the chain of command to enable more good decisions to be made, faster and efficiently.
- 1.12** The review team were told about "scheme and design review meetings" chaired by leadership team members. This is a good example of developing standards. In other planning authorities this "triage" process happens at all levels, supporting both strong decisions making and high levels of resource efficiency. Passing decision making to frontline officers could also encourage officers to work closely with ward members and align decision making wherever possible between the views of officers and those of elected members who have a democratic leadership responsibility for their locality.

### **Aligning Development Management, Policy and Regeneration**

- 1.13** Internal partners in other service departments describe the Development Management service as helpful, providing good policy guidance and specialist advice e.g. on urban design and one senior officer said it was one of the best planning services they had experienced.
- 1.14** Notwithstanding this, most senior officers the review team spoke to from across all built environment and regeneration services, said the planning service should be better aligned in order to deliver corporate projects and ambitions. And, there could be better alignment of corporate priorities, policy and decision making.

- 1.15** The review team saw a Development Management Service that is badged as a Planning Service. The current Director's role is limited to being the Head of Development Management. Development Management is only part of the role of Town Planning.
- 1.16** In Westminster Development Management is not structurally linked to Planning Policy and was perceived by most of the people we spoke to in the organisation to be removed from the objectives and priorities of the Council, serving its own 'Planning Interests'. The Review team cannot evidence these claims but recognise that Development Management services in general need to work with this tension and to find a critical and difficult balance between both the regulatory function of "development control" – including treating all applicants equally - and the "development management" role of supporting and delivering the objectives and vision of both the Local Plan and Corporate Plan.
- 1.17** This tension is normal in LPAs and illustrates that Development Management and its sister services are struggling with the right issues. The review team felt, however, that Development Management took a somewhat traditional approach to delivering a unique agenda. In order to help resolve some of the planning tensions picked up by the review team, Westminster may like to consider reviewing matters based on the following principles:
- The role of Town Planning should be at the heart of the organisation;
  - Planning Policy needs to be the spatial interpretation of the Council's vision, objectives and priorities – both planning and city management;
  - Planning Policy and Development Management, should actively plan for delivery against these objectives and be a proactive tool for achievement;
  - When this alignment works well, regulatory planning can act as a catalyst and facilitator for growth and change with development management, managing that change, mediating and enabling. In this way a balance can be found to deliver both the needs of a diverse residential community and the requirements of a progressive modern global city.
- 1.18** To achieve these principles, Westminster could examine a number of options; finding ways of achieving closer collaboration between existing services/Directorates; a more fundamental re-organising of the service; or the appointment of a strategic planning lead role to work at the leadership team level. Whichever route is taken, the critical ingredient of success is that the cultural leadership in all key services must be committed to joined-up, closer corporate working and delivery.

#### **Planning Decision Making – committees**

- 1.19** The review team found planning committees to be well chaired and overall there is a good quality of debate among the committee and presenting officers. However, the review team would question whether in their present form, they make best use of committee resources or represent an open and engaging experience for the public.
- 1.20** Reviewing the delegation and call-in procedures, empowering officers and councillors to resolve issues at a local level, and engaging committee members much earlier (including at pre-application) on significant major development proposals would all help to ensure that committee resources are focused on the right type/level of application. The knock-on effect

would be the freeing up of committee time which could smooth the way for the introduction of the commitment to “public speaking rights” thereby making the process more open and engaging for the public. The Peer Review Team also endorse Westminster’s own pledge for public speaking at planning committee, this has become common across many councils and removes a lot of frustration about engagement in this part of the process.

- 1.21** In the absence of any evidence found by the review team we would like Westminster’s Development Management service to be clear on what actions have been taken to date to establish speaking rights at planning committees. The review team would expect this to be led from within the Development Management service.

**Opportunity for change**

- 1.22** Westminster is currently reviewing its City Development Plan and there is an obvious and renewed commitment from the leadership of Westminster to making sure that all of its residents benefit from development through the Leader’s ‘City for All’ programme.
- 1.23** This represents a significant opportunity, alongside the findings of this review, for the planning service to positively challenge itself to be in the strongest position possible to deliver the City Plan objectives, and Westminster’s wider corporate objectives.

## 2. Key Recommendations

This section summarises the key recommendations. The full and more detailed findings can be found under each theme heading later in the report.

**2.1 Development Management, Planning Policy, Delivery and Regeneration need to be more closely aligned.** To achieve this “alignment” the Council could examine closer collaboration between existing services/Directorates; a service re organisation or the appointment of a strategic planning role, (with or without portfolio) to work at the leadership team level. The critical ingredient of success, whichever route is taken, is that the cultural leadership in all key services must be committed to joined-up, corporate planning and delivery. This would also help to “de risk” complicated corporate projects.

**2.2 The DM service should publicly promote and deliver ‘distance’ between the regulatory service and applicants, agents, formal community organisations and the public.** Attendance at hospitality events is not needed to deliver a good and professional service. The PAS team recommend that councillors and planning service officers only attend formally arranged visits and recorded meetings linked directly and specifically to the consideration of planning applications, pre applications, or the development of policy. The absence of familiarity drives trust in regulatory services.

**2.3 Committee practices and procedures need to be reviewed to focus resources on the right types of development and creating a platform for a more open and engaging experience for the public.** Planning committee is the shop window for planning decisions and place shaping. A review should include:

- Revising call-in powers and the scheme of delegation to ensure committee is focused on the discussion of significant schemes;
- Presentation of pre application schemes to committee and possibly formal pre application public meetings in advance of committee;
- Public design panel hearings;
- Public reviews of appeal results and more reports on place shaping.

This could facilitate the introduction of measures to broaden the opportunities for public engagement with planning committees including the Leader’s pledge on introducing “public speaking rights”.

**2.4 Delegate decision making among a greater number of staff.** This will create capacity, a more consistent and efficient service for customers, support career development, increase staff confidence and autonomy and encourage more aligned local decision making. This would also have the associated benefit of identifying potential efficiency gains and cost savings.

**2.5 The service needs to review the roles of its highways planning team and the corporate Highways function.** The highways planning team are embedded within the Development Management service. The review team are of the opinion that the highways planning team and

corporate highways function would benefit from more closely aligned agendas and understanding of each other's objectives and priorities. One option to achieve this could be to give highways planning officers a clear responsibility to both Development Management and Corporate highways, and making it the clear responsibility of this team to align the interests of both services. This issue is certainly not unique to Westminster and PAS can help link Westminster to other councils who have managed a solution to this situation.

**2.6 Continue to use all available measures to address recruitment and retention issues.** The review team was told that despite Westminster's reputation and draw for young and talented planners, recruitment and retention is difficult. The review team recommends utilising all existing measures to the full and also developing a range of initiatives to support the growth of succession planning. This could include a strong graduate programme and reviewing pay scale and progression rules.

**2.7 Review communications on Planning Performance Agreements (PPAs).** The Review team heard that customers aren't clear what benefit they get from planning performance agreements (PPAs). This ranged from those not able to differentiate it from the pre-application advice, to those that 'just see it as part of getting a development through'. There is an opportunity for Westminster to articulate and be clear about the value/service customers can expect (e.g. levels of dedicated officer time/the right level of engagement across the council with highways/housing/regeneration/legal, earlier engagement with key councillors etc.).

### 3 Background and scope of the review

- 3.1 Westminster council's planning service is currently under the spotlight following an investigation into concerns about hospitality. The Chief Executive of Westminster Council has used this as an opportunity to invite the Planning Advisory Service (PAS) carry out a short focused review of its Development Management processes and committee system.
- 3.2 The PAS review is carried out by fellow local government planning professionals, not consultants, inspectors or lawyers.
- 3.3 The review focused on 4 key areas as they relate to the Development Management service:
- 3.3.1 Theme 1: Effectiveness of the service**
  - 3.3.2 Theme 2: The role hospitality plays**
  - 3.3.3 Theme 3: Delivering corporate objectives and outcomes**
  - 3.3.4 Theme 4: The Planning Committee System and Decision**
- 3.4 It is important to stress that this review is not an inspection; it is improvement focussed and designed to complement and add value to a council's own performance and improvement plans. The review is not designed to provide an in-depth or technical assessment but for the peer team to use their experience and knowledge to reflect on the information presented to them by people they met, things they saw and material that they read.
- 3.5 This report is a summary of the peer team's findings. By its nature, the review represents a snapshot in time. We appreciate that some of the feedback in this report may be about things that Westminster is already addressing and progressing.
- 3.6 As commissioner of the review, the PAS review team has presented a verbal summary of this report and recommendations to the Chief Executive of Westminster. PAS would, at the instruction of the Chief Executive, welcome the opportunity to present this draft report to other audiences within/outside the council and involve them in any final recommendations.
- 3.7 The PAS review team would like to thank councillors, staff, people who use services, and partners for their open and constructive responses during the review process. All information collected was on a non-attributable basis. The team was made to feel very welcome and would especially like to mention the invaluable assistance and excellent onsite support to the team in planning and undertaking this review.

## 4 Planning Advisory Service (PAS)

**4.1** PAS is a Local Government Association (LGA) programme which is funded primarily by a grant from the Ministry of Housing Communities and Local Government (MHCLG).

**4.2** It is our principal mission to ensure that local planning authorities (LPAs) are continuously improving in their execution and delivery of planning services.

**4.3** To achieve this, the PAS work programme focuses on:

- a) Helping local government officers and councillors to stay effective and up to date by guiding them on the implementation of the latest reforms to planning.
- b) Promoting a 'sector-led' improvement programme that encourages and facilitates local authorities to help each other through peer support and the sharing of best practice.
- c) Providing consultancy and peer support, designing and delivering training and learning events, and publishing a range of resources online.
- d) Facilitating organisational change, improvement and capacity building programmes - promoting, sharing and helping implement the very latest and best ways of delivering the planning service.

**4.4** PAS also delivers some of its services on a commercial basis including change and improvement programmes for individual and groups of planning authorities in England, Scotland, Wales and Northern Ireland. PAS' commercial work includes traditional planning peer challenges and more focused pieces of review work of the type carried out at City of Westminster council.

## 5 The review team

4.1 The peer team is made up of serving council officers, and a PAS review manager:

- **Phil Mason**, Director of Planning & Sustainable Development, Cornwall Council
- **Marc Dorfman**, PAS Associate and Special Planning Advisor South Somerset District Council
- **Martin Hutchings**, Review Manager, Planning Advisory Service

## 6

### Theme 1: An Effective and professional Development Management Service

- 6.1** The review team found a professional, and operationally effective Development Management service. There are strong, established relationships with developers who report positively about working with Westminster, find its planners to be professional and committed and feel that the development agendas on both sides are understood.
- 6.2** The review team spoke to professional and technical Development Management staff who valued the supportive leadership of the service, and felt the service provided a strong pre application process that helped reduce risk in decision making.
- 6.3** Staff in Westminster’s Development Management team are committed to their work and good customer service. At all levels staff have a strong performance ethos and a strong commitment to delivering policy compliant Development Management decisions in a pressurised environment.
- 6.4** Performance is currently very good against national indicators and there some good processes in place for dealing with high volume - low complexity schemes. Statutory targets for major planning applications are currently being well met by the service for all of the Government’s main performance targets.
- 6.5** The pre-application offer is clear and its purpose is clearly understood by officers to be the provision of better-designed and more policy compliant schemes for formal assessment. Developers report that the pre-application process works well and that they find the process collaborative and that it adds value.
- 6.6** There are good processes in place to ensure wherever possible that officer continuity is achieved after pre-application is completed and the application is submitted. Pre-application meeting notes are filed and linked to subsequent planning applications, and some cases develop into programmed Planning Performance Agreements.
- 6.7** Planning Application assessment and case sign-off procedures are rigorous. There is strong direction from senior staff in how decisions are made. This is understandable for certain types of application (Westminster operates in a high profile environment, where risk can be high and legal challenges common). Experimenting with more delegation may further support career development and help to combat the general view that “Westminster trains planners and then they leave because there are few development opportunities”. In addition high levels of checking is costly – so experimentation with more staff delegation could be valuable.
- 6.8** Customers also feel that the service would benefit from a more devolved decision-making powers – some expressed a concern that some of the early strategic discussions that take place on schemes with senior management do not always filter down to those processing the application which can result in inconsistencies or delays when issues thought to have been resolved have to be referred back to senior management.

- 6.9** There is a delicate balance to be found – strategic control usually means service consistency, but more delegation down through the hierarchy would spread responsibility and ability. This in turn would promote succession candidates. Devolving responsibility would support better remuneration through the ranks and allow flexibility and change at management levels.
- 6.10** Councillor involvement in pre application discussions is not routinely offered but can be requested by the customer under a strict protocol. There isn't a formal system of presenting significant pre applications to Committee. This can result in councillor involvement coming late or in an un-coordinated way into the process meaning that key local knowledge/intelligence is not considered early enough and can result in the council appearing inconsistent / not joined up, or lead to deferrals at committee as witnessed by the review team. A more routine/formalised approach to involving councillors early on all major and strategic developments would be beneficial.
- 6.11** Some customers aren't clear what benefit they get from planning performance agreements (PPAs). This ranged from those not able to differentiate it from the pre-application advice, to those that 'just see it as part of getting a development through'. There is no evidence that PPAs are ineffective, but perhaps there is an opportunity for Westminster to articulate the value/service customers can expect (e.g. levels of dedicated officer time/the right level of engagement across the council with highways/housing/regeneration/legal, earlier engagement with key councillors etc.).

