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City of Westminster

Title:

Cabinet CIL Committee

Meeting Date:

Wednesday 9th October, 2019

Time:

5.30 pm

Venue:

**Room 18.1, 18th Floor, 64 Victoria Street, London, SW1E
6QP**

Members:

Councillors:

Timothy Barnes
Richard Beddoe (Chairman)

Tim Mitchell



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

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



An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter. If you require any further information, please contact the Committee Officer, Kisi Smith-Charlemagne, Senior Committee and Governance Officer.

Tel: 020 7641 2783; **Email:** kscharlemagne@westminster.gov.uk
Corporate Website: 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 report any changes to the membership.

2. DECLARATIONS OF INTERESTS

To receive and record declarations of interest.

3. MINUTES

(Pages 3 - 6)

To approve the minutes of the previous meeting 1 July 2019.

4. WESTMINSTER CIL AND POOLED SECTION 106 FUNDING PROJECT ALLOCATIONS (Q4)

(Pages 7 - 38)

The report seeks to allocate funding of CIL to infrastructure projects to support growth in Westminster following receipt of monies from development. CIL governance and spending procedures continue to be developed and implemented using existing resources. A report from the Director of Policy, Performance and Communications.

5. ANY OTHER BUSINESS WHICH THE CHAIRMAN CONSIDERS URGENT

**Stuart Love
Chief Executive
01 October 2019**



CITY OF WESTMINSTER

MINUTES

Cabinet CIL Committee

MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Cabinet CIL Committee** held on **Wednesday 1 July 2019** Room 18.01, 18rd Floor, 64 Victoria Street, London, SW1E 6QP.

Members Present: Councillors Richard Beddoe (Chairman), Tim Barnes and Tim Mitchell.

Also Present: Julia Corkey, Executive Director of Policy, Performance and Communications, Michael Clarkson, Principal Policy Officer, and Kisi Smith-Charlemagne, Senior Committee & Governance Officer.

1 MEMBERSHIP

- 1.1 One membership change was announced, Councillor David Harvey stepped down from the Cabinet and Councillor Tim Barnes has been appointed to the Cabinet as the Member for Economic Development, Education and Skills and to the Cabinet CIL Committee.

2 DECLARATIONS OF INTERESTS

- 2.1 There were no declarations of interests

3 MINUTES

- 3.1 **RESOLVED:** That the minutes of the meeting held on 5 December 2018 be approved for signature by the Chairman as a true and correct record of proceedings.

4 WESTMINSTER COMMUNITY INFRASTRUCTURE LEVY- PROJECT ALLOCATIONS (Q3)

- 4.1 Councillor Beddoe informed the CIL Committee that there was approximately £42 million collected into the fund to date. He advised that the Committee had already allocated £17.3 million, leaving £24.6 million remaining and the applications in front of the Committee today totalled £5.697million. Councillor Beddoe advised that there was a total of 22 CIL applications and that there were also a further two applications seeking funds from pooled Section 106

contributions. The Committee considered the Q3 round of funding allocations for the strategic CIL expenditure and pooled Section 106 expenditure.

- 4.2 Councillor Mitchell commented on application 8, Hallfield Primary School Air Quality Filtration Units, advising that he wanted to also mention the Leader's Schools Air Quality Fund and that the council is putting substantial funding into this area. Councillor Mitchell advised that with regard to application 11, Lamp Column Bay Sensors, this was part of a wider project that he hoped would be installed across the city to carry out a range of different tasks, including ensuring that EV Charging Bays are sensibly used. Councillor Barnes made inquiries to the nature and location of the trial, Councillor Mitchell explained that the trial will take place across the city.
- 4.3 Councillor Beddoe advised that he required further clarification regarding application 12, Manchester Square Public Realm Improvements. He queried further details regarding the development plans for the area. Michael Clarkson advised the Committee that parts of the plan for the area included reducing traffic dominance, improving pedestrian safety and introducing seating to make the area more amenable to people. Michael Clarkson added that the plans would also allow the Wallace collection to become more accessible to the public.
- 4.4 Councillor Beddoe further queried the specifics of the plans including reducing traffic dominance. Michael Clarkson advised that there would be a re-landscaping of the public area. Julia Corkey advised the Committee that the project bidder also committed to on-going annual funding for street team monitoring, project management and other areas; releasing other funding. The Committee agreed all 22 CIL applications.
- 4.5 The Committee considered the expenditure of £0.700m from pooled Section 106 contributions. Councillor Beddoe advised that he was very much in support of the Westminster Schools Air Quality Programme, as did Councillors Mitchell and Barnes. Councillor Beddoe discussed the Westminster Employment Service In-Work Support Programme. The Committee agreed the two Section 106 funding requests.

4.6 RESOLVED: The Cabinet CIL Committee:

1. Approve the expenditure of £5.697m from Westminster's City CIL Strategic Portion as set out in Section 5.2 of this report. This includes the allocation of funding for the following projects:
 - (i) Bishops Bridge Road/ Gloucester Terrace Junction Improvements
 - (ii) Blomfield Road/ Edgware Road Junction Improvements
 - (iii) Blomfield Road/ Warwick Avenue Junction Improvements
 - (iv) CCTV and Lining Programme – further works to gullies
 - (v) Deep Drainage Improvements
 - (vi) Fleming Court CCTV
 - (vii) Golden Jubilee Footbridges Signage

- (viii) Hallfield Primary School Air Quality Filtration Units
- (ix) Harrow Road Parapet
- (x) John Aird Court CCTV and Fencing
- (xi) Lamp Column Bay Sensors
- (xii) Manchester Square Public Realm Improvements
- (xiii) Porchester Spa Refurbishment
- (xiv) Portland Place School Pedestrian Facilities
- (xv) Prince Albert Road/ Avenue Road Junction Improvements
- (xvi) Rossmore Road Pedestrian Facilities
- (xvii) Shirland Road/ Sutherland Avenue Junction Improvements
- (xviii) Soho Parish Primary School Cycle Parking
- (xix) St. Mary Magdalene Community Centre
- (xx) St. Peter's Primary School Cycle Parking
- (xxi) Victoria Embankment Tide Gauge Hut
- (xxii) Westminster Street Markets Infrastructure Improvement Programme

- 2 Approve the expenditure of £0.700m from pooled Section 106 contributions as set out in Section 6.1 of this report. This includes the allocation of funding for the following projects:
 - (i) Westminster Schools Air Quality Programme
 - (ii) Westminster Employment Service In-Work Support Programme
- 3 Note the neighbourhood portion of CIL received to date as set out in Section 7 of this report and Appendix D.

5 ANY OTHER BUSINESS

- 5.1 Cabinet CIL members discussed the possibility of committee meeting once a quarter, instead of its current pattern of twice annually. Councillor Barnes advised the committee that he would like a more detailed understanding of the overall application process. Julia Corkey advised that her officers could arrange the additional meetings and provide information on the application process and how the applications relate to existing plans.

The Meeting ended at 5.55 pm

CHAIRMAN: _____ **DATE** _____

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Cabinet Committee Report (Community Infrastructure Levy)

Decision Maker:	Cabinet Community Infrastructure Levy (CIL) Committee
Date:	9 th October 2019
Classification:	For General Release
Title:	Westminster Community Infrastructure Levy (CIL) and pooled Section 106 contributions – Project Allocations
Wards Affected:	All
Financial Summary:	<p>This report seeks to allocate funding of £11.089m of CIL to infrastructure projects to support growth in Westminster following receipt of monies from development.</p> <p>Furthermore, allocation of £0.731m of funding is sought from the 'neighbourhood portion' of CIL to local projects to support growth in Westminster.</p> <p>CIL governance and spending procedures continue to be developed and implemented using existing resources.</p> <p>This report also seeks approval of £0.701m for three projects to be funded from pooled Section 106 contributions.</p>
Report of:	Director of Policy, Performance and Communications

1. Executive Summary

- 1.1 Westminster's Community Infrastructure Levy (CIL) is a charge applied to development to help fund strategic and neighbourhood infrastructure that is required to support the development of Westminster. Westminster's CIL was formally introduced on 1st May 2016 and since then a total of £57.449m has been received to 31st August 2019.
- 1.2 The majority of this funding has been received since April 2017 and as the funds have built up, the availability of CIL has encouraged proposals to be put forward to deliver projects that, as well as dealing with demands placed on infrastructure to support new development, can also deliver wider benefits to the local community. The committee has previously agreed funding allocations of £23.051m for infrastructure projects.
- 1.3 The purpose of this report is for the Cabinet CIL Committee to consider and approve the next round of funding allocations from CIL and pooled s106 expenditure. This report also contains 'in principle' allocations from the council's neighbourhood CIL portion, following successful implementation of the governance arrangements for this aspect of CIL approved by the committee in December 2018.

