



<b>Decision Maker:</b>	<b>Cabinet Member for Planning and Public Realm</b>
<b>Date:</b>	<b>15 August 2017</b>
<b>Classification:</b>	<b>For General Release</b>
<b>Title:</b>	<b>City Plan - Approval to consult on revised Integrated Impact Assessment Scoping</b>
<b>Wards Affected:</b>	<b>All</b>
<b>City for All Summary</b>	<b>The five programmes set out in City for All 2017/18 of Civic Leadership, Building Homes and Celebrating Neighbourhoods, Greener City, World Class Westminster and Smart Council can all be linked to the Integrated Impact Framework objectives.</b>
<b>Key Decision:</b>	<b>No</b>
<b>Financial Summary:</b>	<b>There are no direct financial implications as a result of the recommendations of this report as any costs associated with public consultation will be met from existing budgets.</b>
<b>Report of:</b>	<b>Director of Policy, Performance and Communications</b>

## **1. EXECUTIVE SUMMARY**

- 1.1 The Integrated Impact Assessment (IIA) Scoping Report (consultation draft) (attached as Appendix B) is the first stage in preparing an Integrated Impact Assessment Report for the Westminster City Plan Full Revision. Under Section 19 (5) of the Planning and Compulsory Purchase Act 2004 a Sustainability Appraisal, which should also incorporate a Strategic Environmental Assessment (SEA), is required for all Development Plan Documents (such as the Westminster City Plan).
- 1.2 In addition to these requirements the IIA will also consider the equalities, community safety and health impacts of the policies in Westminster's City Plan.

Under section 149 of the Equality Act 2010 the Council has a statutory duty to consider the equality impacts of its decisions. Section 17 of the Crime and Disorder Act 1987 (as amended by the Police and Justice Act 2006) gave the lead responsibility for crime and disorder reduction to the police and local authorities as well as a duty to consider crime and disorder in all their activities. While there is no statutory requirement to include health and wellbeing considerations in an IIA, this is best practice and particularly important in light of the Health and Social Care Act 2012 which transferred statutory responsibility for public health to local authorities. The integrated approach as contained in the IIA avoids the need to undertake and report on separate assessments, seeks to reduce any duplication of assessment work and benefits from a shared understanding of the policies.

1.3 The IIA Scoping Report is intended to provide sufficient information on the proposed approach and seek feedback to help inform the ongoing preparation of the IIA including:

- An overview of Westminster's City Plan;
- The key baseline information and identification of key issues;
- The plans, programmes and strategies relevant to the review;
- The proposed objectives and IIA Assessment Framework;
- Next Steps in the process.

The IIA Assessment Framework is the methodology which will enable the environmental, social and economic sustainability and equalities, health and crime and disorder impacts of the policies in Westminster's City Plan to be analysed, compared and critically assessed against 17 identified objectives, set out in the framework.

1.4 The scoping report also includes reference to the Council's corporate priorities as set out in City for All 2017/18 (March 2017) and how these relate to the IIA objectives.

1.5 The IIA Scoping Report will be subject to a five week public consultation process seeking views from Natural England, the Environment Agency and Historic England, who are the statutory consultees as set out in The Environmental Assessment of Plans and Programmes Regulations 2004. In addition, the scoping report will be sent to all key contacts on the Westminster's Policy Framework Consultation database, including the GLA/TfL, equalities groups and Central and West London Clinical Commissioning Groups. It will also be sent to neighbouring boroughs and the Mayor of London to ensure the Council meets its duty to cooperate requirements in relation to sustainable development in

accordance with section 33A of the Planning and Compulsory Purchase Act 2004 (as amended).

## **2. RECOMMENDATION**

- 2.1 That the Cabinet Member for Planning and Public Realm agrees the Westminster City Plan Integrated Impact Assessment - Scoping Report (consultation draft) (Appendix B) for public consultation purposes.