## 7 Theme 2: Hospitality

- 7.1** The review team found no evidence of impropriety or failure to follow guidelines and protocols regarding hospitality. However, the practice of accepting hospitality from planning applicants, landowners and community groups seems to the review team to be significant and unnecessary. It has become 'normalised' in contrast to the practice of most regulatory planning services.
- 7.2** While the leadership of the service has no need (technically), to defend the service's reputation during a period of speculation about impropriety, it does need to make sure that it has done enough to strongly address the perception of inappropriate hospitality. The PAS team feel that more may need to be done in this respect; the service should consider whether it has gone far enough in addressing public concerns, and whether it should make a more formal and public response regarding the action it has taken and the procedures that it has reviewed or changed.
- 7.3** The professional view of the PAS review team is that such meetings do not need to be attended by representatives of the planning service who are acting in an objective regulatory capacity. Attendance is not needed to deliver a good and professional service.
- 7.4** Good planning practice would be to retain a distance from land owners, applicants, agents and community stakeholders other than at formerly arranged visits and at recorded meetings linked to the consideration of planning applications, pre applications, or the development of the local plan. This provides professional and service independence, and serves to maintain trust in a public and regulatory service.
- 7.5** The council needs to fundamentally re-think its stance on hospitality and then make sure that all guidance for staff and members is consistent and up to date. A cultural shift is required that goes beyond advising what is and isn't acceptable and places more emphasis on questioning up front what value accepting offers of hospitality or attending events will add to the decision making processes. This will allow staff and councillors to remain confidently objective and transparent as they seek to deliver the best outcomes from development for all residents of Westminster.

## 8 Theme 3: Committees

- 8.1** The review team attended one area committee and one strategic development committee. Both were very well chaired; agenda items and time were well managed and overall there was a good quality of debate among the committee and officers. The committee process is also excellently supported by the committee services officers.
- 8.2** Planning officers at committee are calm, informed, polite and professional and do a good job of presenting balanced, policy-based assessments and recommendations, and responding competently to questions.
- 8.3** The number of members of the Committees is appropriate for effective debate and decision making.
- 8.4** Due to the layout and arrangement of the current committee room, the attendees and general public at committee felt isolated from the committee members. Large individual screens blocked the ability to see the committee members and there is a lack of basic guidance and information makes the committee process difficult to understand as an attendee.
- 8.5** Most of the committee members are clearly experienced and this adds to the value of their role as the decision makers. However, at times 'reminiscences' about other cases, previous experiences, questions about matters that were not linked to planning and repetition of points already made, did not add to the quality of the debate and slowed down the decision making process. The debate should focus on the case in hand and questions/points arising from the reports/officers presentation.
- 8.6** The process for voting should be revised so that each committee member's opinion is heard and then the vote taken. At the moment committee members summarise their views and then declare the way they will vote one-by-one.
- 8.7** Delegation and call-in procedures are too loosely defined and this results in cases appearing on committee agendas that the review team felt could have been dealt with elsewhere e.g. a policy interpretation for the discharge of a condition; a case that had no objections and was recommended for approval; issues and questions on one of the council's own major regeneration schemes that really should have been dealt with before getting this far to committee. There were also several other cases including a mansard roof development and basement developments that could have been resolved outside of committee with some flexibility, creativity and little less risk-averse application of policy. This is deflecting the committee from being able to concentrate efforts on the important strategic decisions for Westminster.
- 8.8** It is right that there is a process that allows items that are of legitimate concern to councillors, communities and officers to be assessed by committee. However, it is the opinion of the review team that the current committee structure and delegation procedures potentially discourage local issue-solving, encourage a risk-averse approach and can result in policy being applied too narrowly to control rather than facilitate development. Tightening up the delegation and call-in procedures could also be supported by the introduction of more devolved powers to solve issues

at a local level and by involving committee at the earliest stage possible in the development process e.g. pre-application presentations to committee on major applications.

**8.9** Planning committees are the 'shop window' for councils and are one of the key ways that residents can have their voices heard. It is the review team's opinion that too many gaps and disconnections in the process are preventing it from being as effective as it could be in terms of engagement and being representative. The relative ease with which councillors can call-in applications does give the outward appearance of the process being 'resident-focused' but only goes so far in terms of public engagement as there are presently no public speaking rights.

**8.10** The review team endorses the introduction of public speaking rights, an election pledge by the Leader, and is unclear how much progress has been made towards delivering it. The review team would like to have seen more evidence of the service exploring 'how to' introduce public speaking rights.

**8.11** Westminster would be mistaken however were it to introduce public speaking rights alone without the other changes recommended above in terms of introducing processes for more local problem solving and earlier engagement of committee members on major development. The only 'legitimate' concern that the review team picked up regarding the introduction of public speaking at committee was one of the time it would add to meetings. Tightening up the delegation and call-in procedures to reduce the numbers of items on committee alone would free up enough time to address these concerns.

## 9 Theme 4: Delivering Corporate Outcomes & Strategic Management

- 9.1** Internal partners in other service departments describe the Development Management service as helpful, providing good policy guidance and specialist advice e.g. on urban design, and the service was described by one senior officer as one of the best they had ever experienced.
- 9.2** Notwithstanding this, most senior officers the review team spoke to, from across all built environment and regeneration services, (Development Management, planning policy, housing, regeneration and highways), said the planning service should be better aligned in order to deliver corporate projects and ambitions. And, there could be better alignment of corporate priorities, policy and decision making.
- 9.3** The review team saw a Development Management Service that is badged as a Planning Service. The current Director's role is limited to being the Head of Development Management. Development Management is only part of the role of Town Planning. In Westminster it is not structurally linked to Planning Policy and was perceived by most of the people we spoke to in the organisation to be removed from the objectives and priorities of the Council.
- 9.4** The review team believe that the role of Town Planning should be at the heart of the organisation. Planning Policy should be the spatial interpretation of the Council's vision, objectives and priorities. The emerging City Plan must, therefore, be closely aligned to expressing the vision and objectives of Westminster, it must promote and actively plan for delivery against these objectives and be a proactive tool for achievement. When this alignment works well, regulatory planning can act as a catalyst and facilitator for growth and change with development management, managing that change, mediating and enabling.
- 9.5** To achieve this alignment the Council could examine closer collaboration between existing services/Directorates; a service re organisation or the appointment of a strategic planning role, (with or without portfolio) to work at the leadership team level. The critical ingredient of success, which ever route is taken, is that the cultural leadership in all key services must be committed to joined-up, corporate planning and delivery.
- 9.6** The Leadership of Westminster has an excellent opportunity to change the narrative about planning and with it the philosophy and role of planning. Westminster does not have to go out and seek development and this could have contributed to the balance at Westminster being tilted more towards reacting to and regulating development than proactively managing and delivering a vision. The 'City for All' strategy and emerging local plan should be the driving forces that communicate to the community and developers a clear vision for Westminster, how it wants to develop and its priorities. Planning should be placed at the front and centre of how that vision is achieved.
- 9.7** Westminster is home to around a quarter of a million residents, and has a careful balance to achieve in terms of delivering the world class schemes it attracts and the relationship/influence that has on what it is able to deliver in terms of public amenity and affordable housing.
- 9.8** The planning service must continue to extend its community engagement expertise to ensure that it is reaching all sections of the community. The planning service has very strong links with the main resident and amenity groups across Westminster and it must examine these

relationships and be confident that the views of established and well-organised community groups are balanced by understanding the views of all residents and an understanding of all resident's needs, particularly the needs of those people who are often not heard.

## 10 Implementation, next steps and further support

10.1 To be discussed with Westminster.

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We are grateful for the support of everyone that contributed to this review.



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## **Planning and City Development Committee: 7 November**

### **Item 4: Update on the Planning Review**

The Committee received a report from the Director of Place Shaping and Town Planning providing an update on the Planning Review programme of work to deliver improvements to the processes and practices of the planning service to address the findings of the review carried out by the Planning Advisory Service (PAS), which informed the recommendations that made to Cabinet on 25 October 2018, and which the Cabinet resolved to endorse. The progress on the implementation of the Planning Review programme was previously reported to the Planning and City Development Committee on 20 June 2019. These included: -

- Review of Public Speaking at Planning Applications Sub-Committees

Members welcomed the findings following the review of public speaking at the Planning Applications Sub-Committees and noted that the feedback provided were largely positive and that speakers understood the procedures and process. The Sub-Committee was advised that a visible clock which enable speakers to gauge the time remaining to speak was to be introduced. Members were informed that the speaking procedure rules would be amended to allow previous speakers to be given priority to address the Sub-Committees on Applications that had previously been deferred.

Members agreed that all the Sub-Committees should have two speaking slots for both Objectors and Supporters. This is to ensure that interested persons are given the full allocated time to address the Sub-Committee and reduce occurrences where a single 'speakers' slot was shared between two or more speakers. Members noted that speakers who supported an Application addressed the Sub-Committee first and commented whether this should be amended to allow objectors to be the first speaker.

- Live Streaming at Sub-Committees

The live streaming of the Planning Applications Sub-Committees will start in February 2020. The requisite equipment for streaming meetings has been installed in the Committee's Rooms at 64 Victoria Street. Members commented that the live streaming of meeting may affect the number of requests to make verbal representation at the Sub-Committees and requested that this be reviewed and reported back at the next Committee.

- Pre-Application Community And Ward Member Engagement

Members noted that the Pre-Application Community And Ward Member Engagement schemes was still in the preliminary stages and urged that the process is made informal. The Sub-Committee noted that the forums would be multi-disciplinary and would comprise of residents, officers and councillors. These bodies would also provide better opportunities for lobbying and ensure that all Ward Councillors are involved in the early stages of the planning applications and allow interested parties to influence decisions. The Forum will provide a mechanism which enable developers to test the viability of their application before entering the formal planning

statutory process.

The proposed scheme would encourage early engagement from planning developers and help to formalise this process. Members commented that at the Sub-Committee they had been disclosures that developers had not engaged with interested parties. The Committee noted that developers may wish to engage with stakeholders independently and that a 'hybrid system' would be in operation.

**Resolved:**

1. That the recommendations of the 6-month review of public speaking and the ongoing work on Planning Review programme to implement measures pursuant to the recommendations endorsed by Cabinet in 2018 to make the planning service more proactive, transparent and focused on the delivery of shared strategic and corporate objectives be agreed.
2. That Public speaking be permitted on all previously deferred applications with previous speakers who have addressed the Sub-Committee on the same application be given priority, prior to speaking slots being offered to new speakers.
3. That Neighbourhood Forums be included with Amenity Societies as bodies that may receive a separate public speaking 'slot' on each item.
4. That a timer visibly displaying the remaining time for public speakers be provided to assist those addressing the Sub-Committee.
5. That there be two speaking slots for both Objectors and Supporters on all Planning Applications Sub-Committees.
6. That the amendments to the Speakers Protocol be implemented from January 2020.



**City of Westminster**

## **Planning & City Development Committee**

**Date: 7 November 2019**

**Classification: General Release**

**Title: Update on the Planning Review**

**Report of: Director of Place Shaping and Town Planning**

**Financial Summary: The implications will be managed within existing resources.**

**Report Author and Contact Details: Oliver Gibson (ogibson@westminster.gov.uk/ 020 7641 2680)**

### **1. Executive Summary**

- 1.1 This report presents an update on the Planning Review programme of work to deliver improvements to the processes and practices of the planning service to address the findings of the review carried out by the Planning Advisory Service (PAS), which informed the recommendations that made to Cabinet on 25 October 2018, and which the Cabinet resolved to endorse. Progress on the implementation of the Planning Review programme was previously reported to the Planning and City Development Committee on 20 June 2019 (see Appendix 4).
- 1.2 This report provides a 6-month review of public speaking at Planning Applications Sub-Committees, advises on the imminent introduction of live streaming of Sub-Committee meetings and sets out the options currently being explored to facilitate early pre-application community and Member engagement.
- 1.3 The introduction of public speaking at Planning Applications Sub-Committees has been a success that has significantly enhanced the transparency and accessibility of the Sub-Committee process for planning application decision making. The review of the initial 8-month period of public speaking identifies an overwhelmingly positive overall satisfaction with the process from those speaking at Sub-Committee meetings with only isolated concerns expressed. Recommendations to make limited amendments to the current Planning Applications Sub-Committee Procedure Rules (January 2019), to enhance the overall operation of the public speaking process, are made in Section 4.
- 1.4 Live streaming of Sub-Committee meetings is to be introduced to further enhance the accessibility and transparency of planning decision making i. The equipment to facilitate live streaming of Planning Sub-Committee meetings, which will also be used for other public meetings in due course, was installed in early September 2019. The Council has procured the 'CIVICO' system, which provides a single online platform for the end to end process of recording, editing and web hosting the recorded content. The

system is now undergoing a period of testing prior to the commencement of live streaming.

- 1.5 To facilitate the involvement of residents and Ward Councillors at an earlier stage in the planning process, options are currently being explored to introduce an Early Engagement Forum (EEF), which would be facilitated and chaired by officers and would allow developers to present their schemes to local stakeholders and Ward Councillors in an independent setting, where all parties involved in the planning process would be engaged simultaneously. The forums would occur at the very earliest stage in the pre-application process. This would enhance pre-application community engagement on large and strategic scale schemes, which is currently wholly reliant on developer led pre-application engagement, which can misrepresent the views of local stakeholders and lack genuine engagement with communities.

## **2. Recommendation**

- 2.1 Members are asked to agree the recommendations of the 6-month review of public speaking and note the ongoing work on Planning Review programme to implement measures pursuant to the recommendations endorsed by Cabinet in 2018 to make the planning service more proactive, transparent and focused on the delivery of shared strategic and corporate objectives.

## **3. Background**

- 3.1 The Planning Review programme comprises a programme of work to deliver improvements to the processes and practices of the planning service to address the findings of the review carried out by the Planning Advisory Service (PAS), which informed the recommendations that made by the Chief Executive to Cabinet on 25 October 2018, which the Cabinet resolved to endorse. The recommended changes to the planning service are designed to make the planning service more proactive, transparent and focused on the delivery of the Council's City for All vision and other corporate priorities. The recommendations include measures to make it easier for residents to engage with the planning process in Westminster.
- 3.2 In summary the recommendations endorsed by Cabinet in October 2018 that the Planning Review Programme is seeking to respond to and implement positive change in light of were:
1. To record, and make available post meeting, coverage of Planning Applications Sub-Committee meetings.
  2. To live stream Planning Applications Sub-Committee meetings.
  3. Introduce public speaking rights at Planning Applications Sub-Committee meetings.
  4. Review digital content on the planning process and planning decisions and improve accessibility to the general public.
  5. Improve the way planning policies and decisions are explained to make them easier to understand.
  6. Support resident and Ward Councillor participation at an earlier stage in the process, for example at pre-application stage of major applications.
  7. Increase delegation and review call in procedures to empower officers to take more delegated decisions.
  8. To restate to officers and Members their responsibilities in terms of the Council's gifts and hospitality policies.