2. Recommendations

- 2.1 The Cabinet CIL Committee is asked to:

1. Approve the expenditure of £11.089m from Westminster's City CIL Strategic Portion as set out in Section 5.5 of this report. This includes the allocation of funding for the following projects set out in Appendix B.
 - (i) All Stars Boxing Club – Community Mentoring and Sports
 - (ii) Beachcroft AP School Open Space
 - (iii) Charing Cross Station – Gate Replacement
 - (iv) Charlbert Street Fountain Refurbishment
 - (v) City-wide Cycle Parking
 - (vi) Coventry Street and Haymarket Public Realm
 - (vii) Electric Vehicle Charging Infrastructure – Resident Charge Points
 - (viii) Elizabeth Street Highway Improvements
 - (ix) George Street and Thayer Street Public Realm
 - (x) Gloucester Terrace/ Cleveland Terrace Junction Improvements
 - (xi) Hallfield Community Primary School MUGA
 - (xii) Lock Bridge Refurbishment
 - (xiii) Oxford Street District Zero Emission Street Cleansing
 - (xiv) Paddington Recreation Ground Cycle Training Hub
 - (xv) Parliament Street Pedestrian Subway Improvements
 - (xvi) Queen's Park Cycle Hire Stations
 - (xvii) Restoration of the 'Hole-in-the-Wall', Knightsbridge
 - (xviii) Smart Streets
 - (xix) St. Marylebone Bridge Special School Seating

- (xx) St. Mary of the Angels School Sports Pitch
 - (xxi) Sussex Street Play Area Refurbishment
 - (xxii) Talbot Road/ Chepstow Road Pedestrian Improvements
 - (xxiii) Tresham Centre Upgrade
 - (xxiv) Warwick Avenue Bridge Refurbishment
 - (xxv) Wilberforce Primary School – Building Refurbishment
 - (xxvi) Wilberforce Primary School – Community Outdoor Pitch
2. Approve the expenditure of £0.701m from pooled Section 106 contributions as set out in Section 6 of this report. This includes the allocation of funding for the following projects set out in Appendix C.
- (i) Healthy Workplace Award Programme
 - (ii) Westminster Local Cost of Carbon Strategy
 - (iii) Westminster Carbon Reduction Target
3. To approve in principle the allocation of £0.731m from Westminster's Neighbourhood CIL Portion as set out in Section 7.3 of this report. This includes the provisional allocation of funding for the following projects set out in Appendix E.
- (i) Market Place Community Garden and Public Realm
 - (ii) West End Better Air Quality, More Recycling and Commercial Vehicle Reduction
 - (iii) The Bays London Street/ South Wharf Road Public Realm
 - (iv) Burwood Place Greening
 - (v) Connaught Village Green
 - (vi) Sussex Gardens/ Edgware Road Junction Improvements
 - (vii) Restoration of the 'Hole-in-the-Wall', Knightsbridge
 - (viii) Changing Lives, St. Marylebone Parish Church
 - (ix) Shrewsbury Gardens Public Realm
 - (x) Belgravia Neighbourhood Plan
 - (xi) The Covent Garden Lighting Partnership
 - (xii) The Northbank Low Emission Neighbourhood Street Greening

3. Reasons for Decision

- 3.1 In order to ensure robust and effective expenditure and reporting in line with the Community Infrastructure Levy Regulations 2010 (as amended) and in accordance with the council's strategic priorities, CIL spending policy statement and its framework for resource allocation and management.

4. Background

- 4.1 The Community Infrastructure Levy (CIL) is a charge that local authorities can impose on new development to help raise funds to deliver infrastructure that is required to support the development and growth of their area. Westminster's CIL came in to force on the 1st May 2016 and applies to liable developments

that were granted planning permission on or after this date. CIL is payable when works to implement the development commence. As of the 31st August 2019 the council had received a total of £57.449m of Westminster CIL.

- 4.2 On the 20th February 2017 Cabinet approved the governance arrangements for administering the Westminster Community Infrastructure Levy (CIL) and the remaining ‘pooled’ resources secured through section 106 (s106) agreements, including the establishment of this committee.
 - 4.3 The Cabinet CIL Committee held its inaugural meeting on the 2nd November 2017. The committee approved the CIL Policy Spending Statement and considered projects that were put forward for funding from the strategic CIL ‘City Portion’ and s106 resources.
 - 4.4 To date the committee has agreed to allocate £23.051m of CIL funding to projects, as detailed in the council’s decision statements of 3rd November 2017, 28th March 2018, 26th July 2018, 31st August 2018, 12th December 2018 and 1st July 2019. This is summarised in Appendix A.
 - 4.5 The CIL Regulations require apportionment of CIL receipts between:
 - the City CIL Strategic Portion (70-80%) – spent by the council according to its strategic infrastructure priorities;
 - a Neighbourhood Portion (15-25%) of receipts from development in each neighbourhood – spent by the council in agreement with the neighbourhood communities concerned (other than in Queen’s Park, where the portion is paid to, and spent by, the Community Council);
 - a CIL Administrative Portion (5%) – spent by the council on the administrative costs of CIL collection and administration.
 - 4.6 The purpose of this report is therefore for the committee to consider and approve further allocations of funding for projects from the City CIL Strategic Portion and s106 resources.
 - 4.7 This report also makes recommendations for part of the Neighbourhood Portion of Westminster’s CIL. Following the governance arrangements approved by the committee in December 2018, the council set up an application process to allow community organisations to put forward projects with local support for funding from CIL. The committee is therefore asked to consider and approve recommendations for funding projects put forward by local communities from the Neighbourhood Portion of Westminster’s CIL, the details of which are set out in Section 7 of this report and at Appendix E.
5. **Proposals for funding from Westminster CIL – the City CIL Strategic Portion**
 - 5.1 Overview of Westminster CIL receipts

- 5.1.1 The following summary provides a breakdown of Westminster CIL receipts for the City CIL strategic portion and the neighbourhood portion for each financial year from 1st May 2016:

Period	City CIL Strategic Portion	Neighbourhood Portion	Administration
01/05/2016 – 31/03/2017	£2.060m	£0.376m	£0.128m
01/04/2017 – 31/03/2018	£11.311m	£1.806m	£0.690m
01/04/2018 – 31/03/2019	£21.849m	£3.040m	£1.310m
01/04/2019 – 31/08/2019	£11.985m	£2.150m	£0.744m
Total	£47.205m	£7.372m	£2.872m

5.2 Westminster Strategic CIL allocations

- 5.2.1 The committee has agreed to allocate funding of £23.051m to projects to date from the City CIL Strategic Portion. These allocations have been apportioned to the indicative “funding pots” agreed by Cabinet by infrastructure types shown in the table below.

Infrastructure Type	Indicative percentage allocation of Westminster's CIL - the 'City CIL Strategic Portion'	Total Allocated
Public realm / Transport	50%	£14.078m
Health / Community Services	10%	£1.936m
Education	5%	£0.578m
Parks / Sport and Leisure	5%	£1.041m
Utilities / Waste	10%	£2.157m
Other Priorities / Contingency	20%	£3.262m
Total	-	£23.051m

- 5.2.2 It is worth noting that Cabinet acknowledged that the above “pot” allocations are indicative, and that the council reserves its right to depart from them if that proves necessary (because there is a major project requiring funding in a particular year, for example). These are broad allocations and in practice there are likely to be overlaps between them.
- 5.2.3 Following these allocations, the remaining balance of CIL monies received to 31st August 2019 meant that funding of £24.154m was available for allocation to projects in this quarter, as outlined in the table below and in Appendix A. The remaining balance from the total receipts outlined above will be allocated in future funding rounds, including any further CIL monies received.

Infrastructure Type	Indicative percentage allocation of Westminster's CIL - the 'City CIL Strategic Portion'	Available Funding
Public realm / Transport	50%	£9.524m
Health / Community Services	10%	£2.785m
Education	5%	£1.783m
Parks / Sport and Leisure	5%	£1.320m
Utilities / Waste	10%	£2.563m
Other Priorities / Contingency	20%	£6.179m
Total	-	£24.154m

5.3 Future CIL income

- 5.3.1 Between 1st May 2016 and 31st August 2019, liability notices for a potential value of £261.309m have been issued. These notices are raised following the grant of planning permission and set out what the liable charge would be should work on the development start. The realisation of the remainder of these monies is therefore totally dependent on a developer implementing their planning permission. In Westminster it is common to have multiple planning permissions on a site or for a permission not to be implemented. This figure, while informative, should not therefore be treated as guaranteed future income.
- 5.3.2 Between 1st May 2016 and 31st August 2019, demand notices totalling £72.449m have been issued, with a total of £57.449m collected. Where a demand notice has been issued, this means that development has commenced and that CIL is now due for payment. The council's CIL instalment policy allows developers fixed timescales at 90, 180 and 360 days (post-commencement) to pay the amount due. The number of instalments available is dependent on the total amount of CIL due, with higher CIL charges allowing for more time to pay. This means that a further £15.000m is due to be collected over the next year on developments that have already commenced. Further demand notices may also be issued if other developments commence and therefore further CIL income could be received over this period.