## **3. REASONS FOR DECISION**

- 3.1 The Westminster City Plan Integrated Impact Assessment (IIA) - Scoping Report (consultation draft) is the required first stage in the production of the IIA. Westminster's City Plan would be found legally non-compliant by the planning inspectorate without an associated IIA.

## **4. BACKGROUND, INCLUDING POLICY CONTEXT**

- 4.1 The IIA Scoping Report has been prepared in accordance with a number of legislative requirements and is an expedient method of avoiding duplication and securing the benefit of a shared understanding of the policies. Under section 19 (5) of the Planning and Compulsory Purchase Act 2004, a Sustainability Appraisal (SA) is required for all Development Plan Documents. This should incorporate a Strategic Environmental Assessment prepared for the purposes of the EU Strategic Environmental Assessment Directive EC/2001/42 and the UK Environmental Assessment of Plans and Programmes Regulations 2004.
- 4.2 The Council also has a statutory duty to consider the equalities impacts of its decisions under the Public Sector Equalities Duty (section 149 of the Equality Act 2010). The IIA also considers crime and disorder matters in accordance with The Crime and Disorder Act 1998 (as amended by the Police and Justice Act 2006). Although not a statutory requirement, health and wellbeing considerations have also been included as part of the IIA process as good practice, to ensure that where possible policies actively promote health gain for the local population, reduce health inequalities and do not actively damage health. This is particularly important in light of the Health and Social Care Act 2012 which transferred statutory responsibility for public health to local authorities.
- 4.3 The IIA Scoping Report (attached as Appendix B) is the first statutory stage in preparing an IIA Report for the revision of Westminster's City Plan. An IIA Scoping Report for Westminster's City Plan was published in 2014 with consultation between 17<sup>th</sup> June and 30<sup>th</sup> July 2014. This new IIA Scoping Report is an opportunity to refresh that scoping report, updating the baseline information and the identification of key issues to respond to, in particular, City for All 2017/18 and the Leader of the Council's aspirations for housing and affordable/intermediate housing delivery in Westminster, a new UK government, the decision to exit the EU, as well as an opportunity to revisit statistics and data

which informs the context for the City Plan revision. It also includes comments received in response to previous consultation associated with specific topic based revisions to the City Plan undertaken in 2016 in respect of Basements, Mixed Use, Special Policy Areas and the Policies Map. This new IIA Scoping Report will ensure a robust foundation for the Integrated Impact Assessment for the Westminster City Plan Full Revision.

4.4 The IIA Scoping Report includes the following which, as set out in Annex 1 of the EU Strategic Environmental Assessment Directive EC/2001/42), are required elements:

- **An overview of the Westminster City Plan;**
- **The key baseline information and identification of key issues** - This information is a starting point to help identify the key sustainability issues and problems and establishes the current context from an economic, social and environmental perspectives, which can also be used for future monitoring purposes;
- The plans, programmes and strategies relevant to the review - This ensures that any relevant information contained within these documents is taken on board for the preparation of the proposed objectives in the IIA Assessment Framework;
- **The proposed objectives and IIA Assessment Framework** - The establishment of appropriate objectives and associated sub-criteria/questions is central to the assessment process and provides a way in which the performance and effect of the policies in the Westminster City Plan can be identified and described systematically. The 17 objectives in the Assessment Framework have been formulated through the examination of the baseline evidence; a review of relevant plans, programmes and strategies; and with regard to previous SA/SEA and IIA assessments – it is good practice to build on previous assessments, taking an iterative approach. The IIA Assessment Framework (pp 70-74 of the scoping report) also includes key specific priority objectives from the Council’s Equality Objectives 2016-2020; Westminster’s Joint Health and Wellbeing Strategy for Westminster (2017-2022) and includes a specific objective (Objective 2) for reducing crime and the fear of crime (including disorder and anti-social behaviour) to meet the considerations of Section 17 of the Crime and Disorder Act 1998 (as amended by the Police and Justice Act 2006). The IIA Assessment Framework is the methodology which will enable the sustainability, environmental, equalities and health impact of the new and altered policies proposed for inclusion in Westminster’s City Plan to be analysed and critically assessed in stage 2 of the IIA process;
- **Next Steps in the process.** - There will be a five week consultation period for the IIA Scoping Report in accordance with Regulation 12(5) of the