9. To restate to officers and elected Members involved in the planning process that they must retain a distance from land owners, applicants, agents and community stakeholders other than at formally arranged visits and meetings.
  10. Create a new Place Shaping and Town Planning directorate.
- 3.3 This report provides a 6-month review of public speaking at Planning Applications Sub-Committees (3 above), advises on the imminent introduction of live streaming of Sub-Committee meetings (1 and 2 above) and sets out the options currently being explored to facilitate pre-application community and Member engagement (6 above).
- 3.4 In terms of the other recommendations endorsed by Cabinet, a new Place Shaping and Town Planning directorate was created in late 2018 (point 10) and the responsibility of officers and Members to retain distant from participants in the planning process and refrain from hospitality has been reiterated (points 8 and 9), with the expectations set by gifts and hospitality policy set out more clearly in an updated 'Guidance for Members Making Planning Decisions' document, which was agreed by the Standards Committee in July 2019 (see also a separate report on this updated guidance on this agenda). Work on points 4 and 5 above, to review online planning content and consider how planning policies and decisions are explained is ongoing. It should be noted that the introduction of the draft new City Plan in 2020 will simplify the development plan for Westminster, consolidating all local planning policies into a single document written less technical and more accessible language. Work to examine options to widen delegated powers among officers is ongoing pursuant to point 7.

#### **4. Considerations**

##### **Review of Public Speaking at Planning Applications Sub-Committees**

- 4.1 In January the Committee resolved to agree the proposed procedures and protocols to allow for members of the public to make verbal representations at the Sub-Committee meetings. Public speaking was subsequently introduced at the Planning Applications Sub-Committee on 26 February 2019. The agreed procedures require speakers to register in advance on the Council's website if they wish to speak and the number of speakers for and against is limited at each committee meeting with each speaker limited to no more than 3 minutes (see 'Planning Applications Sub-Committee Procedure Rules (January 2019)' in Appendix 1). It was agreed at the Planning and City Development Committee in January 2019 that a 6-month review of public speaking would be undertaken, which would include recommendations for improvements to the process for public speaking at Planning Applications Sub-Committee meetings. The following paragraphs set out the 6-month review of public speaking.
- 4.2 Table 1 below set out the usage of public speaking by supporters, objectors and other interested parties since the introduction of the right to speak in February 2019. The data in Table 1 covers the period up to and including the Planning (Major) Applications Sub-Committee on 24 September 2019. In that period 26 Sub-Committee meetings have been held.

**Table 1 – Numbers of Public Speakers between 25 February and 24 September 2019.**

	No. of Applications on Agendas	No. of Applications with Registered Speakers	No. of Speakers Supporting	No. of Speakers Objecting	No. of Amenity Societies	No. of Ward Councillors	Total No. of Speakers
Totals	130	105	80	46	7	13	128
Average	5.00	4.04	3.08	1.77	0.27	0.50	4.92

- 4.3 Table 1 demonstrates that the opportunity to address Planning Applications Sub-Committees has been widely embraced by both supporters and objectors alike, affirming that introducing public speaking, which has afforded greater and transparency to the planning decision making process, was a positive one. There is typically at least one speaker for each application included on a Sub-Committee agenda.
- 4.4 All those registering to speak have been asked to provide feedback on their experience of the registration process and of speaking at the Sub-Committee meeting itself. To date 19 responses have been received. 89% of respondents agreed or strongly agreed that registering to speak at the Planning Applications Sub-Committee was easy to do. Shortly after the introduction of public speaking it was identified that it was possible for those wishing to address the Sub-Committee could inadvertently register to address the Sub-Committee on the wrong date. This issue was resolved by amendment of the information included in the online form and there have been no similar issues with the registration process since. The results of the survey indicate that those engaging in public speaking have overwhelmingly found the registration process to be easy to engage with. As such, no further amendment of the registration process is recommended.
- 4.5 The most common issue arising prior to Sub-Committee meeting is complaints arising where individuals have not taken action to register themselves in time despite the advice provided in letters/ emails sent out advising of the impending Sub-Committee meeting (all public speakers must register by midday on the Friday prior to the Sub-Committee meeting). The procedures do though already allow for the Chairman to exercise discretion where an individual is late registering. This discretion has been used in limited circumstances to date, where the delay in registering has been demonstrated to be for legitimate reasons. It is recommended that this continues to be used only in the most exceptional circumstances to ensure the fair and equitable administration of the Sub-Committee meetings. Accordingly, no amendments are recommended to the time by which they must be registered.
- 4.6 To date there has not been a need for a ballot to decide upon the speakers for a particular item. Typically, residents and other objectors organise themselves into representative groups when opposing developments and this has ensured that where there have been high volumes of objection to a scheme, there have always been less than the maximum permitted number of speakers. Given this aspect of the public speaking procedures has yet to be utilised, it is recommended that it is kept under review at the present time. However, it is clear that for the vast majority of development proposals coming before the Sub-Committees, the current maximum quantum of speakers is set at an appropriate number. However, it is recommended that the Planning Applications Sub-Committee Procedure Rules are amended to afford the Chairman discretion in rare cases where the development before the Sub-Committee is of such strategic importance and of exceptionally high public interest value that a higher number of public speakers would be appropriate to maintain the fairness of access to the Sub-Committee meeting for objectors and supporters alike. No concerns

have been expressed regarding the order of public speakers and it is recommended that the current order of public speakers is therefore maintained.

- 4.7 The current procedures allow recognised or semi recognised amenity societies their own speaking ‘slot’ on each item. In practice this right is rarely used with only 7 persons addressing Sub-Committees on behalf of an amenity society since 26 February, during which time 130 applications have been considered. However, it is recommended that this right to speak in a separate ‘slot’ to other objectors or supporters is extended to registered Neighbourhood Forums, which often represent significant numbers of residents and businesses in the areas of the City that they cover.
- 4.8 The survey data collected from public speakers (see Table 2) demonstrates that to date public speakers have overwhelmingly found the Sub-Committees to be highly competent, clear and transparent decision making panels. 90% respondents agreed or strongly agreed that they had been made to feel welcome by the Sub-Committee. The same significant majority agreed or strongly agreed that they were satisfied with the quality of the Sub-Committee chairman. 74% of respondents agreed or strongly agreed that they felt their views had been taken seriously, whilst 79% of respondents agreed or strongly agreed that the Sub-Committee process was clear and transparent. The lowest approval rating was in answer to whether public speakers felt that they had been part of the decision making process, to which 63% agreed or strongly agreed. Measures such as affording speakers (supporters, objectors, Ward Councillors and others) more time to speak or allowing speakers to be questioned could be considered in order that they may feel more engaged as part of the decision making process. However, such measures would need to be balanced against the need to avoid Sub-Committee meetings becoming overly long or allowing disproportionate weight being attributed to speakers that have been given longer to address the Sub-Committee. Having regard to these considerations it is recommended that the length of time given to public speakers and the format within which they speak (i.e. without questions being asked of them) should remain as set out in the current procedure rules.

**Table 2 – Public Speakers views on the Planning Applications Sub-Committees.**

	Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree	Response Total
I felt welcome at the planning committee meeting	42.1% (8)	47.4% (9)	0.0% (0)	5.3% (1)	5.3% (1)	19
I felt satisfied with the quality of the Chair	42.1% (8)	47.4% (9)	5.3% (1)	0.0% (0)	5.3% (1)	19
I felt that my views were taken seriously	26.3% (5)	47.4% (9)	15.8% (3)	5.3% (1)	5.3% (1)	19
I felt part of the decision making process	21.1% (4)	42.1% (8)	21.1% (4)	5.3% (1)	10.5% (2)	19
The planning committee process was clear and transparent	26.3% (5)	52.6% (10)	10.5% (2)	5.3% (1)	5.3% (1)	19

- 4.9 The survey of public speakers includes the opportunity for respondents to provide additional comments. 12 of the 19 respondents provided comments, many of which relate to the specific circumstance of the application on which they were speaking. However, of the 12 respondents four commented that a visible clock or timer should be provided to enable speakers to gauge the time remaining for them to speak. Currently only a 30 second verbal warning is provided by the Committee Clerk. Given the consistency of this feedback across the survey responses it is recommended that a visible timer is introduced to assist public speakers.

- 4.10 Paragraph 1.2 of the current procedure rules specifies that *'In the case of items which have previously been deferred by the Planning Applications Sub-Committee and where no new evidence is to be tabled, speakers will not be allowed to make further representations at Committee'*. The current procedure is intended to avoid duplication of presentations to the Sub-Committee. However, there are circumstances that fall outside of the scope of the current wording where it may be reasonable, to ensure the decision making process is fully open and transparent, to allow supporters, objectors and other interested parties to speak again at the subsequent Sub-Committee meeting. For example, this could be the case where applications are deferred for a Sub-Committee site visit or when an application is reported back to a Sub-Committee meeting after an unusually long period of time since the original deferral. In such circumstances, whilst no new evidence or material considerations will necessarily have been presented, it would be advantageous to the Sub-Committee, in terms of its understanding of the views of supporters and objectors, to hear their views again. It is therefore recommended that paragraph 1.2 of the procedure rules are amended to allow public speaking on applications that have previously been deferred, with previous speakers given priority in such circumstances before speaking slots are offered to new speakers.
- 4.11 In summary, the procedure rules agreed at Planning and City Development Committee in January 2019 have operated efficiently and the evidence from the survey of public speakers demonstrates that the overwhelming majority of respondents found public speaking a positive experience, which enhanced their view of planning application decision making in Westminster and contributed to their perception that it is an open and transparent process. Despite this, the 6-month review identifies a small number of minor amendments to the procedure rules which would further enhance the overall public speaking process. These recommendations are:
1. The Chairman should be given discretion in exceptional circumstances to allow a greater number of speakers to speak in relation to applications which are both of strategic importance and exceptionally high public interest value.
  2. Public speaking should be permitted on all previously deferred applications with previous speakers who have addressed the Sub-Committee on the same application given priority, prior to speaking slots being offered to new speakers.
  3. Neighbourhood Forums should be included with Amenity Societies as bodies that may receive a separate public speaking 'slot' on each item.
  4. A timer visibly displaying the remaining time for public speakers should be provided to assist those addressing the Sub-Committee.

### **Live Streaming of Sub-Committee Meetings**

- 4.12 To further enhance the accessibility and transparency of the planning decision making process, live streaming of Sub-Committee meetings will be introduced. The equipment to facilitate live streaming was identified through market analysis and a procurement process as part of the Planning Review programme. The system provided by 'CIVICO' has been selected as it provides the most suitable functionality enabling the delivery of live streaming of Planning Applications Sub-Committee meetings, as well the streaming of other public Council meetings in future. CIVICO provide the same live streaming functionality to a significant number of other Council's, including Birmingham City

Council and the London Borough of Croydon. The CIVICO system provides a single online platform for the end to end process of recording, editing and web hosting the recorded content. The video will be provided via the Council's website via a webpage hosted by CIVICO but branded so that it appears as a seamless extension of the Council's existing website. The webpage on which the live stream and previous recordings will be available will include links to all relevant Sub-Committee agenda papers, reports and minutes.

- 4.13 The system has now been procured and the visual and audio equipment required to facilitate live streaming of Planning Sub-Committee meetings was installed in Rooms 1, 2 and 3 on the 18<sup>th</sup> Floor of 64 Victoria Street in early September 2019. Six cameras have been installed in the committee room, along with new microphones that are compatible with the live streaming technology.
- 4.14 The system is now undergoing a period of testing, with Planning Applications Sub-Committees being recorded, but not live streamed, from 3 September onwards to allow the room set up and camera positioning to be optimised, whilst also allowing Members and officers to become familiar with the technology and additional roles and responsibilities they have during the meeting.
- 4.15 The test recordings were reviewed at the Customer Digital Standards Board on 9 September. The board recognised the impressive underlying performance and functionality of the technology but made recommendations that the appearance of the committee room be improved with branding material being placed within the image frame so that it is recognisably a Westminster meeting. Adjustments to the layout of the room have been made to respond to the Board's recommendations and a large banner will be introduced behind the committee panel to alleviate views of windows and clutter in the background and introduce Westminster branding.
- 4.16 Legal Services are currently finalising a guidance note and protocol that will restate the basis on which there is an existing expectation for officers, Members and third parties participating in public meetings to appear in any recordings being made. In this context, it should be noted that currently Planning Applications Sub-Committee meetings can be, and are regularly, filmed by persons in the public gallery. Any person present already has the right to record proceeding in this way under the Openness of Local Government Bodies Regulations 2014. The protocol being developed by Legal Services will include steps to be taken should Sub-Committee recordings be misused or misrepresented by third parties, particularly through online use on social media, so that the safety and/ or reputation of officers, Members or third parties is not harmed. The CIVICO system will allow users to share clips of Sub-Committee meetings on social media; however, this functionality ensures that the video continues to be hosted by the Council's live streaming provider (CIVICO) and therefore this content could be removed across all social media platforms should it be misused or misrepresented by a particular third party. This functionality ensures the Council will have ultimate control over the use of the video content it publishes.
- 4.17 Testing of the system is ongoing with live streaming to commence during the first quarter of 2020.. This will enable officers to become fully proficient at managing the additional back office processes that are required to manage the recording equipment before, during and after the Sub-Committee meetings. This lead in period will also ensure that measures to enhance the appearance of the committee room and finalise a protocol for persons appearing on the live stream will be in place prior to the 'go live' date. The recordings of Planning Applications Sub-Committee meetings made during the testing phase may be published on the website following the 'go live' date to provide full public access to those meetings that have been recorded.