5.4 Summary of Bids from Westminster Service Areas for Funding from Westminster's City CIL Strategic Portion

- 5.4.1 As agreed by Cabinet, a senior officer working group (chaired by the Director of Policy, Performance and Communications and comprising representatives across council departments) has worked to bring forward project recommendations from across all service areas. A full list of the project bids is included at Appendix B with information on how they meet the eligibility criteria set out in the CIL Policy Spending Statement agreed by the committee in

November 2017. In summary, the total funding available from the City CIL Strategic Portion is illustrated below against each infrastructure type.

Infrastructure Type	Indicative Available Funding from the City CIL Strategic Portion	Value of Bids	Balance
Public Realm/ Transport	£9.524m	£4.296m	£5.228m
Health and Community Services	£2.785m	£0.175m	£2.610m
Education	£1.783m	£0.528m	£1.255m
Parks/ Sport and Leisure	£1.320m	£1.280m	£0.040m
Utilities/ Waste	£2.563m	£2.250m	£0.313m
Other Priorities/ Contingency	£6.179m	£2.560m	£3.619m
Total	£24.154m	£11.089m	£13.065m

- 5.4.2 A written summary of each of the council's service area project bids for funding from the City CIL Strategic portion is also provided below. This supplements the information provided at Appendix B to help the Committee's consideration of the proposals.

5.5 Commentary on Proposals for CIL Funding

- 5.5.1 *All-Stars Boxing Club – Mentoring and Sports.* This project will upgrade the existing facilities at the All-Stars Boxing Club on Harrow Road, many of which are outdated and do not meet modern standards. The upgrade will also introduce new facilities including meeting rooms and a community café, allowing the facility to serve the wider community more effectively. The project contributes to the City for All priorities of 'city that celebrates its communities' and 'healthier and greener city', and the City Plan themes of 'homes and communities' and 'a healthier and greener city'. A CIL allocation of £0.750m is sought from the Health and Community Services portion (£0.075m), the Education portion (£0.085m), the Parks/ Sport and Leisure portion (£0.500m), the Utilities and Waste portion (£0.050m) and the Other Priorities/Contingency portion (£0.040m). It is recommended that this funding is provisionally allocated on the condition that planning permission is obtained.

- 5.5.2 *Beachcroft AP School Open Space.* The school has acquired open space from neighbouring George Eliot Primary School, which was surplus to requirements. This space needs to be re-landscaped to be brought up to a suitable standard. This project contributes to the City for All priorities of 'caring and fairer city', 'healthier and greener city' and 'city that celebrates its communities', and the City Plan themes of 'homes and communities' and 'a healthier and greener city'. A CIL allocation of £0.050m is sought from the Education portion to enable these works.

- 5.5.3 *Charing Cross Station – Gate Replacement.* This project will replace the 11 entrance gates into Charing Cross Station, which have fallen into disrepair. This will ensure that health and safety and security issues around the station are fully addressed, ensuring that all entrances can be securely locked. Replacement gates will also improve the look and feel of the area. The project contributes to the City for All priorities of ‘caring and fairer city’ and ‘excellent local services’ by addressing these issues. A CIL allocation of £0.100m from the Public Realm/ Transport portion is sought to enable these works.
- 5.5.4 *Charlbert Street Fountain Refurbishment.* This project will refurbish the Grade II listed drinking water fountain at Charlbert Street, ensuring that one of the city’s many heritage assets is preserved to be enjoyed by future generations. The project contributes to the City for All priority of ‘city that celebrates its communities’. A CIL allocation of £0.010m is sought from the Public Realm/ Transport portion to enable these works.
- 5.5.5 *City-wide Cycle Parking.* This project will continue the roll-out of on-street cycle hangars following successful implementation of last year’s programme. The project will provide 15 secure cycle parking hangars on Westminster’s council estates and provide visitor cycle parking to much needed areas. The project contributes to the City for All and City Plan priorities of ‘healthier and greener city’, and the council’s walking and cycling strategies. A CIL allocation of £0.150m is sought form the Public Realm/ Transport portion to enable the delivery of this project.
- 5.5.6 *Coventry Street and Haymarket Public Realm.* This project will address the frequency of accidents at the junction of Coventry Street and Haymarket by increasing the available public footway and introducing improved facilities for pedestrians including a diagonal crossing. The project contributes to the City for All priority ‘city of opportunity’ and the City Plan theme of ‘opportunities for growth’ by improving the pedestrian environment at this location. Match funding has been obtained from the TfL Local Safety Scheme. A CIL allocation of £0.350m is sought from the Public Realm/ Transport portion to enable these works.
- 5.5.7 *Electric Vehicle Charging Infrastructure – Resident Charge Points.* This project will rollout a mixture of standalone units and lamp column chargers to provide for increased demand from residents and stakeholders for electric charging facilities. The project contributes to the City for All and City Plan priorities of ‘healthier and greener city’ and the council’s Clean Air Manifesto. A CIL allocation of £0.450m is sought from the Public Realm/ Transport portion (£0.250m) and the Utilities and Waste portion (£0.200m).
- 5.5.8 *Elizabeth Street Highway Improvements.* This project will introduce highway improvements to Elizabeth Street in order to reduce lorry movements and improve pedestrian safety, including through the introduction of a diagonal crossing at the junction with Buckingham Palace Road. This project contributes to the City for All priorities of ‘city of opportunity’ and ‘healthier and greener city’ and the City Plan themes of ‘homes and communities’ and

'healthier and greener city'. A CIL allocation of £0.600m is sought from the Public Realm/ Transport portion to enable these works.

- 5.5.9 *George Street and Thayer Street Public Realm*. This project will create a more pedestrian friendly environment at the George Street and Thayer Street junction, reducing street clutter, rationalising the streetscape and introducing high quality paving. The project contributes to the City for All priorities of 'city of opportunity' and 'healthier and greener city', and the City Plan themes of 'opportunities for growth' and 'healthier and greener city'. A CIL allocation of £0.380m is sought from the Public Realm/ Transport portion to enable these works.
- 5.5.10 *Gloucester Terrace/ Cleveland Terrace Junction Improvements*. This project will implement a number of highway safety measures at the junction of Gloucester Terrace and Cleveland Terrace, including a new zebra crossing, junction modification and reduction of street clutter. The project contributes to the City for All priority of 'city of opportunity', and the City Plan theme 'opportunities for growth'. A CIL allocation of £0.350m is sought from the Public Realm/ Transport portion to enable these works.
- 5.5.11 *Hallfield Community Primary School Multi-Use Games Area (MUGA)*. This project to introduce a MUGA at Hallfield School was initially funded through s106 contributions in 2017. Due to surveying and procurement delays the project has only recently started. Inflation has meant that overall costs have risen by 4.3%. Therefore, an additional CIL contribution is needed to ensure the project goes ahead. The project will contribute to the City for All priorities 'healthier and greener city' and 'city that celebrates its communities', and the City Plan themes of 'homes and communities' and 'healthier and greener city'. A CIL allocation of £0.040m is sought from the Education portion.
- 5.5.12 *Lock Bridge Refurbishment*. This project will refurbish and protect the Lock Bridge, which spans the Grand Union Canal and carries Harrow Road. It will protect the bridge from corrosion, preserving its structure and ensuring that the city's road network will remain fully operational. The project contributes to the City for All priority 'excellent local services'. A CIL allocation of £0.045m is sought from the Public Realm/ Transport portion.
- 5.5.13 *Oxford Street District Zero Emission Street Cleansing*. This project will procure 16 zero emission street cleansing vehicles and their associated charging infrastructure for use in the West End. This will improve air quality in some of the city's most dense and narrow streets and will result in long-term cost savings for the council on the basis that zero emission vehicles will not be required to pay the recently introduced Ultra Low Emissions Zone (ULEZ) charge, currently costing the council over £0.300m per annum. This project contributes to the City for All priorities of 'city of opportunity', 'excellent local services' and 'healthier and greener city', and the City Plan themes of 'opportunities for growth' and 'healthier and greener city'. It also contributes to meeting various other council strategies including the Air Quality Action Plan, Green City Action Plan, and the Municipal Waste Management Strategy. A

CIL allocation of £4.500m is sought from the Utilities and Waste portion (£2.000m) and the Other Priorities/ Contingency portion (£2.500m).