Environmental Assessment of Plans and Programmes Regulations 2004 and amendments will be made to the report to incorporate comments, where appropriate. Stage 2 of the IIA process will run alongside the preparation of Westminster's City Plan by assessing the anticipated effects of each new policy proposed for the Westminster City Plan against each of the 17 objectives in the Integrated Impact Assessment Framework. Stage 3 consists of publication of an Integrated Impact Assessment Report which details the process undertaken and explains the results of the assessment and any changes to the plan as a result of this assessment. Consultation is required on the IIA Report and changes made as appropriate. Comments will also feed into the examination in public of the Westminster City Plan where appropriate.

- 4.5 The City Council's corporate ambitions are set out in City for All 2017/18 which introduces three new priorities – civic leadership and responsibility, opportunity and fairness across the city and, setting the standards for a world class city. In addition, five programmes have been agreed to deliver these priorities in order to make Westminster a sustainable place in which to work, live and visit. These five programmes are linked to IIA Framework objectives as follows:

**(i) Civic Leadership:**

- *Ensure that everybody believes they have a stake and future in the city and can actively contribute to their community. (IIA Framework Objectives 1, 16)*
- *Increase our support for the city's businesses by working closely with our excellent Business Improvement Districts. (IIA Framework Objectives 16, 17)*
- *Implement the recommendations of our Community Cohesion Commission, including launching the 'My Westminster' campaign to celebrate the diversity and vibrancy of our neighbourhoods. (IIA Framework Objective 1)*

**(ii) Building Homes and Celebrating Neighbourhoods:**

- *We are proud that a quarter of our housing stock is social housing and we want to continue to build cohesive mixed neighbourhoods for everyone in Westminster. (IIA Framework Objectives 1, 3)*
- *Deliver 1,850 affordable homes by 2023 to give families the chance to lay down their foundations. (IIA Framework Objectives 1, 3)*
- *Champion the 80,000 people who rent privately by making sure homes in Westminster are up to scratch with a city-wide review, using our powers to*

*prevent rogue landlords from exploiting our residents. (IIA Framework Objectives 1, 3)*

- *Deliver our Health and Wellbeing Strategy, including redeveloping accommodation for people with care needs to provide extra nursing home places and specialist services. (IIA Framework Objectives 3, 4)*
- *We will also open the new Moberly Leisure Centre, part of a £26m investment providing the best community sporting facilities for Westminster residents. (IIA Framework Objectives 4, 16)*

### **(iii) Creating a Greener City:**

- *We plan to make Westminster a global example of how to tackle air pollution in a major world city, delivering cleaner air and widely prized open spaces. (IIA Framework Objectives 4, 5, 8, 9, 11, 15)*
- *We will launch our new Clean Air Strategy filled with measures to improve air quality in the city. (IIA Framework Objectives 4, 5, 9, 11)*
- *Take direct action by refurbishing City Hall to make it 45% more energy efficient and bring forward a new Sustainability Manifesto to set the green agenda in Westminster. (IIA Framework Objectives 5, 6)*
- *Build Westminster's reputation as an environmentally friendly city by bringing forward a new Open Spaces and Biodiversity Strategy to make sure the city's green spaces remain world class. (IIA Framework Objectives 6, 7, 8, 15)*
- *Create the first new play streets within the Marylebone Low Emission Neighbourhood, where children can enjoy playing without harmful emissions. (IIA Framework Objectives 1, 4, 9)*
- *Roll out the first green business club across Westminster, making it easier for businesses to make their buildings more energy efficient. (IIA Framework Objectives 5, 6, 16, 17)*