## **Pre-application Community and Ward Member Engagement**

- 4.18 The Planning Review programme team are in the final stages of options analysis looking at the ways in which earlier engagement with local community stakeholders and Ward Members can be achieved. The preferred operating model is to introduce an Early Engagement Forum (EEF). An EEF would be arranged at the very earliest stage of the pre-application process, typically following first receipt of a major or strategic scale pre-application request of appropriate scale. Officers would advise the pre-applicant of the requirement to undertake this procedure to ensure local community and Ward Councillor engagement and the cost of running the EEF would be obtained from the pre-applicant via an additional fee that will be included in an updated pre-application fees schedule.
- 4.19 An EEF would comprise a forum event facilitated and chaired by officers and would allow developers to present their schemes to local stakeholders and Ward Councillors in an independent setting. The feedback from local stakeholders and Ward Councillors and the questions asked of the developer would be minuted by the officer chairing the meeting and displayed on the City Council's website. Additionally, the written feedback of officers to the developer would include a section discussing the views expressed during the EEF. By ensuring the forums occur at the very earliest stage in the pre-application process it would help to alleviate the problems typically encountered with current developer led pre-application engagement, which can often result in misrepresentation of views expressed by local stakeholders, and which often occurs at the very end of the pre-application process at a stage when developers are not inclined to amend the scheme prior to the submission of a formal planning application. Holding EEFs at the earliest stage of the pre-application process will also enable officers to better understand local stakeholder concerns and aspirations and enable them to incorporate these into their own written advice where they amount to material planning considerations.
- 4.20 Schemes suitable for the use of an EEF would need to be limited to larger major or strategic developments due to the resource implications they would entail. Work is ongoing to establish suitable thresholds for referring applications to an EEF using pre-application data from previous years, with the aspiration to provide this service for up to circa 18-20 applications per year. It is likely though that the threshold that is chosen would need to be caveated to allow officer discretion to refer other major developments to an EEF where they are either known to be of significant local interest or are otherwise sites that have a high profile (e.g. sports stadia, transport interchanges, community buildings/ facilities etc.).
- 4.21 The prospective invitees to EEFs are still to be finalised; however, local residents in the immediate vicinity of the site and Ward Councillors would be invited. A representative of the local amenity society and/ or forum would also be invited. Where a site is adjacent to a ward boundary Ward Councillors from the adjoining ward would be included.
- 4.22 Currently pre-application discussions between developers and the City Council are confidential and pre-application engagement beyond discussions with officers are limited to discussion of schemes of strategic scale with the Cabinet Member and the Chairman of Planning. The intention would be to maintain this format for strategic member engagement and supplement it with the EEF procedure to introduce greater transparency and balance within the pre-application process in accordance with the October 2018 Cabinet recommendation.

- 4.23 The introduction of EEFs will necessitate a change in approach to community engagement for many developers, moving to a more genuinely collaborative and engaged approach to scheme development at pre-application stage. However, national policy in the NPPF supports this approach and notes that: *“Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community”* (paragraph 39). Examples of where similar early engagement procedures have been introduced, such as the LB Camden, LB Haringey and Epping Forest DC, indicate that developers of large major and strategic scale schemes are willing to engage with the suggested approach and understand the benefits that an EEF process can deliver in terms of understanding and addressing local concerns and aspirations at the earliest stage of scheme development so that delays can be avoided later in the planning application process. A detailed guidance note on EEFs will be provided on the Council’s website when EEFs are introduced so that developers are aware of both the process to be followed and the benefits that can be achieved for all parties.
- 4.24 The recommended EEF approach to facilitating early engagement with local communities and Ward Members will be reported to the Cabinet Member for Place Shaping and Planning for approval before officers proceed with the implementation phase of EEFs. Assuming Cabinet Member approval, EEFs are expected to be introduced by April 2020.

## **5. Financial Implications**

- 5.1 The implications will be managed within existing resources.

## **6. Legal Implications**

- 6.1 None.

## **7. Conclusion**

- 7.1 Feedback on the initial period of public speaking at the Planning Applications Sub-Committees demonstrates that the implementation of this enhancement of the Sub-Committee process has been successful. Only minor recommendations are made to finesse the originally agreed public speaking protocol, as set out in paragraph 4.11 and the Committee is asked to support these recommendations.
- 7.2 Work on Planning Review programme to implement measures pursuant to the recommendations endorsed by Cabinet in 2018 continue to be ongoing, but work has now been completed or is at an advanced stage on the majority of work streams that comprise the overall programme. The Committee is asked to note the progress that has been made to date on the Planning Review programme to enhance the planning service so that it may become more proactive, transparent and focused on the delivery of shared strategic and corporate objectives.

**If you have any questions about this report, or wish to inspect one of the background papers, please contact: Oliver Gibson (ogibson@westminster.gov.uk / 020 7641 2680).**

**Background Papers:**

1. Planning Applications Sub-Committee Procedure Rules dated January 2019 ([https://www.westminster.gov.uk/sites/default/files/planning\\_applications\\_sub\\_committee\\_procedure\\_rules.pdf](https://www.westminster.gov.uk/sites/default/files/planning_applications_sub_committee_procedure_rules.pdf)),
2. Report to the Planning and City Development Committee dated 17 January 2019 (<https://committees.westminster.gov.uk/documents/s30523/PCD%20Committee%2017%20January%202019.pdf>).
3. Minutes of Planning and City Development Committee dated 17 January 2019 (<https://committees.westminster.gov.uk/documents/s32912/Minutes%20-%2017%20January%202019.pdf>).
4. Report to the Planning and City Development Committee dated 20 June 2019 (<https://committees.westminster.gov.uk/ieListDocuments.aspx?CId=368&MId=4989&Ver=4>)

# GUIDANCE FOR MEMBERS

## Making Planning Decisions



Growth Planning and Housing 2019



City of Westminster

## **INTRODUCTION**

These guidelines have been produced to help Members of the Planning Applications Committees to make robust and consistent planning decisions. They are supplemented by Member training programmes for both induction of new Members of Planning Committees to ongoing guidance for incumbent Members on a topic basis.

These guidelines do not seek to be comprehensive. Much more information on town planning material considerations and procedural matters can be found in our published guidance leaflets, together with advice from central government on the National Planning Policy Framework, Planning Practice Guidance and the Localism Act. However, if you have any queries or concerns, please discuss them with officers. Contact names and numbers are given at the end of this document. Appendix 1 provides some broad information upon some of the issues that may arise at Committee such as what is permitted development and the use classes order.

The Town Planning Service deals with all planning applications, planning appeals against our decisions, the enforcement of planning control, conservation and design work, the production of information publications, maintenance of the statutory register of planning applications, responses to land search inquiries and general planning inquiries. The service also deals with works to trees and Tree Preservation Order matters.

Planning applications must be decided in the context of published planning policies. The City Council's policies are prepared by City Policy and Strategy, which is part of Policy Performance and Communications Service. The law requires planning decisions to be made in accordance with the policies 'unless material considerations indicate otherwise'.

We attach great importance to consulting the public and local amenity societies and taking their comments into account. However, the way we work, and the way you take decisions, is governed by strict rules about what can and cannot be considered. Importantly, our work is also affected by the need to meet targets for the number of decisions we make within the time periods required by Government.

These are:

- 16 weeks for cases that need an 'Environmental Impact Statement';
- 13 weeks for major cases; and
- 8 weeks for the rest.

The priority we must give to meeting these targets limits the extent of our negotiation with developers once they have submitted their application. However, we encourage developers to enter pre-application discussions.

Any comments you have on these guidelines would be appreciated and will be taken on board when they are next updated

Deidra Armsby

(JA Finalised Version)

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## 1. GOOD PRACTICE IN PLANNING

In dealing with planning matters, it is of utmost importance that you become familiar with and adhere to the requirements of the Members' Code of Conduct. Any failure by you to comply with the ethical standards expected of you may result in a complaint and investigation for the breach of the Code and in certain circumstances, result in you being required to step down or may otherwise have serious ramifications for the reputation of the Council as a whole.

You must not only approach decisions with impartiality but must also have the appearance of impartiality. You must be free of bias and not be pre-determined although legitimate predisposition is lawful. Not complying with these requirements may provide grounds on which applicants may challenge affected decisions. Public confidence in the way in which decision-making is conducted is of considerable importance.

### The Code of Conduct

You should also be aware of and adhere to the following general principles, which are applicable to all public office holders:

- (i) Selflessness (acting in the public interest and not for any financial gain or similar benefit for themselves, friends or family);
- (ii) Integrity (not placing oneself under any actual *or perceived* financial or other obligation to outside individuals or organisations that may seek to influence their decisions);
- (iii) Objectivity (selecting public appointments, awarding contracts or recommending individuals for benefits or rewards should be based upon merit);
- (iv) Accountability (being accountable for decisions and actions to the public and submitting themselves to whatever scrutiny is appropriate to their office);
- (v) Openness (acting in a manner that is as open as possible about the decisions and actions they take, providing the reasons for their decisions and restricting information only where the wider public interest clearly demands it);
- (vi) Honesty (being under a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest);
- (vi) Leadership (promoting and supporting these principles by leadership and example).

These considerations and general principles must be borne in mind, even when actively engaging in development proposals as enabled by the Localism Act 2011. It should be noted that the Localism Act 2011 expressly provides that a member will not be taken to have had (or appeared to have had) a closed mind just because they had previously done anything that directly or indirectly indicated the member's view on a matter which was relevant to a decision. However, this does not detract from the general importance of approaching decisions with an open mind. You should remember that your overriding duty is to the whole community. You should not favour or appear to favour any person, group, company or locality. You should make planning decisions openly, impartially, with sound judgement and for justifiable reasons.

## **Conduct and Interests**

This Guidance is complementary to the Council's Members' Code of Conduct. Members should apply both the Council's general Members' Code of Conduct and this Guidance in dealing with planning issues.

All Members are always bound by the Council's Members' Code of Conduct ('the Code') and are acting in their official capacity. It will therefore apply regardless of what capacity a Member approaches a planning matter. If a Member has an interest (as defined by the Code) in any matter the existence and nature of the interest must be disclosed at any relevant meeting at the beginning of the meeting.

Where a Member is in any doubt about whether they have an interest and whether it needs declaring they are advised to always seek the advice of the Director of Law or other relevant officers and to disclose all material facts if possible at least 2 days prior to the committee meeting to allow sufficient time for relevant information to be gathered and considered. The responsibility to declare and the decision as to whether an interest should be disclosed and whether to withdraw from the meeting because of any declared interest rests with the Member.

Where a Member has a relevant interest either pecuniary or non-pecuniary the nature of which means the public would consider that the Member could not be objective about the matter they should:

- ask another ward Member to represent ward or local views on such a matter;
- make sure s/he does not get involved in the processing of the application by using their position as a Member to obtain personal access to officers or papers;
- not lobby other Members including via the circulation of letters or emails or by raising the matter in political group or similar meetings;
- not in any way take part in the decision-making.

## **Pecuniary interests**

Members are referred to the Code for definitions of interests but importantly if the Member has a pecuniary interest they may not participate in making the decision either formally or informally behind the scenes. The Member should also avoid giving any appearance of participation as it is important to maintain public confidence in the impartiality of Members in decision-making. Taking part whilst having a pecuniary interest is a criminal offence.

## **Non-pecuniary interests**

Any interest that does not amount to a pecuniary interest, but which would have a significant impact upon a Member's judgement should be declared by the Member at a meeting where that interest is relevant. Whether such an interest should be declared is a matter for the Member's own judgement having full regard to the facts. A planning application on a site near to the Member's home is an example of a non-pecuniary interest.

There are very likely to be interests which do not amount to a pecuniary interest but where the public expectation would be for the Member to not participate. This includes where an application is within a Member's own ward. In such circumstances, to ensure that the the

highest levels of probity and transparency are maintained, the Member should consider standing down for that item, particularly where they have had any engagement with, or received representations from the applicant, their representatives or objectors/ supporters or their representatives, either during or prior to the application,. It falls to the Member in each case to make their individual judgment as to whether their participation is appropriate or not given the nature of the interest. Members are encouraged to declare an interest in a matter for reasons of good practice and transparency for the purposes of being as open as possible with the declaration having no impact on the Member's participation.

### **Bias and predetermination**

Members have a legal duty to avoid bias or the appearance of bias. Bias is the tendency to favour one side of an issue because of an irrelevant factor such as a close relationship with a party to the matter. Members also need to avoid predetermination in other words having a closed mind in a case. They should ensure they do not do or say anything which indicates that they have made their mind up on an application or policy matter before it comes before the Committee for example by stating in advance how they will vote. A Member voting on a planning matter must maintain an open and impartial approach and have regard to all material considerations and all the evidence before coming to their definitive conclusion.

The Localism Act 2011 sets out what a court can take into account in considering whether bias and pre-determination has occurred. Section 25 of the 2011 Act provides that a decision-maker is not to be taken to have had or appeared to have had a closed mind when making the decision just because they had previously done anything that directly or indirectly indicated what view they took or might take in relation to a matter. The aim is that Members act and are seen to act impartially and honestly by approaching each planning decision fairly between the parties and with an open mind. If a Member wishes to take a stance in relation to a development or feels that it will be difficult to demonstrate that they have followed a consistently fair approach between all parties in a case, they should not be part of the decision-making process on the application. In such an instance they can choose to act as a ward Member on that matter. Irrespective of whether a Member has a pecuniary interest in a planning matter they must not be involved in the decision-making if this would render such a decision liable to challenge in the courts on the grounds of bias or predetermination.

### **Gifts and Hospitality**

Accepting gifts and hospitality in your capacity as Member is not unlawful. However, as a Member of Planning Application Committees, you must exercise extreme caution, given how it might be perceived by the public. The best advice is to avoid accepting gifts and hospitality at any time during the planning process including after a decision is made but understandably refusal might be awkward at times. As a minimum you must be scrupulous in declaring gifts and hospitality, as well as all disclosable pecuniary and non-pecuniary interests and if necessary, excuse yourself from planning committee or retire from consideration of a matter to avoid a conflict of interest. Even where gifts and hospitality may be lawfully accepted, Members remain responsible for considering the propriety of doing so and declaring any such gifts and hospitality to avoid speculation and negative perception.

The obligations in the City Council's Code of Conduct are placed on Members individually. You must consider whether your actions could lead to a perception, whether fairly or unfairly that may damage your reputation and/or that of the Council. You should always be aware of whether your conduct promotes and supports high standards of conduct through leadership and by example.