- 5.5.14 *Paddington Recreation Ground Cycle Training Hub.* This project will install a cycle training hub, integrated storage and classroom at Paddington Recreation Ground, which will facilitate a cycle training programme and can also be used by a variety of community groups. The project contributes to the City for All priorities of ‘healthier and greener city’ and ‘city that celebrates its communities’, and the City Plan themes of ‘homes and communities’ and ‘healthier and greener city’. A CIL allocation of £0.600m is sought from the Public Realm/ Transport portion (£0.400m), the Health and Community Services portion (£0.100m) and the Parks/ Sport and Leisure portion (£0.100m).
- 5.5.15 *Parliament Street Pedestrian Subway Improvements.* This project seeks to install new lighting and repair railings at the Parliament Street Subway adjacent to Elizabeth Tower, a subway frequently used by residents and visitors, in order to improve the pedestrian environment. The project contributes to the City for All priorities ‘city of opportunity’ and ‘excellent local services’ and the City Plan theme of ‘opportunities for growth’. A CIL allocation of £0.061m is sought from the Public Realm/ Transport portion to enable these works.
- 5.5.16 *Queen’s Park Cycle Hire Stations.* This project will introduce three additional TfL cycle hire stations along the Harrow Road at Maida Hill Market, Harrow Road/ Sutherland Avenue and Harrow Road/ Bravington Road. Harrow Road and Queen’s Park wards currently lack cycle hire infrastructure and the project will further strengthen the availability of cycle hire in Westbourne ward. The project will contribute to the City for All priorities of ‘caring and fairer city’, ‘excellent local services’ and ‘healthy and greener city’, as well as the City Plan theme of ‘healthier and greener city’. A CIL allocation of £0.550m is sought from the Public Realm/ Transport portion to enable these works.
- 5.5.17 *Restoration of the ‘Hole-in-the-Wall’, Knightsbridge.* This project will restore the ‘hole-in-the-wall’, a public thoroughfare and historic feature in Knightsbridge between Rutland Mews East and Rutland Street, and will improve lighting facilities there. This project has been brought forward by the Knightsbridge Neighbourhood Forum (see Section 7.3.6 of this report) and the forum propose to match-fund the project using the Knightsbridge Neighbourhood CIL. The project contributes to the City for All priorities ‘healthier and greener city’ and ‘city that celebrates its communities’, as well as the City Plan’s theme of ‘healthier and greener city’ and the Knightsbridge Neighbourhood Plan’s principles and policies. A CIL allocation of £0.020m is sought from the Other Priorities/ Contingency portion to enable the project to proceed.
- 5.5.18 *Smart Streets.* This project will trial the installation of two ‘smart streets’ at Church Street and Villiers Street, combining new technologies including sensors and fibre optics and assess their functionality and resilience. The aim

is to establish efficient systems that can communicate with each other as necessary, are cost effective, support analysis and prompt, well informed decision making within the street environment. The project contributes to the City for All priorities 'excellent local services' and 'city of opportunity' and the City Plan themes of 'opportunities for growth'. A CIL allocation of £0.500m is sought from the Public Realm/ Transport portion to enable these works.

- 5.5.19 *St. Marylebone Bridge Special School Seating.* This project will install retractable tiered seating in the school's hall. This will enable the hall space to provide an attractive venue not just for the school community but also widen its appeal to the local community, which would then raise awareness of the work of the school. The project contributes to the City for All priorities 'city that celebrates its communities' and 'caring and fairer city', and the City Plan theme of 'homes and communities'. A CIL allocation of £0.075m is sought from the Education portion.
- 5.5.20 *St. Mary of the Angels School Sports Pitch.* This project will replace the current sports pitch at the school, which is used during the school day and before and after for school sports clubs. Furthermore, the facility is used by the local community at weekends and on weekday evenings. The project contributes to the City for All priorities of 'healthier and greener city' and 'city that celebrates its communities', and the City Plan themes of 'homes and communities' and 'healthier and greener city'. A CIL allocation of £0.064m is sought from the Education portion.
- 5.5.21 *Sussex Street Play Area Refurbishment.* This project will refurbish the Sussex street Play Area in Pimlico, creating a new accessible and green open space that can be used by the community. Co-design of the space with the community and outstanding carbon neutral characteristics will be key features of this project. The project contributes to the City for All priorities of 'city that celebrates its communities', 'healthier and greener city' and 'excellent local services', and the City Plan themes of 'homes and communities' and 'healthier and greener city'. A CIL allocation of £0.500m from the Parks/ Sport and Leisure portion is sought to enable these works.
- 5.5.22 *Talbot Road/ Chepstow Road Pedestrian Improvements.* This project will install 'greenman' crossing facilities to all four arms of the junction. Works would also seek to reduce clutter and rationalise the streetscape, thereby improving the pedestrian environment around the junction. The project contributes to the City for All priorities of 'city of opportunity' and 'healthier and greener city' and the City Plan themes of 'opportunities for growth' and 'healthier and greener city'. A CIL allocation of £0.400m is sought from the Public Realm/ Transport portion to enable these works.
- 5.5.23 *Tresham Centre Upgrade.* This project will upgrade the Tresham Centre that serves disabled children and young people and will adapt and improve the space as well as upgrading the building's facilities. The project contributes to the City for All priorities of 'caring and fairer city' and 'excellent local services'

and the City Plan's theme of 'homes and communities'. A CIL allocation of £0.131m is sought from the Education portion to enable these works.

- 5.5.24 *Warwick Avenue Bridge Refurbishment*. This project will repair and refurbish the Warwick Avenue Bridge, which spans the Grand Union Canal, including the railings and pillars. It will protect the bridge from corrosion, preserving its structure and ensuring that the city's road network will remain fully operational. The project contributes to the City for All priority 'excellent local services'. A CIL allocation of £0.150m is sought from the Public Realm/ Transport portion to enable these works.
- 5.5.25 *Wilberforce Primary School Building Refurbishment*. This project will enable the construction of a new special school on half of the site occupied by Wilberforce Primary School through refurbishing one of the existing school's buildings so it is capable of housing all the school's pupils. This wider refurbishment project is funded through a variety of sources. A CIL contribution will enable improvements which are at risk of being deleted from the scheme but are considered essential to its success to go ahead. The project contributes to the City for All priorities 'caring and fairer city', 'city that celebrates its communities' and 'excellent local services', and the City Plan theme of 'homes and communities'. A CIL allocation of £0.083m is sought from the Education portion.
- 5.5.26 *Wilberforce Primary School Community Outdoor Pitch*. This project will construct a new outdoor sports pitch at Wilberforce Primary School. The pitch will be subject to a Community Use Agreement, enabling it to be used by the wider community outside of school hours. The project contributes to the City for All priorities 'healthier and greener city', 'city that celebrates its communities' and 'excellent local services', and the City Plan themes of 'homes and communities' and 'healthier and greener city'. A CIL allocation of £0.180m is sought from the Parks/ Sport and Leisure portion.

6. Proposals for funding from pooled Section 106 contributions

6.1 Overview of Section 106 Pooled Funds

- 6.1.1 CIL has largely replaced s106 planning obligations as the primary mechanism for delivering planning infrastructure benefits. Since the introduction of CIL, the council has only been able to collect s106 obligations that can be pooled for site specific purposes that are not directly related to infrastructure. These are affordable housing, employment and skills, and carbon offsetting contributions. Other s106 contributions relating to infrastructure must be specifically required in order to make a development acceptable in planning terms, otherwise they will be captured through CIL. Nevertheless, there are still some historic planning applications that will continue to contribute to historic funding streams where triggers for payment are reached.

- 6.1.2 It is beneficial to utilise s106 monies where possible, as they are tied to specific planning permissions and are often explicit and/or time limited in terms of their use. For each allocation of funding using s106, officers must therefore ensure that the terms of the individual s106 agreement from which the funds have been received are complied with. In this respect the application of s106 funding is less flexible than CIL.
- 6.1.3 Three further projects were submitted for this funding round that are eligible for pooled Section 106 (s106) funding rather than CIL.

6.2 Section 106 pooled Social and Community funds

- 6.2.1 S106 monies totalling £2.970m are held in relation to funding for social and community projects. It is recommended that one project is funded using these monies as set out below and at Appendix C, leaving a balance of £2.319m.
- 6.2.2 *Westminster Healthy Workplace Award.* This project delivers the London Healthy Workplace Award, a business accreditation scheme led by the Mayor of London's Office and supported by Public Health England. The scheme is structured around an evidenced-based model of workplace health and wellbeing and based on a series of standards. The committee previously agreed to continue funding this scheme using s106 monies in November 2017. Funding will allow the scheme to continue for a further three years until March 2023. The project contributes to the City for All priorities of 'healthier and greener city' and 'city of opportunity' and the City Plan themes of 'opportunities for growth' and 'healthier and greener city'. An allocation of £0.651m is sought from pooled s106 social and community funds.