### **(iv) World Class Westminster:**

- *Consult on what good growth for Westminster means, asking residents, businesses and all those with a stake in the city to contribute to how Westminster should look in the future. (IIA Framework Objectives 13, 17)*
- *Set out a clear vision and plan for our night time economy, to promote the interests of residents, businesses and visitors. (IIA Framework Objectives*

4, 10, 16, 17)

- *Introduce a Gig and Sharing Economy Charter that sets out the standards we expect this growing part of the economy to adhere to in the city. This will include scrutinising operators' enforcement of the government's 90-day maximum letting limit with a clear aim to reduce the anti-social behaviour impact it can have on our residents if not properly regulated. (IIA Framework Objectives 4, 10)*
- *Put the first spade in the ground for Baker Street Two Way and Bond Street public realm improvements ensuring the city is ready and looking its best to greet the extra footfall expected in the West End following the opening of the Elizabeth Line. (IIA Framework Objective 14)*
- *Along with TfL we will be speaking to residents, businesses and visitors to help us shape the future of the Oxford Street district so that it remains the UK's best known shopping and entertainment destination. (IIA Framework Objectives 11, 16)*

**(v) Smart Council:**

- *Launch a new 'Report It' campaign to predict and proactively deal with developing trends on the day that they are reported to us. We will also use this new technology to enable residents to report on the negative impacts of the gig-economy and flag anti-social behavior to enable us to focus our enforcement more proactively. (IIA Framework Objectives 2, 4, 10)*

**5. FINANCIAL IMPLICATIONS**

- 5.1 There are no direct financial implications as a result of the recommendations in this report. Any costs associated with public consultation on the IIA Scoping Report will be met from existing budgets.

**6. LEGAL IMPLICATIONS**

- 6.1 Under section 19 (5) of the Planning and Compulsory Purchase Act 2004, a Sustainability Appraisal (SA) is required for all Development Plan Documents. This should incorporate a Strategic Environmental Assessment for the purposes of the EU Strategic Environmental Assessment Directive EC/2001/42 and the UK Environmental Assessment of Plans and Programmes Regulations 2004.
- 6.2 The Council also has a statutory duty to consider the equalities impacts of its decisions under the Public Sector Equalities Duty (section 149 of the Equality Act 2010) April 2011.

- 6.3 Section 17 of the Crime and Disorder Act 1998 (as amended by the Police and Justice Act 2006). Section 17 of the Crime and Disorder Act 1998 places a responsibility on local authorities to exercise their various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder.
- 6.4 Although not a statutory requirement, health and wellbeing considerations have also been included as part of the IIA process as good practice, to ensure policies where possible, actively promote health gain for the local population, reduce health inequalities and do not actively damage health. This is particularly important in light of the Health and Social Care Act 2012 which transferred statutory responsibility for local population health improvement to local authorities.
- 6.5 Section 33A of the Planning and Compulsory Purchase Act 2004 (as amended) imposes a duty to co-operate in relation to the planning of sustainable development and requires the council to work with the Mayor, neighbouring boroughs and other designated agencies and authorities about “strategic matters” in preparing development plan documents like the City Plan. These matters include “sustainable development or use of land that has or would have a significant impact on at least two planning areas including (in particular) sustainable development or use of land for or in connection with infrastructure that is strategic and has or would have a significant impact on at least two planning areas”. Compliance with the duty is a matter that will be tested at examination of the City Plan; if it is found not to have been met, the Plan will be rejected.

## **7. CONSULTATION**

- 7.1 The Environmental Assessment of Plans and Programmes Regulations 2004 sets out the following as statutory consultees for documents containing a Strategic Environmental Assessment (SEA): Natural England, the Environment Agency and Historic England. In addition, to these specific consultees, the scoping report will be sent to all key contacts on Westminster’s Policy Framework Consultation database including the Greater London Authority (TfL), equalities organisations and the Central and West London Clinical Commissioning Groups will also be consulted on the IIA Scoping Report. Regulation 12(5) requires a five week consultation period.
- 7.2 Consultation will be required on the IIA Report (Stage 3 of the process) and this will be circulated to the individuals, agencies, authorities and associations on Westminster’s Policy Framework Consultation database. Officers will also engage with neighbouring authorities with the statutory duty to co-operate particularly in mind.

