



City of Westminster

Officer decision report

Decision Maker:

Gerald Almeroth – Executive Director of
Finance and Resources

Date:

2 November 2024

Classification:

Part exempt.

2. The accompanying Part B report is exempt from disclosure by virtue of paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 on the basis that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information), and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Title:

Bayswater Road Public Conveniences
– Demolition Enabling Works Licence

Wards Affected:

Lancaster Gate

Policy Context:

The decision is a contractual
requirement of a Council held licence
agreement

Key Decision:

No

Financial Summary:

The Council are required to pay the
landlord's reasonable legal costs in

preparing the licence estimated at less than £5,000

Report of:

Rupert Grass – Corporate Property Consultant

1. Executive Summary

The report recommends that the Council enters into an enabling works licence on non-Council land, to allow it to undertake works to implement a planning consent in relation to the demolition of the Bayswater Road public conveniences located just inside Kensington Gardens. The works involve the removal of railings surrounding the public conveniences, site clearance and erection of a site hoarding for the further works to follow. The enabling works licence relates to land managed by The Royal Parks (as authorised by the Secretary of State for Culture Media and Sport) and therefore, the licence is on The Royal Parks' terms.

2. Recommendations

It is recommended that the Executive Director for Finance and Resources approves the Council entering into the enabling works licence with The Royal Parks and the associated expenditure.

3. Reasons for Decision

The decision is a contractual requirement of a Council held licence agreement.

4. Background, including Policy Context

The background is set out in the confidential Part B of this report.

5. Financial Implications

The Council are required to pay the landlord's reasonable legal costs in preparing the licence estimated at less than £5,000.

6. Legal and Governance Implications

6.1 This report seeks approval to enter into a works licence to permit works to be undertaken on third party land to implement a planning permission. The Council has the appropriate powers under legislation to pursue the proposals.

6.2 The Council has a general power of competence under section 1 of the Localism Act 2011; this is the power to do anything an individual can do provided it is not prohibited by other legislation.

6.3 If the works require any necessary consents from others such as the Health and Safety Executive or the highways authority, it will be for the Council to arrange for such consents to be obtained.

6.4 The Executive Director of Finance and Resources has delegated authority to take the decision under section 26.3 of the Scheme of Delegations to Officers under Chapter 6 of the Constitution.

7. Climate Impact

No impact

8. Equalities Implications

No impact

9. Consultation

Not applicable

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

Rupertgrass@westminster.gov.uk

APPROVED BY

Name and Title	Date sent	Date approved
Rupert Grass	21/11/2024	21/11/2024
Jane Newcome, Finance	21/11/2024	22/11/2024
Jo Jackson, Legal	21/11/2024	21/11/2024
Rosamund Cox, Governance	29/11/2024	29/11/2024