6.3 Section 106 pooled Carbon Offset funds

- 6.3.1 S106 monies totalling £2.559m are held in relation to funding for carbon offsetting projects. It is recommended that two projects are funded using these monies as set out below and at Appendix C, leaving a balance of £2.509m.
- 6.3.2 *Westminster Local Cost of Carbon Strategy.* This project will allow the council, as part of a consortium of six London Boroughs, to undertake an assessment of local planning policy and devise an approach to encourage the maximisation of on-site carbon reductions on new development sites in London. The project contributes to the City for All and City Plan 'healthier and greener city' priority. An allocation of £0.015m is sought from pooled s106 carbon offset funds.
- 6.3.3 *Westminster Carbon Reduction Target.* This project will deliver a carbon reduction target and action plan to guide the council's corporate energy

management/ carbon emissions reduction activities and pilot the use of science-based carbon emissions reduction targets, an approach is extensively used in the commercial sector. The project contributes to the City for All and City Plan ‘healthier and greener city’ priority. An allocation of £0.035m is sought from pooled s106 carbon offset funds.

7. Westminster’s CIL – the neighbourhood portion

7.1 Overview of Neighbourhood CIL

- 7.1.1 Cabinet agreed that the Senior Officer Working Group should oversee the engagement and allocation processes for the neighbourhood portion of CIL and make recommendations to the Cabinet CIL Committee about the allocation of Neighbourhood CIL.
- 7.1.2 There are 21 neighbourhood areas throughout Westminster, yet not all of the city’s land area is designated, with the bulk of Vincent Square and St. James’s wards remaining undesignated. A full list of the ring-fenced neighbourhood portion of CIL is included at Appendix D and is broken down by neighbourhood area. As set out in legislation this is set at 15% of CIL receipts in a neighbourhood area capped at £100 per council tax paying dwelling, per annum. Where a neighbourhood area has an adopted neighbourhood plan, the percentage allocated to the neighbourhood rises to 25% uncapped. Local communities in the undesignated areas of the city are still entitled to a say over the neighbourhood portion of CIL in this area.
- 7.1.3 The total monies assigned to the neighbourhood portion of CIL is £7.372m to 31st August 2019.

7.2 Summary of Bids from Westminster’s Communities for Allocation of Funding from Westminster’s CIL Neighbourhood Portion

- 7.2.1 The Cabinet CIL Committee agreed the governance arrangements for assessing applications from neighbourhood forums and other community organisations in December 2018. Two bidding rounds will be open per year to allow local communities to apply for neighbourhood CIL. The council launched its first neighbourhood CIL bidding round on 11th June 2019. Applications were accepted until 11th September 2019 and were supported by ‘application surgeries’ where interested parties met with officers to discuss the process and potential projects. Following the close of the application period, all applications were assessed against the agreed criteria in legislation and the council’s CIL Spending Policy Statement. In summary the total available funding from the CIL Neighbourhood Portion is illustrated below against each neighbourhood area.

Neighbourhood Area	Indicative Available Funding from the CIL Neighbourhood Portion	Value of Bids	Balance
Queen’s Park*	£0.002m	N/A	£0.002m

Neighbourhood Area	Indicative Available Funding from the CIL Neighbourhood Portion	Value of Bids	Balance
Notting Hill East	£0.010m	£0.010m	£0.000m
Bayswater	£0.133m	£0.000m	£0.133m
Little Venice and Maida Vale	£1.226m	£0.000m	£1.226m
Belgravia	£0.295m	£0.029m	£0.266m
Church Street	£0.007m	£0.000m	£0.007m
Churchill Gardens Estate	£0.000m	£0.000m	£0.000m
Ebury Bridge	£0.000m	£0.000m	£0.000m
Fitzrovia West	£0.297m	£0.152m	£0.145m
Hyde Park and Paddington	£0.602m	£0.275m	£0.327m
Knightsbridge	£0.031m	£0.020m	£0.011m
Maida Hill	£0.003m	£0.000m	£0.003m
Marylebone	£1.340m	£0.100m	£1.240m
Mayfair	£0.888m	£0.000m	£0.888m
Pimlico	£0.000m	£0.000m	£0.000m
Soho	£0.301m	£0.000m	£0.301m
South East Bayswater	£0.107m	£0.000m	£0.107m
St James's	£0.004m	£0.000m	£0.004m
St John's Wood	£0.291m	£0.000m	£0.291m
Victoria	£0.110m	£0.000m	£0.110m
Westbourne	£0.181m	£0.000m	£0.181m
Outside Neighbourhood areas	£1.544m	£0.145m	£1.399m
Total	£7.372m	£0.731m	£6.641m

* Queen's Park neighbourhood CIL will be transferred directly to Queen's Park Community Council as a designated parish council for CIL purposes, in line with legislation.

- 7.2.2 A total of 15 applications for neighbourhood CIL were received from various neighbourhood forums, community organisations and Business Improvement Districts (BIDs) for this round.

7.2.3 A written summary of each of the project bids for funding from the CIL Neighbourhood Portion is also provided below along with an Officer recommendation. This supplements the information provided at Appendix E to help the Committee's consideration of the proposals.

7.3 Commentary on Neighbourhood CIL Proposals Recommended for 'In Principle' Allocations

7.3.1 *Market Place Community Garden and Public Realm.* This application was made by the Fitzrovia West Neighbourhood Forum and seeks a neighbourhood CIL allocation of £0.152m. The project would create a new tranquil space in Market Place, providing an enhanced pedestrian environment, greening and traffic calming measures. This project would contribute to the City for All priorities of 'healthier and greener city' and city of opportunity', and the City Plan themes of 'healthier and greener city', 'homes and communities' and 'opportunities for growth'. Local ward councillor Glanz has confirmed his support for this project, and the Forum state that councillors Barnes and Lewis also support the project. The project is also supported by New West End Company and Great Portland Estates, as well as through the Forum's survey of residents. Officers recommend that in principle this allocation is supported, provided designs are agreed, and that management and maintenance costs can be adequately absorbed.

7.3.2 *West End Better Air Quality, More Recycling and Commercial Vehicle Reduction.* This application was made by the Heart of London Business Improvement District (BID) and seeks a neighbourhood CIL allocation of £0.120m. The project will install five waste compactors at selected locations in the West End, reducing waste volumes and thereby reducing waste collections, which will improve congestion and air quality. Heart of London will put forward another £0.040m towards communications and monitoring. The project contributes to the City for All and City Plan priority 'healthier and greener city'. Councillor Hyams has confirmed support for this application. The project is also supported by the St James's Conservation Trust, St James's Neighbourhood Forum, Covent Garden Community Association, Soho Society and Residents of Mayfair and St James's. Officers recommend that in principle this allocation is supported, provided that maintenance and management costs are agreed.

7.3.3 *The Bays London Street/ South Wharf Road Public Realm.* This application was made by the Hyde Park and Paddington Neighbourhood Forum and seeks a neighbourhood CIL allocation of £0.100m. The total project cost is estimated at £0.350m, with the remainder to be provided by The Paddington Partnership. The project involves the design and fitting of panels to be installed along 'The Bays' to connect 'old' Paddington with the newly developed parts of the Paddington Opportunity Area around Paddington Basin. The project would also improve lighting and streetscape in the area, enhancing connectivity and the pedestrian environment. The project would contribute to the City for All priorities 'city that celebrates its communities' and the City Plan theme 'homes and communities'. Local councillors Adams and Cox have

confirmed their support for this project. The Forum has also engaged with a variety of local residents, community organisations and local businesses. Officers recommend that in principle this allocation is supported, provided designs are agreed, and that management and maintenance costs can be adequately absorbed.