## **8 BUSINESS PLAN IMPLICATIONS**

- 8.1 The IIA Framework is informed by the City for All 2017-18 programmes with associated service priorities set out in the Policy, Performance and Communications (PPC) Directorate Business Plan (2015-17) and the PPC Strategy and Communications Plan 2017/18. Updating the Westminster City Plan which requires the publication of an IIA is a priority commitment in the PPC business plan 2015-17.

## **9 CRIME AND DISORDER IMPLICATIONS**

- 9.1 The Crime and Disorder Act 1998 (as amended by the Police and Justice Act 2006) has been considered as part of the IIA Scoping Report.

## **10 EQUALITIES**

- 10.1 Under the Equality Act 2010, the Council has a duty to have due regard to the need to: eliminate unlawful discrimination, harassment and victimisation and any other conduct prohibited by the Act; advance equality of opportunity between people who share a protected characteristic and people who do not share it; and foster good relations between people who share a protected characteristic and people who do not share it. The protected characteristics covered by the Equality Duty are as follows:

Age, disability, gender reassignment, marriage and civil partnership (but only in respect of eliminating unlawful discrimination), pregnancy and maternity, race – this includes ethnic or national origins, colour or nationality, religion or belief – this includes lack of belief, sex, sexual orientation

- 10.2 The IIA Assessment Framework includes key specific priority objectives from the Council's Equality Objectives 2016-2020.

## **11 IMPACT ON THE ENVIRONMENT**

- 11.1 The IIA Assessment Framework includes a Strategic Environmental Assessment (SEA) and key SEA issues are included as IIA Framework objectives.

**If you have any queries about this Report or wish to inspect any of the Background Papers please contact: Andrew Barry-Purssell, Policy, Performance and Communications, 020 7641 5662**  
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**For completion by the Cabinet Member for Planning and Public Realm**

**Declaration of Interest**

I have <no interest to declare / to declare an interest> in respect of this report

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

NAME: \_\_\_\_\_

State nature of interest if any .....

.....  
*(N.B: If you have an interest you should seek advice as to whether it is appropriate to make a decision in relation to this matter)*

For the reasons set out above, I agree the recommendation(s) in the report entitled Westminster’s City Plan - Integrated Impact Assessment Scoping Report for Consultation and reject any alternative options which are referred to but not recommended.

Signed .....

Cabinet Member for the Planning and Public Realm

Date .....

If you have any additional comment which you would want actioned in connection with your decision you should discuss this with the report author and then set out your comment below before the report and this pro-forma is returned to the Secretariat for processing.

Additional comment: .....  
.....  
.....

If you do not wish to approve the recommendations, or wish to make an alternative decision, it is important that you consult the report author, the Director of Law, Strategic Director Finance and Performance and, if there are resources implications, the Strategic Director of Resources (or their representatives) so that (1) you can be made aware of any further relevant considerations that you should take into account before making the decision and (2) your reasons for the decision can be properly identified and recorded, as required by law.

Note to Cabinet Member: Your decision will now be published and copied to the Members of the relevant Policy & Scrutiny Committee. If the decision falls within the criteria for call-in, it will not be implemented until five working days have elapsed from publication to allow the Policy and Scrutiny Committee to decide whether it wishes to call the matter in.

**Other Implications**

**1 Resource Implications**

1.1 None

**2 Staffing Implications**

2.1 None

**3 Risk Management Implications**

3.1 None

**4 Human Rights Implications**

4.1 None

**5 Energy Measure Implications**

5.1 None

**6 Communications Implications**

6.1 None

**Appendix B: Westminster's City Plan – Integrated Impact Assessment  
Scoping Report (Consultation Draft)**