



City of Westminster

Cabinet Member Report

Meeting or Decision Maker:

Cllr Sanquest (Cabinet Member for Resident Participation, Consultation Reform and Leisure) and Cllr Geoff Barraclough (Cabinet Member for Planning and Economic Development)

Date:

06 September 2023

Classification:

General Release

Title:

Amenity societies - interim approach to recognition

Wards Affected:

All

Policy Context:

This decision contributes to the Fairer Communities outcome within our Fairer Westminster Strategy that community and voluntary sector organisations are empowered to prosper in Westminster

Key Decision:

No

Financial Summary:

Resource to review applications to form new amenity societies will be met by existing staffing budgets within the Communities Department.

Report of:

Serena Simon (Director of Communities)

1. Executive Summary

- 1.1 Westminster City Council's recognised amenity societies make an invaluable contribution to the city, providing comments on several thousand planning applications every year on behalf of local communities. The Council has historically conducted a review of amenity societies roughly every 10 years, with the last such review undertaken in 2018.
- 1.2 There are currently 18 recognised and four semi-recognised amenity societies within Westminster. The main role of amenity societies is to actively participate and make contributions to their local neighbourhoods and particularly in council consultations and initiatives.
- 1.3 The council has a long-standing system of formally recognising amenity societies within areas. 'Recognised' amenity societies are able to demonstrate that:
 - **Wide representation of residents across their area** – groups should be established and active in the area with substantial membership taking into account the location
 - **An effective structure and governance arrangements** - with evidence of good communication and regular meetings and AGMs
 - **Access to relevant expertise** for example in planning/ conservation/ architecture and membership with in-depth knowledge of the local area.
- 1.4 Currently a review is undertaken every 10 years to ensure that the existing recognised amenity societies remain active and also to consider if any additional groups should be recognised and if there is potential to widen participation or whether Neighbourhood Forums have superseded amenity societies in certain areas. As part of the review process societies are asked submit evidence to evidence that they meet the criteria. Information submitted is assessed and informal consultation is undertaken with Ward Members before being reported to the Cabinet Member for approval.
- 1.5 With the implementation of the Councils Fairer Westminster Strategy (2022), there is a need to review the timeline for when organisations can be considered for amenity group status.
- 1.6 Under the current process there is no system in place for recognition of individual amenity societies where they apply outside of a full review process every 10 years. This means any amenity groups who have applied to be recognised since 2018 will need to wait until 2028 before they can be assessed against the criteria. This report recommends that the Cabinet Member approves an amendment to the review process to allow interim applications to be made outside of the 10-year full review process. Groups seeking to be recognised as an amenity society will then be able to have their application assessed against the current criteria as and when they submit an application.

- 1.7 Interim applications for recognition as an amenity society received outside of the 10-year full review process will be reported to the Cabinet Member for determination.
- 1.8 This proposed interim applications process will apply to applications received up to and including 10 August 2023 as well as provide the process for review of any interim applications received after the date of this report.

2. Recommendations

The Cabinet Member for Resident Participation, Consultation Reform and Leisure and the Cabinet Member for Planning and Economic Development agrees to:

- 2.1 Approve the amendment to the existing process for recognising amenity societies to allow the submission of interim applications from amenity groups seeking to be recognised as amenity societies
- 2.2 At any time prior to the next full review milestone in 2028 applications be assessed against the current criteria as and when they are submitted to the Council .

3. Reasons for Decision

- 3.1 This decision will offer organisations with aspirations of becoming a recognised group within their area a process to apply without waiting for the 10 year full review cycle.
- 3.2 A strategic goal set out in the council's Fairer Westminster strategy is to build a more inclusive city that celebrates its diverse communities, and where residents are at the heart of decision making. The purpose of assessing individual applications between review times, (currently at 10 year intervals) helps to ensure that the process for recognition of amenity societies is more inclusive and effective and aligns with our council commitment to more effectively include the resident voice in decision making.

4. Background, including Policy Context

- 4.1 This decision would have no impact on the existing 'Recognised' amenity groups.
- 4.2 The existing amenity society arrangements have proved effective in ensuring groups provide a strong and effective voice for local residential communities. Most groups are well-organised, have members with in-depth knowledge of their areas and participate in a wide range of consultations and activities across council services. The recognised amenity societies are particularly active in relation to planning and provide comments on several thousand planning, listed building and licensing applications every year. This input is highly valued by officers and members.

- 4.3 A full review of amenity societies has been undertaken roughly every 10 years (with the last being undertaken in 2018) to ensure those societies who are recognised remain representative and active within their areas.

5. Financial Implications

- 5.1 There are no financial implications resulting from this paper.