- 7.3.4 *Burwood Place Greening*. This application was made by the Hyde Park and Paddington Neighbourhood Forum and seeks a neighbourhood CIL allocation of £0.015m. The total project cost is estimated at £0.030m, with the remainder to be provided by the Marble Arch BID and the Church Commissioners. The project would install additional green infrastructure in the form of planters near the new cycle Quietway crossing at Burwood Place, at the junction with Edgware Road. This will make the location more attractive for pedestrians and cyclists, encouraging dwell time and use of local facilities. Maintenance would be undertaken by the BID. The project would contribute to the City for All and City Plan priority of 'healthier and greener city'. Local councillors Adams and Cox have confirmed their support for this project. The project is also supported by the Southwick Mews Residents' Association. Officers recommend that in principle this allocation is supported, provided designs are agreed.
- 7.3.5 *Connaught Village Green*. This application was made by the Hyde Park and Paddington Neighbourhood Forum and seeks a neighbourhood CIL allocation of £0.050m. The total project cost is estimated at £0.950m, with the remainder to be provided through the council's strategic CIL (£0.700m) and the Church Commissioners (£0.200m). The project will deliver improved public realm including seating, greening measures, and encourage pedestrian and cycle movements. The project would contribute to the City for All priorities of 'city of opportunity' and 'healthier and greener city' and the City Plan theme of 'healthier and greener city'. Local councillors Adams and Cox have confirmed their support for this project. The project is also supported by the Hyde Park Estate Association. Officers recommend that in principle this allocation is supported, provided designs are agreed, and that management and maintenance costs can be adequately absorbed. A future strategic CIL application could be brought forward to the committee to meet the remaining costs provided progress has been made on these issues.
- 7.3.6 *Sussex Gardens/ Edgware Road Junction Improvements*. This application was made by the Hyde Park and Paddington Neighbourhood Forum and seeks a neighbourhood CIL allocation of £0.110m to cover the implementation phase of the project. Marble Arch BID and the Church Commissioners have agreed further funding. The project will deliver improved public realm, enhancing the pedestrian environment and improving the visual connection to the adjacent 'Helter Skelter Garden'. This would contribute to the City for All priorities of 'city of opportunity' and 'city that celebrates its communities' and the City Plan themes of 'opportunities for growth' and 'homes and communities'. Local councillors Adams and Cox have confirmed their support for this project, and it is also supported by local residents and businesses. Officers recommend that in principle this allocation is supported, provided designs are agreed, and that any future management and maintenance costs can be adequately absorbed.

- 7.3.7 *Restoration of the ‘Hole-in-the-wall’, Knightsbridge.* This application was made by the Knightsbridge Neighbourhood Forum and seeks a neighbourhood CIL allocation of up to £0.030m. As detailed in Section 5.5.17 of this report, this project will restore the ‘hole-in-the-wall’, a public thoroughfare and historic feature in Knightsbridge between Rutland Mews East and Rutland Street, and will improve lighting facilities there. The project contributes to the City for All priorities ‘healthier and greener city’ and ‘city that celebrates its communities’, as well as the City Plan’s theme of ‘healthier and greener city’ and the Knightsbridge Neighbourhood Plan’s principles and policies. Local councillors Robathan, Devenish and Hitchcock have confirmed their support for this project, which is also supported by the Knightsbridge Association. Officers recommend that this project is allocated £0.020m of neighbourhood CIL, to match the amount proposed from Westminster’s strategic CIL towards a total project cost of £0.040m.
- 7.3.8 *Changing Lives, St. Marylebone Parish Church.* This application was made by the Marylebone Neighbourhood Forum and seeks a neighbourhood CIL allocation of £0.100m. This allocation would form part of a wider project to repair the Grade I listed Parish Church and improve the associated community infrastructure operating there, at a total cost of £8.593m. £5.280m has already been raised to date from a variety of sources. Specifically, the neighbourhood CIL allocation would deliver upgrades to the entrance and reception of the NHS Marylebone Health Centre and install accessible community toilet facilities. The project contributes to the City for All priorities ‘healthier and greener city’ and ‘city that celebrates its communities’, as well as the City Plan’s theme of ‘healthier and greener city’. The application states that local councillors Bott, Rowley and Scarborough support the project, which also has support from various local associations and the wider community. Officers recommend that this allocation is approved in principle and that the potential for further CIL allocation from the council’s strategic CIL is explored as the project develops.
- 7.3.9 *Shrewsbury Gardens Public Realm.* This application was made by the Notting Hill East Neighbourhood Forum and seeks a neighbourhood CIL allocation of £0.010m. The allocation would support design work to re-landscape the gardens, introducing new amenities and planting. The project, if fully implemented, would contribute to the City for All and City Plan priority ‘healthier and greener city’, and the City for All priority ‘city that celebrates its communities’. Local councillors Boothroyd and Hug have confirmed their support for the project. Officers recommend that in principle this allocation is supported, provided initial concept designs are agreed, and that there is a suitable business case for works to be made, including whether any future management and maintenance costs can be adequately absorbed.
- 7.3.10 *Belgravia Neighbourhood Plan.* This application was made by the Belgravia Neighbourhood Forum and seeks a neighbourhood CIL allocation of £0.029m. This allocation would facilitate the preparation of the Belgravia Neighbourhood Plan from its initial stages to draft plan stage over the next 12 months. The allocation would cover policy preparation and review, preparation of evidence,

design and printing, and consultation costs. The Belgravia Neighbourhood Plan would contribute to the City for All priorities 'city of opportunity' and 'city that celebrates its communities' and the City Plan themes of 'homes and communities' and 'opportunities for growth'. Local councillors Wilkinson, Gassanly and Hitchcock have expressed support for this allocation. In principle neighbourhood CIL can be used to fund neighbourhood plan and evidence preparation. Officers therefore recommend that, pending the successful re-designation of Belgravia Neighbourhood Forum, this allocation should be limited to policy and evidence preparation, and should not include design, printing or consultation costs.

- 7.3.11 *The Covent Garden Lighting Partnership.* This application was made by the Seven Dials Trust and seeks a neighbourhood CIL allocation of £0.015m. The project will improve street lighting in the area through redesigning the street lights and lanterns to reduce energy consumption and maintenance costs. The project will contribute to the City for All priorities 'city that celebrates its communities' and 'healthier and greener city' and the City Plan themes of 'homes and communities' and 'healthier and greener city'. Councillor Hyams has confirmed support for this application. The project is also supported by the Covent Garden Community Association and the Covent Garden Area Trust, and members of the local business community. Officers recommend that this allocation is supported in principle, provided it remains limited to the Seven Dials area of Covent Garden, and that maintenance and management costs can be adequately absorbed.
- 7.3.12 *The Northbank Business Low Emission Neighbourhood (BLEN) Street Greening.* This application was made by the Northbank Business Improvement District (BID) and seeks a neighbourhood CIL allocation of £0.010m. The total project cost is estimated at £0.020m, the remainder of which will be funded by the Northbank BID. The project has already installed street greening interventions to create a network of Cleaner Air Well Being Routes, which connect the Embankment and Charing Cross to Covent Garden through quieter side streets. The CIL allocation would represent a 50% contribution from the council to maintain the street greening infrastructure, equipment and planting. The project supports the City for All and City Plan priorities of 'healthier and greener city'. The BID has engaged the local community and local ward councillors via the BLEN steering group. Officers recommend this allocation is approved.

7.4 Commentary on neighbourhood CIL proposals not recommended for approval

- 7.4.1 *West End Public Realm Spaces.* This application was made by Heart of London Business Improvement District (BID), seeking a neighbourhood CIL allocation of £0.175m. This would be spent on preliminary feasibility and design stage work to create seven public realm spaces within the West End, including traffic origin and destination studies, kerbside studies, site audits and preliminary concept designs. Officers do not support this allocation. Preliminary design and feasibility work will not necessarily lead to the delivery of these schemes, and many of the studies suggested have already been completed by the council risking duplication. Further discussions are needed

between officers and the BID to consider whether further design stage work should go ahead and a revised CIL bid could be brought forward in future if these schemes are considered deliverable.

- 7.4.2 *Alexander Fleming Museum.* This application was made by the Hyde Park and Paddington Neighbourhood Forum, seeking a neighbourhood CIL allocation of £0.020m. This would be spent on refurbishing the Alexander Fleming Museum, including a new entrance and signage, a security system with CCTV, new exhibition boards and cabinets, redecoration and restoration of original fixtures. Officers do not support this allocation. Although the museum is operated by the NHS trust, a visitor entry fee is charged. It is therefore difficult to demonstrate that the proposal meets the council's City for All priorities, or that it deals with the demands that development places on the local area. The council's CIL Spending Policy Statement also states that "funding will not be granted for proposals that are seeking to remedy pre-existing deficiencies, unless these will be made more severe by new development".
- 7.4.3 *Removing obsolete traffic lights to reduce CO₂ emissions and improve traffic flow.* This application was put forward by the Belgravia Residents' Association, seeking a neighbourhood CIL allocation of £0.200m. This would be spent on the removal of traffic lights at the junction of Ebury Street and Lower Belgrave Street, which the association considers obsolete. Officers do not support this allocation currently because it is unclear that it has the support of the relevant infrastructure provider, in this case Transport for London (TfL). Further discussions between the association and TfL need to take place before this allocation can be considered. If the support of TfL is obtained, a revised CIL application could come forward at a later date.