In considering these matters, you should have regard to the value of any benefit received, the number or frequency of such benefits and the connection between the benefits received and planning decisions that you will be involved in making. In some circumstances, actions that are neither unlawful nor breach the Code of Conduct will be inappropriate from the point of view of the Council's reputation.

In accepting any gift, benefit or hospitality Members should consider the following principles to guide them, as suggested by the Committee in Standards in Public Life and adopted in the Members' Code of Conduct:

- *"Purpose" – acceptance should be in the interests of Council departments and should further Council objectives*
- *"Proportionality" – hospitality should not be over-frequent or over-generous. Accepting hospitality frequently from the same organisation/ individual may lead to an impression that the organisation/ individual is gaining influence. Similarly, hospitality should not seem lavish or disproportionate to the nature of the relationship with the provider*
- *"Avoidance of conflict of interest" Members should consider the provider's relationship with the Council, whether it is bidding for work or grants or being investigated or criticised, and whether it is appropriate to accept an offer from a taxpayer-funded organisation"*

Under the Bribery Act 2010 it amounts to an offence to offer financial or other advantage to another person or to accept such an advantage if the receipt or anticipation of receipt of such an advantage would result in, be intended to result in, amount to, or be done in return for the improper performance of a public function. In this case, the public function to be properly performed is the lawful determination of planning applications.

If for any reason you are unclear about what is expected of you, you are advised to seek advice from in the first instance the Director of Place Shaping and Town Planning **before** taking action or accepting gifts or hospitality.

## **Site Inspections**

The Committee may resolve to make a site inspection before reaching a decision. In such cases these are fact finding exercises and not opportunities for applicants and objectors to lobby the members. You should refrain from giving views to either party. If you choose to make your own site visit prior to the committee meeting you should do so alone and should rely on street views only. If you meet an objector or the applicant on site, by accident or design, you should not sit on the determining committee. To do so would be to invite criticism that you have offered one party an unfair advantage.

## **Decisions contrary to Officers' Recommendation**

Planning decisions must be made in accordance with the 'development plan' unless material considerations indicate otherwise. Decisions must be capable of being substantiated so, in the interests of openness and clarity, the reasons for a planning decision contrary to the officers' recommendation should be discussed and clearly agreed and included in the minutes of the Committee meeting.

## **Development proposals submitted by, or which may have an impact on Councillors, their families and their close associates**

It is important that applications submitted by Councillors and their close associates or which relate to sites affecting them/their close associates are processed without the suspicion of impropriety or favouritism. There is a box on the planning application forms which must be completed.

The following advice is provided to assist Members in this situation:

You should declare a pecuniary and non-pecuniary interest where under the Members' Code of Conduct your interest is such that a conflict of interest arises because of family links, business associations, social contacts, membership of clubs or similar associations, land ownership, tenancies and sponsorship. In these circumstances you must declare the nature of your interest and ensure that it is written into the minutes of the meeting and must leave the room without speaking or voting on the item. Where your interest under the Code is non-pecuniary subject to the guidance given at section above, you must declare it for the purposes of ensuring that it is entered the minutes of the meeting but may remain and take part in both speaking and voting on the item.

Where you have applied or are aware that your immediate family members/other close associates have applied, you should advise the Director of Place Shaping and Town Planning or relevant Team Leader.

Proposals submitted by you or your close associates will be presented to Committee for determination and will not be dealt with under delegated powers.

If you have an interest whether pecuniary or otherwise in an application you should ensure that you do not try to use your position to seek to influence the officers' recommendation or Committee Members' decision in determining it, by avoiding direct negotiations with officers and lobbying of other Members and officers. Please see refer to the Good Practice in Planning. In the interests of probity, if you have business or other interests that may bring you into regular contact with the City Council's planning system you should consider whether it is appropriate for you to sit on the Committee.

If you ever have any concerns on issues relating to probity or declaration of interest, you should contact the Director of Law, who will be able to advise you.

## **2. COMMITTEE STRUCTURE**

## **The Planning Applications Committees**

There are three Committees on Tuesdays at 6.30 p.m. on the 18<sup>th</sup> Floor City Hall. There is a Major Applications Committee which comprises of seven members in total (5 from the majority party and 2 from the minority party). Two Sub-Committee's operate which are comprised of four members (Members of the majority party and 1 Member from the minority party, there is therefore a total of 15 Members (3 of whom act as Chairman) who sit on the Committees on a rota basis.

The Committees consider planning and related applications which have generated public interest or concern or are of a major, controversial or sensitive nature or which, if approved, would set a significant precedent. Most of the applications are dealt with by officers under delegated powers. The Committee also decide on whether to confirm Tree Preservation Orders (TPOs) and give guidance to officers and the Cabinet Member on emerging planning policy documents, including Planning Briefs/ Supplementary Planning Documents. In addition, Committee has the power to approve highway works and stopping up orders required in connection with planning applications.

### **Decisions delegated to specified officers**

The Council receives about 200 applications a week and it would be impractical to report them all to the Committees for determination. So, many minor and non-controversial applications are decided by specified senior officers acting under delegated powers and currently deal with 97% of applications by delegated powers.

Members are sent a weekly list of planning applications received, and if you have any questions please contact the relevant team leader or the case officer. If you do decide to request that an application is reported to the Committee for determination rather than being dealt with under delegated powers, you will be expected to set out your reasons and you must attend the committee meeting in person to speak either for or against. If you cannot attend the meeting, you must send a substitute.

In addition, each week we notify you of the more significant applications which we intend to decide under delegated powers. These are known as 'DIRM' cases (Delegated Items Referred to Members). These applications are also shown to the Chairman before each Committee meeting and need his/her agreement before we make the decision. If you have any queries on any DIRM case, please contact the relevant Team Leader.

## **3. COMMITTEE PROCEDURES**

### **The Director's Reports**

The agenda contains separate reports for all the applications that are to be considered. Each report starts with a table of information, a recommendation, a map and photo(s), several relevant drawings, a short summary and a list of consultees and their responses. It then describes the development proposals, details the relevant planning issues and policies and provides a justification for the officers' recommendation. Usually the recommendation is to either grant or refuse permission and is the professional advice of the Town Planning service. At the end of each report, the draft decision letter(s) sets out the conditions or reasons for refusal.

The use of concise reports with clearly justified recommendations has been identified as good practice in various investigations into local government procedures. It assists the debate on development proposals to proceed in a structured and disciplined manner. Importantly it provides evidence that the decision was made in a thorough, proper and considered way.

Any report that asks the Committee to decide whether to confirm a Tree Preservation Order (TPO) is written by the Head of Legal Services. This is because the original decision to make the TPO will normally have been made by the Director under delegated powers; the report to Committee asks Members to balance the reasons for the making of the order against the concerns of objectors to the Order. The Committee, therefore, has a quasi-judicial role in these cases. A tree officer will be present, but only to answer technical questions, not to justify the making of the Order.

Committee may also consider applications to fell TPO trees because they may be causing structural damage and there is a claim for compensation. Such cases are confidential as they raise financial implications for the Council.

The agenda papers are usually sent to you on the Wednesday preceding the Tuesday Committee. In addition to your agenda you will also receive a bundle of background papers (green front cover) which contain copies of the representations that have been received on the agenda items.

Chairs of the Committee are advised of the numbers of people who have applied to speak at Committee by the Committee Officer normally on Friday afternoon once the deadline to register has closed.

Late representations (blue front cover) will be sent to you in the Members' Dispatch the Thursday before the meeting (these include any representations received after the committee report was written). Very late representations (red front cover) will be presented at the committee meeting by the presenting officer.

### **Officers attending Committee**

The **presenting officer** gives a short presentation which describes the proposal, summarises the representations received, describes the impact of the development on neighbours and explains the relevant planning policies and the reason for the recommendation.

We use several monitor screens to show drawings, photographs etc to the members of the Committee, with the images also being relayed to several large flat screens in the public gallery.

The **design officer** at committee gives specialist urban design, architectural and conservation advice and answers your questions on these issues.

The **presiding officer** is present to assist you with more difficult questions and give advice on strategic and corporate policy issues. This will be one of the Area Team Leaders.

A **Legal officer** will be in attendance to ensure legal issues can be fully addressed.

Whenever there is a need for the availability of further expertise relevant officers (for example environmental Health officers, highways engineers) will attend to ensure that Members have a full range of advice and guidance to make robust decisions.

### **Public Speaking at Committee**

We notify all those people who make representations including the agent that an application is going to Committee .If they wish to register to speak , this must be done on line [www.westminster.gov.uk/planning-committee](http://www.westminster.gov.uk/planning-committee) and they must register by 12 noon on the Friday before the Committee .

The Committee section will email the Chairman/Committee Members and the presiding officer the names of people who have registered to speak on Friday afternoon and whether speaking in support or against.

It has been agreed that each individual speaker attending the Committees will have 3 minutes to speak.

Speakers at Major Applications Committee are capped at 2 for and 2 against. Sub-Committee it is 1 speaker for and 1 against. If there are more speakers than slots more than one speaker they are asked to either nominate a person to speak on their behalf, or the slots will be divided.

Ward Councillors and the local amenity society if they wish to speak at Committee must also register on line by Noon on Friday.

Late representations to speak after the deadline will not normally be permitted.

Speakers are invited after the officer's presentation to sit at the desk and address the Committee. On our website is a list of the material planning considerations Committee can consider and those which cannot.

<b>Order of Business</b>	
<b>i)</b>	<b>Planning Officers presentation of the case</b>
<b>ii)</b>	<b>Applicant/agent or other supporters</b>
<b>iii)</b>	<b>Objectors</b>
<b>iv)</b>	<b>Amenity Society (Recognised or Semi Recognised)</b>
<b>v)</b>	<b>Ward Councillor(s) and/or MP(s)</b>
<b>vi)</b>	<b>Council Officers response to verbal representations (if required)</b>
<b>vii)</b>	<b>Member discussion (including questions to officers for clarification)</b>
<b>viii)</b>	<b>Member vote</b>

### **Making a Decision**

The order of items on the agenda will have been arranged by officers, usually with the more major or contentious items at the start. However, the Chairman will decide the order in which the cases will be considered, and it depends on whether people have registered to speak

It is usual for items where there are Ward Councillors present to be taken first, followed by items for which there are members of the public present. The presentation, therefore, is not always in agenda order. Overall, the agenda usually comprises between 3 and 8 items.

You may agree or overturn the recommendation or may include additional conditions or agree the recommendation subject to a legal agreement if justified in planning terms. A decision on an item may also be deferred if you wish to visit the site, or consider that further consultations should be undertaken, additional information or clarity is required, or you wish officers to seek modifications to the scheme. Deferred decisions are generally brought back to same Committee for the decision.

Draft decision letters are sent out with your Committee papers. Proposals to grant permission or listed building consent normally include several conditions attached, and these can cover design issues such as the submission of samples of materials and design details, controlling future uses, and limiting hours of building work. An informative is added to decision letters granting planning permission and listed building consent, which summarises the reasons for approval. Decision letters which refuse planning permission/listed building consent must include reason(s) why the development is not acceptable.

### **Overturning a Recommendation**

Sometimes you may not reach the same conclusions as officers and decide not to accept the recommendation, In making their recommendation, the case has been fully assessed by the professional planning officers and pursuant to Council's policies. Decisions are subject to legal challenge and therefore care is required to ensure that such decisions are defensible at appeal or Judicial Review and there is the additional risk of a costs award against the Council where a decision is found to be unreasonable. Planning decisions are often difficult, they require the balancing of conflicting factors and judgement on the weight to be attached to different elements of the consideration. The Presiding Officer is there to assist you and you can ask their professional judgement.

However, where you decide contrary to the officers' recommendation, or impose additional conditions or reasons for refusal, you **must give sound and clear-cut planning reasons** for your decision. You do not have to agree the detailed wording for the extra condition or reason for refusal. This can be brought back for ratification later if necessary but is usually entrusted to senior officers to deal with under their delegated powers. However, you must make clear the **planning reasons** that have led to your decision. It is therefore essential that the grounds for the decision are given and minuted at the Committee meeting, particularly where the recommendation is overturned.

Failure to do this would make it very difficult for the Council to defend its decision on appeal. It is also likely to lead to **a claim for costs being made against the Council**. (See section 8) and raises reputational issues for the Council.

Members will be asked to vote in respect of the final recommendation by a show of hands. The Committee Chairman does have the casting vote. The vote is recorded in the committee minutes.



York Watergate, WC2

#### **4. OTHER TYPES OF APPLICATIONS**

In addition to planning applications, the following types of applications are submitted under the Planning Acts.

##### **Listed Building Consent**

There is an enhanced procedure for proposals involving Listed buildings. Consent is required for most works (both internal and external) to a listed building. These applications may be submitted on their own where the works are purely internal, or in conjunction with planning applications when both internal and external work is proposed. Most applications relating to Grade II listed buildings (the lowest grade) can be decided by the Council without formal clearance from Historic England, as with planning applications. However, for applications involving demolition, and all applications affecting Grade I and Grade II\* buildings, the City Council cannot issue a listed building consent until formally authorised to do so by Historic England. Committee Members are therefore not the sole decision makers in these cases.

The main issues to be considered when dealing with listed building consent applications are the likely effects of the proposal on the architectural or historic qualities of the building.

Section 16(2) of the Planning (Listed Buildings and Conservation Area) Act states:

“In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”

In certain circumstances a further layer of decision making occurs as approval is required from the Secretary of State for the total demolition of a listed building and for any listed building application where the City Council itself is the applicant.

The Planning (Listed Buildings and Conservation Area) Act also gives guidance for situations where the Council is considering a *planning* application affecting a listed building. Section 66(1) states:

"In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

### **Advertisement consent**

Separate regulations cover the procedures and relevant considerations for advertisements, which include shop signs, blinds (with writing on) and estate agents' boards. Most small scale, low level, non-illuminated signs do not require consent from the City Council. Material considerations in the determination of Consent are specifically limited to **public safety or amenity**.