6. Legal Implications

- 6.1 The Cabinet Member for Resident Participation, Consultation Reform and Leisure has the authority under Chapter 3, Item 15 of the Council's Constitution to set policy and strategic direction for Amenity Societies and the Cabinet Member for Planning and Economic Development has the authority to set policy and strategic direction for the Council's Planning function.
- 6.2 Planning legislation places certain responsibilities on Local Planning Authorities with regards to how they inform communities and other interested parties about planning applications. Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 sets out minimum statutory requirements for publicity and notification of adjoining occupiers and Article 18 sets out other statutory consultation requirements.
- 6.3 In addition to minimum requirements set out in legislation, the National Planning Policy Framework and relevant planning practice guidance suggests local planning authorities should consult more widely and recommends that councils produce and publish a locally-specific list of non-statutory consultees. The Council have a Westminster's Policy Framework consultation database which contains contact details for non-statutory consultees including, recognised amenity societies.
- 6.4 The Council also maintains a Statement of Community Involvement, prepared under section 18 of the Planning and Compulsory Purchase Act 2004 which sets out how the Council consults recognised amenity societies for planning policy matters and planning applications.
- 6.5 An amenity society recognised under the interim application process will formally become a non-statutory consultee of the Council for planning matters and included in the Westminster's Policy Framework consultation database.

7. Carbon Impact

- 7.1 No carbon impact identified.

8. Equalities Implications

- 1.1. Under the Equalities Act 2010 the council has a “public sector equality duty”. This means that in taking decisions and carrying out its functions it must have due regard to the need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the 2010 Act; to advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and those who do not share it; and to foster good relations between persons who share a relevant protected characteristic and those who do not share it.
- 1.2. The council is also required to have due regard to the need to take steps to take account of disabled persons’ disabilities even where that involves more favourable treatment; to promote more positive attitudes toward disabled persons; and to encourage participation by disabled persons in public life.
- 1.3. The 2010 Act states that “having due regard” to the need to promote equality of opportunity involves in particular having regard to: the need to remove or minimise disadvantages suffered by persons sharing a protected characteristic; take steps to meet the needs of persons sharing a protected characteristic that are connected with it; take steps to meet the needs of persons who share a protected characteristic that are different from those who do not; and encourage persons with a protected characteristic to participate in public life or any other activity in which participation by such persons is disproportionately low.
- 1.4. The courts have held that “due regard” in this context requires an analysis of the issue under consideration with the specific requirements set out above in mind. It does not require that considerations raised in the analysis should be decisive; it is for the decision-maker to decide what weight should be given to the equality’s implications of the decision.
- 1.5. Westminster is one of the most diverse city’s in the world. A strategic goal set out in the council’s Fairer Westminster strategy is to build a more inclusive city that celebrates its diverse communities, and where residents are at the heart of decision making. The purpose of assessing individual applications between review times, (currently at 10 year intervals) helps to ensure that the process for recognition of amenity societies is more inclusive and effective and aligns with our council commitment to more effectively include the resident voice in decision making.
- 1.6. An Equalities Impact Assessment of the proposal has been undertaken and on the available evidence the proposal complies with section 149 of the Equalities Act 2010 and due regard has been made to the need to: eliminate unlawful discrimination; advance equality of opportunity; and foster good relations.

9. Consultation

- 9.1 The review has been undertaken in consultation with ward members

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

Serena Simon, ssimon@westminster.gov.uk

APPENDICES

Appendix 1: currently recognised amenity societies

BACKGROUND PAPERS

Equality Impact Assessment screening

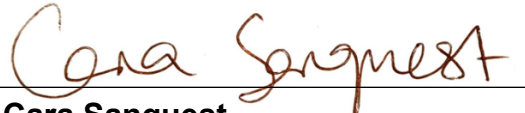
Review of Westminster' Amenity Societies – Cabinet Member Decision Report
(March 2018)

NB: For individual Cabinet Member reports only

For completion by the **Cabinet Member for Resident Participation, Consultation Reform and Leisure**

Declaration of Interest

I have no interest to declare in respect of this report

Signed:  Date: 06/09/2023
NAME: **Cara Sanquest**

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

Amenity societies - interim approach to recognition and reject any alternative options which are referred to but not recommended.

Signed: 

Cabinet Member for *Resident Participation, Consultation Reform and Leisure*

Date: 06/09/2023

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, City Treasurer and, if there are resources implications, the Director of People Services (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.

NB: For individual Cabinet Member reports only

For completion by the **Cabinet Member for Planning and Economic Development**

Declaration of Interest

I have no interest to declare in respect of this report

Signed:  Date: 06/09/2023


NAME: **Geoff Barraclough**

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

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Signed: 

Cabinet Member for Planning and Economic Development

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