8. Financial Implications

- 8.1 CIL is intended to support the strategic infrastructure that is required to support the development of the local area and there is greater flexibility in how it might be applied than there is with s106 funding. Decisions about CIL are transparent and linked with the council's strategic priorities including those on the council's Capital Programme.
- 8.2 The council is in receipt of £57.449m from CIL since it was launched in May 2016 of which, £47.205m is allocated to City CIL Strategic Portion, £7.372m to Neighbourhood Portion and £2.872m to offset the cost of CIL administration.
- 8.3 From the City CIL Strategic Portion, £11.089m is requested for approval in this report. If approved, then the total allocation of CIL monies to projects will be £34.140m, leaving a balance of £13.065m.
- 8.4 Pooled section 106 (s106) contributions for city-wide purposes have largely been replaced by CIL. Nevertheless, there are residual amounts collected under historic s106 agreements that remain available to spend provided they align with the provisions of the individual legal agreements concerned.

- 8.5 The £0.701m requested for approval in this report is from contributions towards social and community and carbon offsetting projects. If approved, the remaining contributions for social and community purposes will be £2.319m and the remaining carbon offset contributions will be £2.509m.
- 8.6 From the Westminster CIL Neighbourhood Portion, £0.731m is requested for ‘in principle’ approval in this report. If approved, the total allocation of the neighbourhood portion of CIL to projects will be £0.731m, leaving a balance of £6.641m.

9. Legal Implications

- 9.1 The legislation governing the development, adoption and administration of a Community Infrastructure Levy (CIL) is contained within the Planning Act (2008) and the Community Infrastructure Levy Regulations 2010 (as amended). The associated government National Planning Policy Guidance is also important in guiding this process. There are other areas of law which should be considered when assessing certain developments for CIL liability and determining the appropriate sum due. These include matters relating to social housing, procurement, charitable institutions and state aid.
- 9.2 Further legislative reforms to the CIL regime are expected in due course following the government consultation entitled *Supporting housing delivery through developer contributions* and the government’s recently published response.
- 9.3 Section 106 of the Town and Country Planning Act 1990 enables a local planning authority to enter into a legally binding planning obligation with a developer called a Section 106 agreement. The City Council can, through these agreements, secure financial support for projects that benefit the people of the borough.
- 9.4 The Director of Law has considered the proposed s106 expenditure, as detailed in Section 6 of this report, and is satisfied that these are projects for which the s106 funds can be legally utilised by the City Council.

10. Equalities

- 10.1 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.

- 10.2 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.
- 10.3 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.
- 10.4 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 equalities implications of the decision.
- 10.5 All decisions on spending CIL will themselves be subject to assessment to ensure the 2010 Act duties are complied with. The council will review its CIL charging schedule on a biennial basis.

Appendices

Appendix A CIL Balance and Allocations, 31st August 2019

Appendix B Projects put forward for funding from Westminster's Community Infrastructure Levy (CIL) 'Strategic Portion'

Appendix C Projects put forward for funding from Westminster's pooled Section 106 (s106) contributions

Appendix D The neighbourhood CIL portion, 31st August 2019

Appendix E Projects put forward for funding from Westminster's Community Infrastructure Levy (CIL) 'Neighbourhood Portion'

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

Michael Clarkson, Principal Policy Officer

Tel: 020 7461 4690

Email: mclarkson@westminster.gov.uk

BACKGROUND PAPERS

Report to Cabinet dated 20th February 2017 on the Governance of the Westminster Community Infrastructure Levy (CIL) and Pooled Section 106 Resources

Report to Cabinet CIL Committee dated 2nd November 2017 on the Governance of the Westminster Community Infrastructure Levy (CIL) and Pooled Section 106 Resources

Decision Statement of Cabinet CIL Committee dated 3rd November 2017 on the Governance of the Westminster Community Infrastructure Levy (CIL) and Pooled Section 106 Resources

Report to Cabinet CIL Committee dated 26th March 2018 on Westminster Community Infrastructure Levy (CIL) and Pooled Section 106 Funding – Project Allocations (Q4)

Decision Statement of Cabinet CIL Committee dated 28th March 2018 on Westminster CIL and Pooled Section 106 Funding – Project Allocations

Report to Cabinet CIL Committee dated 25th July 2018 on Westminster Community Infrastructure Levy (CIL) and Pooled Section 106 Funding – Project Allocations (Q1)

Decision Statement of Cabinet CIL Committee dated 26th July 2018 on Westminster Community Infrastructure Levy (CIL) and Pooled Section 106 Funding – Project Allocations (Q1)

Cabinet Member Report to Cabinet Member for Place Shaping and Planning dated 28th August 2018 on Westminster Community Infrastructure Levy (CIL) – Ward Member Proposals

Decision Statement of Cabinet Member for Place Shaping and Planning dated 31st August 2018 on Westminster Community Infrastructure Levy (CIL) – Ward Member Proposals

Report to Cabinet CIL Committee dated 5th December 2018 on Westminster Community Infrastructure Levy (CIL) – Project Allocations (Q2)

Decision Statement of Cabinet CIL Committee dated 12th December 2018 on Westminster Community Infrastructure Levy (CIL) – Project Allocations

Report to Cabinet CIL Committee dated 1st July 2019 on Westminster Community Infrastructure Levy (CIL) and pooled Section 106 contributions – Project Allocations

Decision Statement of Cabinet CIL Committee dated 3rd July 2019 on Westminster Community Infrastructure Levy (CIL) and pooled Section 106 contributions – Project Allocations

Appendix A: CIL Balance and Allocations, 31st August 2019

Total CIL Collected to 31st August 2019: **£57.449m**

Total Strategic CIL: **£47.205m**

Infrastructure Type	Total Collected	Total Allocations	Remaining Balance for Allocation
Public Realm/ Transport (50%)	£23.602m	£14.078m	£9.524m
Health & Community Services (10%)	£4.720m	£1.936m	£2.785m
Education (5%)	£2.360m	£0.578m	£1.783m
Parks/ Open Space (5%)	£2.360m	£1.041m	£1.320m
Utilities/ Waste (10%)	£4.720m	£2.157m	£2.563m
Other (20%)	£9.441m	£3.262m	£6.179m
TOTAL	£47.205m	£23.051m	£24.154m

Appendix B: Projects put forward for funding from Westminster's Community Infrastructure Levy (CIL) 'Strategic Portion'

Project No.	Project Name and Description	Location/ Ward(s)	Governance Group Sponsor	Total CIL Allocation Sought	Recommended Funding Stream
1	All Stars Boxing Club – Community Mentoring and Sports Upgrade the building infrastructure of the local mentoring and sports facility including introduction of new community infrastructure.	Queens Park; Harrow Road. Also serving Westbourne; Bayswater; Church Street	City Management & Communities (Kevin Goad)	£0.750m	Health / Community Services (£0.075m); Education (£0.085m); Parks/ Sport & Leisure (£0.500m); Utilities/ Waste (£0.050m); Other Priorities/ Contingency (£0.040m)
2	Beachcroft AP School Open Space Upgrade external area for the primary age section.	St. John's Wood	Children's Services (Alan Wharton)	£0.050m	Education
3	Charing Cross Station – Gate Replacement Replacement of all 11 entrance gates at Charing Cross Station.	St. James's	City Management & Communities (Kevin Goad)	£0.100m	Public Realm/ Transport
4	Charlbert Street Fountain Refurbishment Condition of the fountain has deteriorated and is in need to be refurbishment.	Regent's Park	City Management & Communities (Kevin Goad)	£0.010m	Parks/ Open Space
5	City-wide Cycle Parking Installation of cycle storage for local residents.	All	City Management & Communities (Kevin Goad)	£0.150m	Public Realm/ Transport
6	Coventry Street and Haymarket Public Realm Increase public footway and improved facilities including a diagonal crossing.	St. James's	City Management & Communities (Kevin Goad)	£0.350m	Public Realm/ Transport
7	Electric Charging Infrastructure – Resident Charge Points	All	City Management & Communities (Kevin Goad)	£0.450m	Public Realm/ Transport