With respect to estate agents' boards, the City Council has several specially designated areas ('Regulation 7 Areas') where no signs advertising residential properties are allowed, and where we will only permit signs on commercial properties when the detailed design accords with an agreed code and for a limited six-month period.

### **Planning Enforcement**

Local planning authorities provide planning enforcement services which are a vital part of the planning process. By identifying and tackling cases of unauthorised development, the enforcement process ensures fairness, stops unacceptable development and gives communities confidence in the system. The Localism Act 2011 gave new powers to local planning authorities by extending the time available to them to investigate cases where unauthorised development has been deliberately concealed.

Although effective planning enforcement is fundamental to the integrity of the system, responses to breaches of planning control should always be proportionate. Where work has been undertaken without the necessary permission, there is scope to apply retrospectively for planning permission, and we do request that applicants apply to regularise the situation.

These powers do not condone development being undertaken without the correct permissions, but they do enable local authorities to use their planning enforcement powers proportionately.

Because of an enforcement investigation, a retrospective application is made. In determining such applications at committee members must ensure that the same process of ensuring a robust and consistent decision is made. The fact that unauthorised works have taken place does not change the range of material considerations that determine the decision. The

application must be determined on its planning merits and its retrospective status is NOT in itself a material consideration.

## **5. MAKING PLANNING DECISIONS**

Planning applications are determined in accordance with the statutory development plan, unless material considerations indicate otherwise. The planning system is plan led which means that compliance with planning policy is paramount For Westminster the statutory development plan consists of Westminster's City Plan 2016, the Unitary Development Plan, the London Plan and any neighbourhood plans. The scope of what can constitute a material consideration is very wide, so long as they relate to land use in the public interest, so that the protection of purely private interests such as the impact of a development on the value of a neighbouring property or loss of private rights to light are not material considerations. It is for the decision maker to decide what weight is to be given to the material considerations in each case.

### **National Planning Policy Framework (NPPF)**

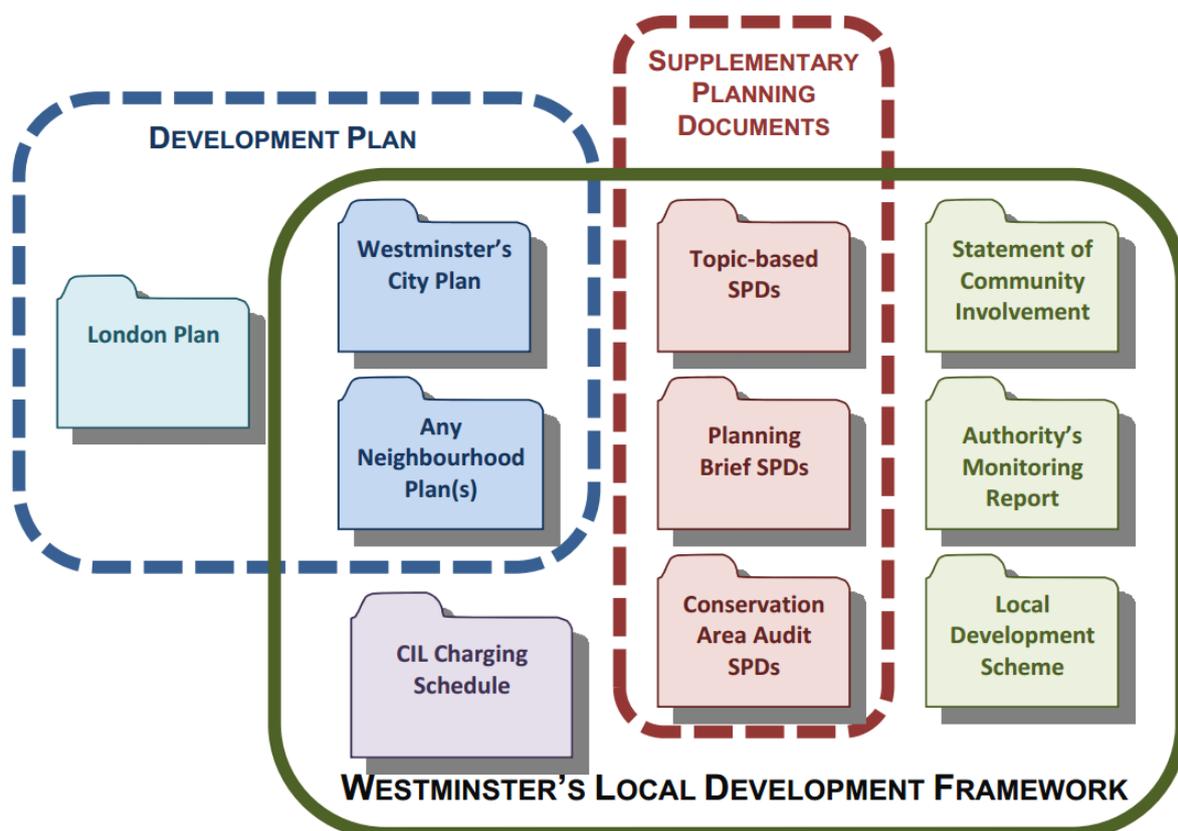
In July 2018, the Government published an updated version of the National Planning Policy Framework (NPPF). This sets out national planning policies for England. It makes clear that the purpose of planning is to help achieve sustainable development, covering economic, social and environmental aspects. It covers both plan-making and the taking of planning decisions. The policies in it must be considered in preparing Local Plans and neighbourhood plans and it is a 'material consideration' in deciding planning applications. However, it does not dictate how local and neighbourhood plans should be written or planning outcomes but is rather a framework for their preparation – we must have regard to what it says but can depart from it where there are sound reasons for doing so.

The recently revised NPPF is a shorter document, and again it is strongly focused in favour of sustainable development and the delivery of more housing.

The NPPF is backed by detailed national guidance on topics brought together in National Planning Practice Guidance. This, for example, deals with the specific requirements around securing affordable housing and administration of the Community Infrastructure Levy.

### **Westminster's Planning Framework**

The diagram below shows the documents which make up Westminster's Local planning policy – each element is explained in more detail below.



## The London Plan

In London the Mayor remains responsible for producing a strategic plan for the capital, in the form of his “spatial development strategy” - commonly known as the London Plan. The London Plan provides London boroughs with an overarching framework for their local plans, helping them to tackle strategic as well as local issues effectively. Local Plans in London need to be in line with (in ‘general conformity’ with) the London Plan, which also guide decisions on planning applications by London borough councils and the Mayor as it forms part of the statutory development plan. Policies in the London Plan are therefore a material consideration in the determination of planning applications. The current London Plan was adopted in 2016.

There have been several major changes to the London Plan following the election of the new Mayor. Consultation of the draft London Plan finished in March 2018 and the examination in public opened in January 2019 and is likely to report in Autumn 2019. It is a material consideration in the determination of planning applications and can be given some weight due to its submission to the Secretary of State for examination in January 2019. The Mayor has produced several supplementary planning documents and of relevance to Westminster are:

Culture & the Night-time Economy Nov 2017  
Affordable Housing & Viability August 2017

## Major Applications Referred to the Mayor

Several major planning applications are referable to the Mayor (developments over 30 m in height, over 150 residential units or on Metropolitan Open Land). The initial consultation

which is undertaken when the application is received is known as Stage 1 referral and is referenced in Committee reports. Following the Committee Council resolution, the application is referred to the Mayor known as Stage 2. The Mayor has 14 days to produce his Stage 2 report and can either be content for the Council to issue approval, or he can direct refusal or call in the application to be determined by the GLA. The mayor does exercise this power.

## **Westminster's Local Plan**

Local Plans are the key documents through which local planning authorities can set out a vision and framework for the future development of the area, engaging with their communities in doing so. Local Plans address needs and opportunities in relation to issues such as housing, the local economy, community facilities and infrastructure. They should safeguard the environment, enable adaptation to climate change and help secure high quality accessible design. The Local Plan provides a degree of certainty for communities, businesses and investors, and a framework for guiding decisions on individual planning applications.

Producing the Local Plan is a shared endeavour – led by the Council but in collaboration with local communities, developers, landowners and other interested parties.

Westminster's local plan is the City Plan which was adopted in November 2016. In conjunction with the City Plan saved Unitary Development Plan (UDP) policies (adopted 2007) are also used to determine planning applications. The saved UDP policies are increasingly outdated and must be replaced by up-to-date detailed development management policies – if not there is the risk that they will be given less weight by inspectors at appeal or by the Mayor and ministers in taking planning decisions affecting Westminster.

## **Draft City Plan**

The City Council is currently working on a review of its City Plan. Informal consultation on the first draft of the City plan 2019-2040 took place between 12.11.2018 and 21.12.2018. Following this informal consultation, any representations received are being considered and the draft plan will be revised in advance of formal consultation under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012. Given the very early stage in the consultation process, the policies in the emerging draft City Plan are given limited weight now. It is anticipated that the Regulation 19 version of the new City Plan will be issued in June 2019.

## **Neighbourhood Plans**

Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area. Communities can prepare plans with legal weight as part of the statutory development plan and can grant planning permission for the development they wish to see through a 'neighbourhood development order'.

In Westminster there are 20 designated Neighbourhood Areas, The Knightsbridge Neighbourhood Plan has been recently adopted (December 2018) and is a material consideration in determining planning applications in Knightsbridge Neighbourhood Area. You will see reference to Neighbourhood Plans in the committee reports.

## **Supplementary Planning Documents**

Supplementary Planning Documents (SPDs) expand on adopted planning policy to provide more detailed information that can be contained in the policies themselves. They give guidance to the public, applicants and developers when making planning applications. In some cases they may set out how policies apply to a particular site.

SPDs do not have the same status as the policies within the Development Plan but have been subject to public consultation and are taken into account as material considerations in dealing with planning applications. They have to be consistent with adopted local plan policies and cannot be used to make new policy.

Westminster has adopted a number of SPDs which are either topic based (e.g. basement development, design matters, statues and monuments etc), conservation area audits or planning briefs. 28 of Westminster's 40 adopted supplementary documents (some are called supplementary planning guidance, or SPGs) were published prior to the adoption of the Unitary Development Plan in 2007 and could therefore be challenged for their relevance. A review of the SPD's will be carried out this year. However, they can be referred to in Committee reports.

## **Statement of Community Involvement**

The Statement of Community Involvement (SCI) sets out how the council will involve the community in the planning process. It sets out the principles for consultation on planning policy documents and for development. For the purposes of Committee reports, consultation procedures and obligations are carried out on Planning proposals in line with legislation and any additional requirements from the SCI.

## **Material Planning Considerations**

This section examines what you should, and should not, consider when deciding planning applications.

In addition to the development plan, it is very important that any other 'material considerations' are considered. The case law on what is or is not 'material' under the planning acts is complex, and officers will give guidance on these matters in reports and at Committee.

Nevertheless, there are some issues (prevention of loss of residential accommodation, protection of historic buildings) where the Secretary of State and the Courts recognise that there should always be a strong presumption in favour of the policy as they are clearly interests of importance. Below are some notes on some of the matters that may arise:

## **National Planning Policy and Guidance.**

The Government's planning policies for England are set out in the revised National Planning Policy Framework (NPPF). The NPPF essentially introduced a presumption in favour of sustainable development and makes it clear that the Government expects planning applications to be granted unless there are very good reasons to the contrary. It provides a framework within which local people and their councils can produce their own

local and neighbourhood plans, which reflect the needs and priorities of their local communities.

### **Third Party Interest.**

Planning is concerned with protecting the public interest, and not with the protection of the private interests of one person against the activities of another. For example, the effect of a proposed development on a neighbouring property in terms of the light it receives as a result, or the privacy of the occupiers, is a valid planning consideration but judged on the basis of fact and degree as it relates to the quality of the community's living environment. However, the financial implications for the neighbour in terms of the value of their property or the effect of any competition on their business, are not valid planning considerations.

### **Moral Considerations.**

It is not acceptable in law to refuse permission for a use on the basis of a moral objection. Permission could, however, be refused should the use be contrary to a planning policy that aims to protect the character and function of an area. Thus, a betting shop or a sex shop cannot be refused purely claiming it is not considered to be a desirable use, nor claiming there are already several others nearby. However, if a proposed betting office would displace a use that serves a useful local function or would lead to an imbalance in the range of shops and services that is detrimental to the character of the area, then refusal could possibly be sustained because they are embedded in the policy framework

Note that uses which may provoke objections on moral grounds e.g. sex shops, also require licences from the Licensing Sub-Committee where wider issues may be considered.

### **Financial Considerations**

This is most likely to arise when applicants propose to offer less affordable housing than our policy sets out to achieve. Our usual practice is to commission an independent viability appraisal. Recommendations to committee will be based on the outcome of this independent study. If you wish to see the full viability reports, please contact the presiding/presenting officer prior to the committee meeting.

The City Council requires that applicant's viability assessment should be prepared on the basis that it will be made publicly available other than in exceptional circumstances. A redacted version is submitted and uploaded on our website.

Financial considerations are gaining in prominence as the NPPF urges a positive approach to economic growth and the Mayor is also carrying out a second viability assessment on Stage 2 referrals and introducing post viability reviews on major schemes. There is a fine balance to be reached in respect of applications which raise viability issues.

### **Personal Considerations.**

The identity of a developer or occupier is not usually a material consideration as planning permission relates to the property and normally continues whoever owns or occupies that property. Personal circumstances are sometimes put forward in support of planning applications, where it is argued that serious personal hardship will result if permission is

refused.

In the case of change of a use, it may be appropriate to take considerations of severe personal hardship or very special circumstances into account. A change of use can be a temporary arrangement and permission, in exceptional circumstances, can be given specifically to an individual, or for a specified time, to expire when that person no longer requires the property for that purpose. In the case of personal permissions, when the named person leaves the property, it has a 'nil' use (i.e. any future use requires the benefit of planning permission). Temporary and personal permissions should be used with care as it is often difficult to 'recover' the original use or argue that continued use (or use by another person) would be harmful.

These considerations will be fully explained in Committee reports.

### **Consistency of Decisions**

The Committee must be consistent in the decisions it takes on similar cases in similar circumstances. Planning authorities must behave equitably between applicants and must be seen to do so. Personal circumstances would need to be very exceptional to justify treating similar applications differently.

Inconsistent decisions can lead, at the very least, to an appeal being upheld, or the award of costs against the local authority for acting unreasonably. (More advice on costs at appeal is given later in this guidance note). In extreme cases, the decision may be quashed in the Courts or be revoked by the Secretary of State, with the payment of compensation to the applicant.

Any previous relevant planning decisions made in respect of the site or on nearby similar properties should be considered, as should relevant appeal decisions.

### **A Summary of Dos and Don'ts**

It is important to remember that the Committees are meetings held in public. There will be an audience with applicants and objectors present to listen to the discussion of their application, and notes may be taken of the proceedings. The applicant, their agents, local amenity societies, residents and Ward Councillors can now register to speak at the committee meetings. The meeting is also recorded. The Committee meetings will be live streamed shortly, and therefore it is important that meetings are conducted in a professional manner. Well conducted planning Committees provide confidence to residents and applicants to invest in the borough as they are symbolic of robust decision making.

The substance of the discussion could be relevant in an appeal against the decision or a legal challenge. Issues discussed may also be referred to the Local Government Ombudsman if there is a charge of maladministration. In extreme cases, there could also be claims of wilful misconduct by Members. If upheld, such charges can lead to personal surcharge and disbarment from public office.

Here are the key dos and don'ts:

**DO HAVE REGARD TO:**

- **The Development Plan (i.e. the City Plan /UDP and Regulation 19 version of City Plan 2019 and existing and emerging London Plan and adopted neighbourhood Plans.**
- **Central Government guidance**
- **Other material considerations set out in the report.**
- **Relevant comments made by residents and other consultees- where they raise legitimate planning grounds/ degree of harm**
- **Consistency of decisions**
- **Giving clear planning reasons for overturning an officer's recommendation**
- **Giving clear reasons for an application's deferral and thereafter its decision-making route**
- **Declaring any interests, you may have that could affect your impartiality**

**DO NOT HAVE REGARD TO:**

- **Matters raised in representations that are not pertinent to planning such as loss of property values or covered by other legislation**
- **Whether the application is retrospective**
- **Other uses that would be preferred\*\***
- **Matters covered by other legislation such as licensing (although there will be overlaps)**
- **Moral considerations**
- **The identity of the applicant (in most cases)**
- **Private interests such as party wall matters, disputes between owners, (unless coinciding with the public interest)**

\*\* Other uses you would prefer to see are not material considerations. You must judge the submitted application on its own planning merits.

**IN CONSIDERING APPLICATIONS WHERE A DECISION WAS PREVIOUSLY DEFERRED BY COMMITTEE, DO HAVE REGARD TO:**

- **Only those matters for which the application was deferred – generally it will not be appropriate to re-open matters that were previously considered and agreed by an earlier committee**

- **New representations received, particularly those that relate to the matters for which the application was deferred**
- **Any new matters raised as a direct result of a revised proposal**



St James's Park, SW1

## 6. CONDITIONS IMPOSED ON PLANNING PERMISSIONS

Local authorities have the power to impose such conditions as they think fit on planning permissions to make otherwise unacceptable development acceptable. Such conditions must, however, comply with the requirements of the National Planning Policy Framework and the associated advice on the use of planning conditions in the Government's Planning Practice Guidance. Planning conditions should only be imposed where they are:

**Necessary** – would the development be unacceptable without the condition?

**Relevant to planning** – the condition must relate to planning objectives and be within the scope of the permission to which it is attached. It should not be used to control matters which can be regulated under other legislation.

**Relevant to the development to be permitted** – the condition should directly relate to the development that is the subject of the permission. It is not, for example, acceptable to use the opportunity of a planning permission to obtain some improvement which is not necessitated by the proposed development.

**Enforceable** – a condition should not be imposed if it cannot be enforced by the local authority: e.g. where it would be impossible to detect a contravention or remedy any breach of condition, or where it concerns matters over which the applicant has no control).

**Precise** – the condition should be clearly worded so the developer is in no doubt as to what must be done to comply with it. Qualitative terms such as 'tidy' or 'nuisance' require interpretation.

**Reasonable in all other respects** – a condition should not be so restrictive that it nullifies the benefit of the planning permission or places unjustifiable/disproportionate burdens on the applicant: e.g. one that imposes unrealistic opening hours. Conditions that require liability for works such as maintenance would also be unreasonable.

It must always be remembered that applicants can appeal to the Secretary of State against the imposition of any condition, so care should be taken that conditions meet all the above tests.

The City Council uses many standard conditions and informatives and if you require any further information please contact the Team Leader.

You may also see reference to a condition (known as a 'Grampian Condition') that prevents any works commencing until appropriate arrangements are in place to secure the agreed planning benefits from a Section 106 Agreement. To comply with the requirements of the condition, the applicant will usually have to complete a Section 106 agreement to discharge this condition prior to starting works on site.

From 1 October 2018, any Pre-Commencement Condition now needs the applicants' written agreement and they are given 10 days' notice. If an applicant fails to agree to a pre-commencement condition, we can refuse planning permission. You will see reference to these pre-commencement conditions in the Committee reports

## 7. PLANNING OBLIGATIONS (SECTION 106 AGREEMENTS)

### Introduction

A planning obligation can involve a legal agreement between the Council and the applicant (and others) or can be offered by the applicant unilaterally. It secures some additional works or other benefits **that are required to make a development proposal acceptable** and which, cannot be secured by a planning condition. They may **prescribe** the nature of the development, **compensate** for loss or damage created by the development; or **mitigate** a development's impact.

The legal mechanism for achieving planning obligations is set out in Section 106 of the Town and Country Planning Act 1990.

Where planning permission is granted for development that includes planning obligations, permission is granted subject to a 'Section 106 legal agreement', which ensures that the obligation is provided. Planning permission is therefore not issued in these cases until that Section 106 has been completed. An obligation is a charge on the land and is enforceable on successors in title to the land.

Advice on the use of planning obligations is provided in the National Planning Policy Framework and in the planning obligations section of the Government's Planning Practice Guidance. The advice makes it clear that the circumstances where obligations will be sought should form part of the development plan. Planning obligations should only be used where it is not possible to address unacceptable impacts of the proposed development by imposing conditions. Planning obligations should only be sought where they are:

1. **Necessary** to make the proposed development acceptable in planning terms.
2. **Directly related** to the proposed development.
3. **Fairly and reasonably related in terms of scale and kind** to the proposed development;

So, for example, under test 3 it would be reasonable that a developer be required to pay for the upgrading of infrastructure that serves the development, but the payment should be related to the degree to which the development would benefit from the upgrading.

The obligations offered may be considered insufficient, and therefore the application may be considered unacceptable on legitimate planning grounds – its failure to satisfy policy requirements, or to appropriately mitigate its impact. However, the NPPF requires that account should be taken of market conditions and that planning obligations should be sufficiently flexible to prevent planned development being stalled.

**The offer of planning obligations cannot make an unacceptable development proposal acceptable.** The form and extent of the obligation is assessed as part of the development proposal. Occasionally, obligations are offered that go beyond what is strictly necessary or directly related to the development proposal. In these circumstances the obligation can, so long as it has some relationship to the development proposed, be accepted. However, it should not be given weight when assessing the merits of the development proposal.

It follows, based on the published advice, that planning obligations should not be viewed as a general opportunity to gain some benefit unrelated to the development in return for a grant of planning permission.

The Council will be updating its Supplementary Planning Document on planning obligations in the light of the new draft City Plan and central government advice in the new NPPF. It is most important for the integrity of the planning system and robust decision making that all obligations secured are dealt with in an open and impartial manner.

### **Acceptable Planning Obligations**

These are examples of items normally accepted as planning obligations:

- (i) The environmental improvement of an area or building outside the development site.
- (ii) The dedication of land or facilities for public recreation, cultural or social use, e.g. areas of public open space, sports facilities or community uses.
- (iii) The provision of light industrial floorspace to be safeguarded in perpetuity for this use, and not to change to office use. (Both uses are normally in the B1 Use Class).
- (iv) The restoration of a listed building or one contributing to a conservation area, over and above the normal maintenance works expected from any property owner.
- (v) The provision of affordable housing.
- (vi) employment training/contribution.

By the time an application comes before Committee, negotiations will have been undertaken to secure the most appropriate development, and, where appropriate, benefits which are related to the development. The weight to be given to these aspects will be addressed in the report. The report will describe the type of obligation offered, and whether it is considered to satisfy the relevant planning policies.

If you are not satisfied with obligations negotiated by officers you may wish to instruct us to negotiate for more, or different, benefits. **However, it is essential that all negotiation for obligations have regard to Government advice and Development Plan policies.** The applicant has the right to appeal against non-determination and, as with appeals against refusal of planning permission, the City Council is at risk of an award of costs if it has acted unreasonably (see Section 8). The City Council should also be seen to be taking a consistent approach to the application of its policies. If either Members or officers are considered to have acted unlawfully or improperly, then there is the risk of an Ombudsman investigation resulting in costs against the City Council and/or individual Members. In exceptional cases aggrieved third parties could seek a judicial review to have the Council's decision quashed.

**Here are the key dos and don'ts.**

<b>DO:</b>
<ul style="list-style-type: none"><li>• <b>Ensure that the obligation is clearly related to the development</b></li><li>• <b>Ensure that the scale of the obligation reflects the scale of the development (it is unreasonable to expect wide scale environmental benefits in relation to a minor scheme)</b></li><li>• <b>Ensure that correspondence relating to the obligation is clear in terms of what is on offer and is available for public scrutiny</b></li><li>• <b>Ensure that the obligation is linked to an agreed programme of works for which there is a commitment to implement (e.g. the obligation should not be in the form of a financial contribution unspecified in purpose)</b></li></ul>

<b>DO NOT:</b>
<ul style="list-style-type: none"><li>• <b>Deal with obligations in a way that is not easily accessible to public scrutiny</b></li><li>• <b>Accept an offer of a contribution of money to the Council for unspecified works</b></li><li>• <b>Approve an unacceptable scheme purely to achieve the obligations on offer</b></li><li>• <b>Insist upon obligations when a scheme is clearly acceptable without them - in such circumstances the benefits can be requested but not insisted upon</b></li></ul>



Portland Mews, Soho W1

## 8. APPEALS AND AWARDS OF COSTS

An applicant can lodge an appeal to the Secretary of State against the Council's decision to refuse planning permission or to impose conditions on a planning permission. The Council has a good record of defending the Council's decisions and overall more than 69% of appeals are dismissed.

In any appeal, an appellant may make a claim for costs against the Council. Costs may be awarded where a party has behaved unreasonably, and this behaviour has directly caused another party to incur unnecessary or wasted expense in the appeal process. Unreasonable behaviour can be related either to the appeal process or the issues arising from the merits of the appeal and can include unreasonable refusal of planning permission, unjustified imposition of planning conditions, unreasonable issue of an enforcement notice or in relation to how the application or enforcement case was handled. A full or partial costs award may be made.

The Council may also seek costs from appellants if they have acted unreasonably and caused the Council unnecessary expense. For example, the Council may seek costs if an appellant pursues an appeal where it was clear that there was no chance of success. Costs may also be claimed if an appellant pulls out of an appeal at a late stage, where the Council has incurred significant expense in preparatory work.

In addition, an award of costs may be made by an Inspector or the Secretary of State on their own initiative if they consider that one party has behaved unreasonably resulting in unnecessary expense and another party has not made an application for costs against that party.

Advice on appeals and award of costs is available in the Appeals section of the Government's Planning Practice Guidance.

## 9. LIST OF CONTACTS

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## Appendix 1- Background to Planning

### Development

Planning permission is needed for “development”. Development is defined in the Planning Acts as: 'the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land.' Thus 'development' can take the form of either physical works to a building or land, or a change of use of the building or land.

While this definition may seem relatively straightforward there are areas of uncertainty and the legislation gives further guidance. In particular, it makes clear that only works that affect the external appearance of a building require planning permission. Also, it allows people to use their homes for any purpose connected with its residential use. For example, this allows people to work from their homes without obtaining planning permission, but certain restrictions apply. The residential unit must not be divided into more than one unit and the main residential purpose and character of the dwelling must be maintained. Until 2014 demolition in a conservation area required conservation area consent, but this has been abolished, and demolition is dealt with by the planning permission.

If someone is unsure whether their proposal constitutes development, they can apply to the Council for a formal determination. This is known as a Certificate of Lawfulness.

To simplify the process further, the law allows a whole range of minor development to take place without the need for planning permission. These exemptions from planning control are set out in the General Permitted Development Order 1995, which sets out categories of 'permitted development', and the Use Classes Order 1987. Both orders have been amended on several occasions since they were originally published.

### Permitted Development

Some types of development may already be permitted nationally, and for these there is no need to apply for planning permission. Permitted development rights are, however, typically subject to conditions and limitations that control development impacts. If development proposed does not meet with the conditions and limitations of permitted development, then it is necessary to apply to the local planning authority for planning permission. We cannot apply the Council's adopted planning policies in dealing with certificates of lawfulness, it is a straight forward assessment is the scheme lawful or not.

Several new permitted development rights have been introduced in recent years to boost housing supply and enable appropriate development to take place more quickly. The Government introduced in May 2013 a number of prior approvals, these include larger householder extensions affording greater freedom for homeowners to improve and extend their properties without the need to apply for full planning permission (subject to appropriate engagement with neighbours). The Government also introduced the prior approval regime which covers a variety of different changes of use for example change of use of offices to residential use, shops/restaurants to residential use, and temporary changes of use for a 2 year period.

The Government in the Chancellors Budget speech announced further changes to prior approval regime. An update of the most recent changes which came into force at the end of May 2019 have been circulated to Members. These changes made the larger householder extensions permanent, extending temporary changes of use from 2 to 3 years and now

includes some Class D1 uses and removing the permitted development rights for telephone boxes.

There is growing opposition to the prior approval rights which allow offices to be converted into flats, as such schemes do not have to provide affordable housing, standard of accommodation and anti-social behaviour. Westminster has an Article 4 that covers offices inside CAZ which removes these permitted development rights.

**Article 4 Directions**

An Article 4 Direction is a direction under Article 4 of the General Permitted Development Order which enables the local planning authority to withdraw specified permitted development rights across a defined area. This would bring these types of development within the control of the planning process. There are several Article 4 Directions in place in Westminster – for example to limit basement development, prevent the change of use of shops (A1 Use Class) to financial and professional services (A2 Use Class) in the Core Central Activities Zone, prevent changes of use from offices to residential in CAZ and minor alterations in certain conservation areas/streets such as the Queen’s Park Estate.

**Use Classes**

The Use Class Order defines several groups of uses that are sufficiently similar in terms of their impact on the local environment that a change of use within a class, although it may be significant, does not need planning permission. The major Use Classes which are commonly found in Westminster are:

<b>A1</b>	SHOPS	<i>Chemist, grocer, bakers, butcher, hairdresser, ticket/travel agency, off licence, cold food take-away (e.g. a sandwich shop), post office.</i>
<b>A2</b>	FINANCIAL AND PROFESSIONAL SERVICES	<i>Bank, building society, estate agent, betting shop.</i>
<b>A3</b>	RESTAURANTS AND CAFÉS	<i>Businesses where the primary purpose is sale of food and drink for consumption on the premises.</i>
<b>A4</b>	DRINKING ESTABLISHMENTS	<i>Pubs, bars, wine bars.</i>
<b>A5</b>	HOT FOOD TAKEAWAYS	<i>Businesses where the primary purpose is sale of hot food for consumption off the premises.</i>
<b>B1</b>	BUSINESS	<i>Office, light industrial, hi-tech studio.</i>
<b>B2</b>	GENERAL INDUSTRIAL	<i>General industrial processes</i>
<b>B8</b>	STORAGE & DISTRIBUTION	<i>Warehousing or other storage, premises where goods are stored prior to distribution.</i>
<b>C1</b>	HOTELS	<i>Hotels, boarding houses but not hostels.</i>
<b>C2</b>	RESIDENTIAL INSTITUTIONS	<i>Nursing home, residential school, hospital.</i>
<b>C3</b>	DWELLING HOUSES	<i>Flats, houses, or 6 people living together as a single household (including a household where care is provided for residents).</i>
<b>D1</b>	NON-RESIDENTIAL INSTITUTIONS	<i>Medical/health centre, crèche, day nursery, school, museum, library, exhibition hall, public worship</i>

D2	ASSEMBLY AND LEISURE	<i>Cinema, concert hall, bingo hall, dance hall, swimming bath, gymnasium.</i>
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There are also certain uses that are specifically excluded from any use class, such as casinos, night clubs, hostels, theatres, amusement arcades, petrol stations and car showrooms. These are known as **sui generis** uses. Wholesale showrooms (such as the clothing showrooms in East Marylebone) are also treated as *sui generis* uses.

As already mentioned the Permitted Development Order allows some changes of use without the need for planning permission. For *sui generis* uses, there are no permitted development rights.

Many activities do not fall neatly into a Use Class. For example, there is a 'grey area' between a Class A1 sandwich bar and a Class A3 café. To fall within Class A1, the sandwich bar must sell primarily cold food for consumption off the premises. However, a limited proportion of hot food sales, or a few tables and chairs on the premises would not necessarily take the use outside the retail Use Class. There are no hard and fast rules determining where to draw the line deciding whether a use is either A1 or A3 or indeed a mixed use falling into neither class. Many other catering activities will be a mix of Classes A3, A4 and A5. Each proposal of this kind needs careful assessment, considering whether one activity is very dominant, with other activities being 'ancillary', or whether the use is a mixed one falling outside any use class.

Thus, it is not always possible to control a change of use that may be viewed as undesirable. For example, the change of a local food shop or a post office to a coffee shop (as all uses fall within Class A1).

### **Certificates of Lawful Development**

There are three types of Certificates of Lawful Development. The first refers to development that has already been carried out without planning permission. A Certificate of Lawfulness of Existing Development must be granted when, by the length of time the development has existed, it has become lawful. That is, the planning merits cannot be considered. In the case of building works or residential uses, the development becomes lawful after four years. For all other uses, the time is ten years

In certain circumstances, it may not be clear whether planning permission is required for a development. The Certificate of Lawfulness of Proposed Development enables an applicant to seek a formal view on the need for making a planning application. The certificate would be granted where the development proposed does not require planning permission. Again, there is no assessment of the merit of the development proposed: the procedure is restricted to assessing only whether permission is required.

There is also a certificate of lawfulness which relates to very minor works to listed buildings which will not affect the character of the listed building as a building of special architectural and historic interest and therefore does not require consent and not liable to any enforcement action.

### **Works to Trees**

Consent is required for any works to trees covered by a Tree Preservation Order (TPO). In conservation areas, 6 weeks' notice must be given to a local authority before works to

trees are undertaken, thus giving the City Council the opportunity to consider making a TPO.

**Neighbourhood Plans**

There is significant flexibility in what neighbourhood plans can include – they can involve, for example, just a few policies on design or retail uses or they can be comprehensive plans incorporating a diverse range of policies and site allocations for housing or other development. But they must relate to land use and must be consistent with strategic policies in the local plan.

All neighbourhood plans, and orders are subject to an independent examination and a vote by the local community in a referendum. Only a neighbourhood plan or order that have been found to fit appropriately with local strategic and national policies and complying with the detailed legal conditions in the Localism Act 2011 and supporting regulations may be put to a referendum. Neighbourhoods with a substantial number of businesses (as many of ours do) are designated as “business areas”; here plans are subject to referendum among businesses as well as residents.

When a neighbourhood plan has passed examination, achieved successful local support through referendum and is then formally ‘made’ by the Local Planning Authority, it will form part of the statutory ‘development plan’ which is used by the local planning authority in deciding planning applications. This status, the community-led nature of neighbourhood planning and extra funding that the community has a degree of influence over through the community infrastructure levy (see below) are real incentives for communities to get involved.

**Community Infrastructure Levy**

The Community Infrastructure Levy (CIL) is a charge on development to help fund infrastructure which the council, local community and neighbourhoods require to help accommodate new growth from development.

The CIL charge is based on the size, location and type of development (although there are exemptions granted for certain categories of development). Westminster’s CIL Charging Schedule is shown below; rates are per square metre for developments where there is an increase of new build floorspace of 100 sq.m or more:

Use	Area		
	Prime	Core	Fringe
Residential (including all residential ‘C’ use classes)	£550	£400	£200
Commercial (offices; hotels, nightclubs and casinos; retail (all ‘A’ use classes and sui generis retail)	£200	£150	£50
All other uses	Nil		

The Council has a detailed governance arrangement to determine how monies collected under CIL will be spent. Under the CIL Regulations there are requirements to divide CIL revenue into “portions”:

Portion	Percentage of receipts	Process
City CIL Strategic Portion	70 - 80%	Spend decided by Council according to its strategic infrastructure priorities. Spend can be anywhere within Westminster - or outside – providing the infrastructure funded is required to support development in Westminster.
Neighbourhood Portion	Currently 15% of CIL collected in respect of development in each neighbourhood capped at £100 per council tax dwelling. This increases to 25% (uncapped) in places <b>where a neighbourhood plan is in place.</b>	<u>Queen's Park:</u> neighbourhood portion passed to the Community Council who spend it.  <u>Elsewhere:</u> funding <b>retained by the Council</b> and spent by it <b>in agreement</b> with the neighbourhood communities in which development paying a CIL has taken place.
CIL Administrative Expenses Portion	5% of CIL collected	Spend applied to costs of administrative expenses for collection and enforcement in line with legal restrictions on the use of this funding. (NB 4% of the Mayoral CIL collected by the council can also be retained for this purpose).

The Mayor's Community Infrastructure Levy was introduced in 2012 to help finance the Elizabeth line (formerly Crossrail) and is a charge of £80 per square metre on qualifying development in Westminster. Medical, education and affordable housing floorspace is exempt from the Mayoral CIL, all other net floorspace is liable.

Liability to pay CIL arises when planning permission is granted – at which point the council issues a "liability notice" (for this reason the final amount payable is not formally worked out until after permission is granted; we have a CIL Calculator on the council website to help developers work out how much they are likely to have to pay). It is paid within 90 days of development commencing, when a "demand notice" is issued.

The amount of money raised by CIL per year will fluctuate depending on the development cycle/economic conditions, and it is paid on commencement, and not on the grant of permission.

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## Community Services, Business and Planning Policy and Scrutiny Committee

<b>Date:</b>	9 November 2020
<b>Classification:</b>	General Release
<b>Title:</b>	<b>2020/21 Work Programme and Action Tracker</b>
<b>Report of:</b>	Richard Cressey, Head of Cabinet and Committee Services
<b>Cabinet Member Portfolio</b>	Cabinet Member for Business and Planning Cabinet Member for Community Services and Digital
<b>Wards Involved:</b>	All
<b>Policy Context:</b>	All
<b>Report Author and Contact Details:</b>	<b>Lizzie Barrett</b> <b>ebarrett@westminster.gov.uk</b>

### 1. Executive Summary

1. This report asks the Committee to agree topics for the 2020/21 work programme and to note the committee's action tracker.

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

- 2.1 The Committee is asked to:

- review and approve the draft list of suggested items (Appendix 1) and prioritise where required; and
- note the action tracker (Appendix 2).

### 3. Work programme

- 3.1 The proposed list of topics (Appendix 1) takes in to account comments by the Committee at its previous meeting and has been amended to take into account those discussions.

**If you have any queries about this report or wish to inspect any of the background papers, please contact Lizzie Barrett.**

**[ebarrett@westminster.gov.uk](mailto:ebarrett@westminster.gov.uk)**

**APPENDICES:**

**Appendix 1 – Master Work Programme 2020/21**

**Appendix 2 - Action Tracker**

**WORK PROGRAMME 2020/2021**  
**Community Services Business and Planning Policy and Scrutiny Committee**

<b>ROUND THREE</b> <b>9 November 2020</b>		
<b>Agenda Item</b>	<b>Reasons &amp; objective for item</b>	<b>Represented by</b>
Cabinet Member Q&A	To update the committee on key areas of work within its remit and the Cabinet Member's priorities.	Councillor Matthew Green, Cabinet Member for Business and Planning
Employment, training and skills	To explore the Council's approach to employment, training and skills, including the Westminster Employment Service, in light of the impact the COVID-19 pandemic; to consider how this contributes to the Council's overarching objective of revitalising the local economy; and to make recommendations.	Greg Ward, Director of Regeneration and Economic Development Tom Harding, Head of Responsible Economy
Planning Review	To receive an update on how the recommendations of the Planning Review have been implemented.	Written update to be provided to the committee

<b>ROUND FOUR</b> <b>1 February 2021</b>		
<b>Agenda Item</b>	<b>Reasons &amp; objective for item</b>	<b>Represented by</b>
Cabinet Member Q&A	To update the committee on key areas of work within its remit and the Cabinet Member's priorities.	Councillor Paul Swaddle, Cabinet Member for Community Services and Digital
Support for live arts sector due to the impact of COVID-19	To review the Council's approach to supporting the live arts sector in the wake of financial struggles due to the COVID-19 pandemic.	
Neighbourhood forums	To review the Council's approach to supporting neighbourhood forums.	

<b>ROUND FIVE 8 March 2021</b>		
<b>Agenda Item</b>	<b>Reasons &amp; objective for item</b>	<b>Represented by</b>
Cabinet Member Q&A	To update the committee on key areas of work within its remit and the Cabinet Member's priorities.	Councillor Matthew Green, Cabinet Member for Business and Planning
Major place shaping programmes	To review one of the Council's major place shaping (Harrow Road area, Soho area, Paddington area) and consider how these support the council's City for All and renewal objectives.	
Council's approach to the Voluntary and Community Sector, including VCS rent charging	To review the Council's approach to the Voluntary and Community Sector including charging rent to the Voluntary and Community Sector in council properties.	

<b>ROUND SIX 26 April 2021</b>		
<b>Agenda Item</b>	<b>Reasons &amp; objective for item</b>	<b>Represented by</b>
Cabinet Member Q&A	To update the committee on key areas of work within its remit and the Cabinet Member's priorities	Councillor Paul Swaddle, Cabinet Member for Community Services and Digital
Digital inclusion	To review the Council's approach to digital inclusion and assess the impact in reducing digital inequality	

<b>UNALLOCATED ITEMS 2020/21</b>		
<b>Agenda Item</b>	<b>Reasons &amp; objective for item</b>	<b>Represented by</b>
Climate change and planning policy	To review and provide feedback on how the environmental policies in the City Plan can be delivered.	
WAES strategic review	To review progress against recommendations in the WAES strategic review.	
Planning White Paper	To receive an update on the impact of the Planning White Paper on future planning policy/decisions in the City.	
City Plan	To review the City Plan and the work streams emerging from it.	
Create Church Street	To review the first round of Create Church Street.	

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### Community Services Business and Planning P&S Committee Action Tracker

<b>ROUND ONE</b> <b>8 JUNE 2020</b>		
<b>Agenda Item</b>	<b>Action</b>	<b>Update</b>
Item 4: Cabinet Member Update	The committee requested information on how much of the £15,000 spent on shopping as part of the Westminster Connects service had been returned to the Council by service users.	In progress
	The committee requested further information on the future plans for play streets.	Completed
	The committee requested information on the support being provided by the council to foodbanks in Westminster.	Completed

<b>ROUND TWO</b> <b>14 SEPTEMBER 2020</b>		
<b>Agenda Item</b>	<b>Action</b>	<b>Update</b>
Item 4: Cabinet Member Update	The committee requested an update on tendering a contract to provide 5G from lampposts.	Completed
	The committee requested an update on finding new premises for WAES.	Completed
Item 7: Contact Centre Performance Update	The committee requested information on when the contact centres review will be published.	Completed
	The committee requested details on the incentives for channel shift within contact centre contracts.	Completed
	The committee requested information on how the Council ensures adequate pay and conditions for contact centre staff.	Completed

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