	Installation of further electric vehicle charge points, including a mixture of standalone units and lamp column chargers.				(£0.250m); Utilities/ Waste (£0.200m)
8	Elizabeth Street Highway Improvements Highway improvements to Elizabeth Street to reduce lorry movements and improve public realm.	Knightsbridge & Belgravia; Warwick; Churchill	City Management & Communities (Kevin Goad)	£0.600m	Public Realm/ Transport
9	George Street and Thayer Street Public Realm Proposing to change the existing arrangement of narrow footways and vehicle dominated carriageway to a more pedestrian friendly and aesthetic design.	Marylebone High Street	City Management & Communities (Kevin Goad)	£0.380m	Public Realm/ Transport
10	Gloucester Terrace / Cleveland Terrace Junction Improvements Implement several road safety measures on Gloucester Terrace junction with Cleveland Terrace.	Lancaster Gate; Hyde Park	City Management & Communities (Kevin Goad)	£0.350m	Public Realm/ Transport
Page 32	Hallfield Community Primary School MUGA Construct a MUGA and Pavilion a further £40,000 is required to complete the project.	Lancaster Gate	Schools and Children's Services (Alan Wharton)	£0.040m	Education
	Lock Bridge Refurbishment Apply corrosion protection to soffit and refurb corroded areas. Complete painting of the lower parapet beam.	Westbourne	City Management & Communities (Kevin Goad)	£0.045m	Public Realm/ Transport
13	Oxford Street District Zero Emission Street Cleansing Procure 16 new cutting edge zero emission electric vehicles and associated charging infrastructure to eliminate harmful tailpipe emissions.	All	City Management & Communities (Kevin Goad)	£4.500m	Utilities/ Waste (£2.000m); Other Priorities/ Contingency (£2.500m)
14	Paddington Recreation Ground Cycle Training Hub To install a cycle training hub, integrated storage, classroom and activation programme for people	Maida Vale	City Management & Communities (Kevin Goad)	£0.600m	Public Realm/ Transport (£0.400m); Health / Community Services (£0.100m);

	learning to cycle in Westminster as part of the Cycle training provision and physical activity offer.				Parks/ Sport & Leisure (£0.100m)
15	Parliament Street Pedestrian Subway Improvements Refurbishment of parliament street subway, installation of new lighting and repairs to railings.	St. James's	City Management & Communities (Kevin Goad)	£0.061m	Public Realm/ Transport
16	Queen's Park Cycle Hire Stations Deliver a further 3 TfL Cycle Hire stations at strategic locations along Harrow Road, north of the canal.	Westbourne; Harrow Road; Queen's Park	City Management & Communities (Kevin Goad)	£0.550m	Public Realm/ Transport
17	Restoration of the 'Hole-in-the-Wall', Knightsbridge Renovation of the 'Hole-in-the-Wall' including improved lighting.	Knightsbridge and Belgravia	City Management & Communities (Kevin Goad)	£0.020m	Other Priorities/ Contingency
18	Smart Streets Install two 'smart streets' at Villiers Street and Church Street, trialling the integration of smart cities technologies.	Church Street; St. James's	City Management & Communities (Kevin Goad)	£0.500m	Public Realm/ Transport
19 of 33	St Marylebone Bridge Special School Seating Installation of new seating within St. Marylebone Bridge Special School, that can also be used by the wider community.	Queen's Park	Schools and Children's Services (Alan Wharton)	£0.075m	Education
20	St Mary of the Angels School Sports Pitch Replace the current sports pitch which has become worn out.	Westbourne	Schools and Children's Services (Alan Wharton)	£0.064m	Education
21	Sussex Street Play Area Refurbishment Refurbishment of Play Area in Pimlico, creating a new accessible and green open space.	Warwick	Growth, Planning and Housing (Deirdra Armsby)	£0.500m	Parks/ Sport & Leisure
21	Talbot Road/ Chepstow Road Pedestrian Improvements Scheme seeks to add 'Greenman' pushbutton crossings on all four arms of this junction.	Bayswater	City Management & Communities (Kevin Goad)	£0.400m	Public Realm/ Transport

22	Tresham Centre Upgrade Investment to upgrade the Tresham Centre to accommodate disabled children and young people.	Church Street	Schools and Children's Services (Alan Wharton)	£0.131m	Education
23	Warwick Avenue Bridge Refurbishment Following a suspected road traffic incident, the railings and one of the pillars on Warwick Avenue Bridge was damaged. Repairs need to be undertaken.	Little Venice Ward	City Management & Communities (Kevin Goad)	£0.150m	Public Realm/ Transport
24	Wilberforce Primary School Building Refurbishment Refurbishment of the school to enable the site to accommodate all pupils in one building, which will enable the construction of a new school on the adjacent site.	Queen's Park	Schools and Children's Services (Alan Wharton)	£0.083m	Education
25 Page 9	Wilberforce Primary School Community Outdoor Pitch Create a new AstroTurf all-weather pitch at the school, to be used by the wider community.	Queen's Park	City Management & Communities (Kevin Goad)	£0.180m	Health / Community Services
TOTAL		-	-	£11.089m	-

Appendix C: Projects put forward for funding from Westminster's pooled Section 106 (s106) contributions

Project No.	Project Name and Description	Location/ Ward(s)	Governance Group Sponsor	Total S106 Allocation Sought	Recommended Funding Stream
1	Westminster Healthy Workplace Award To deliver the London Healthy Workplace Award, a business accreditation scheme led by the Mayor of London's Office and supported by Public Health England.	All	City Management & Communities (Kevin Goad)	£0.651m	Pooled S106 Social & Community contributions
2	Westminster Local Cost of Carbon Strategy To undertake an assessment of local planning policy and devise an approach to encourage the maximisation of on-site carbon reductions on new development sites.	All	Policy, Performance & Communications (Julia Corkey)	£0.015m	Pooled S106 Carbon Offset contributions
3 Page 3	Westminster Carbon Reduction Target To deliver a carbon reduction target and action plan to guide the council's corporate energy management and carbon emissions reduction activities.	All	Policy, Performance & Communications (Julia Corkey)	£0.035m	Pooled S106 Carbon Offset contributions
TOTAL		-	-	£0.701m	-

Appendix D: The neighbourhood CIL portion, 31st August 2019

Zone	Neighbourhood CIL
Queens Park	£2,097.74
Notting Hill East	£9,945.17
Bayswater	£133,466.75
Little Venice and Maida Vale	£1,226,487.65
Belgravia	£294,691.96
Church Street	£6,836.01
Churchill Gardens Estate	£0.00
Ebury Bridge	£0.00
Fitzrovia West	£297,068.79
Hyde Park and Paddington	£601,510.97
Knightsbridge	£30,639.19
Maida Hill	£2,774.58
Marylebone	£1,339,987.64
Mayfair	£887,853.60
Pimlico	£0.00
Soho	£301,243.47
South East Bayswater	£107,269.76
St James's	£4,311.00
St John's Wood	£290,677.04
Victoria	£109,890.21
Westbourne	£180,779.25
Outside Neighbourhood areas	£1,544,818.27
Total	£7,372,349.07

Appendix E: Projects put forward for funding from Westminster's Community Infrastructure Levy (CIL) 'Neighbourhood Portion'

Project No.	Project Name and Description	Location/ Ward(s)	Organisation	Total Recommended CIL Allocation	Recommended Funding Stream
1	Market Place Community Garden and Public Realm Create a pedestrian zone and establish a new garden in the heart of Fitzrovia.	West End	Fitzrovia West Neighbourhood Forum	£0.152m	Fitzrovia West Neighbourhood CIL
2	West End Better Air Quality, More Recycling and Commercial Vehicle Reduction Introduce five waste and recycling compactors at locations in the West End.	St. James's; West End	Heart of London (BID)	£0.120m	'Outside Neighbourhood Areas' Neighbourhood CIL
3	The Bays: London Street/ South Wharf Road Design and installation of gateway panels that draw visitors into the Bays and up to the canal side.	Hyde Park	Hyde Park & Paddington Neighbourhood Forum	£0.100m	Hyde Park & Paddington Neighbourhood CIL
4	Burwood Place Greening Install additional green infrastructure near the new cycle Quietway crossing at Burwood Place, at the junction with Edgware Road.	Hyde Park	Hyde Park & Paddington Neighbourhood Forum	£0.015m	Hyde Park & Paddington Neighbourhood CIL
5	Connaught Village Green Improve public realm around Connaught Village. Potted plants, benches, drinking fountains, enhanced crossing, etc.	Hyde Park	Hyde Park & Paddington Neighbourhood Forum	£0.050m	Hyde Park & Paddington Neighbourhood CIL
6	Sussex Gardens/ Edgware Road Junction Improvements	Hyde Park	Hyde Park & Paddington Neighbourhood Forum	£0.110m	Hyde Park & Paddington Neighbourhood CIL

	Improve the public realm of the corner of Edgware Road and Sussex Gardens.				
7	Restoration of the 'Hole-in-the-Wall', Knightsbridge Renovation of the 'Hole-in-the-Wall' including improved lighting.	Knightsbridge and Belgravia	Knightsbridge Neighbourhood Forum	£0.020m	Knightsbridge Neighbourhood CIL
8	Changing Lives, St. Marylebone Parish Church Improve accessibility to associated NHS facility.	Marylebone High Street	Marylebone Forum	£0.100m	Marylebone Neighbourhood CIL
9	Shrewsbury Gardens Initial design work to improve the public realm and amenities of the park.	Westbourne	Notting Hill East Neighbourhood Forum	£0.010m	Notting Hill East Neighbourhood CIL
10	Belgravia Neighbourhood Plan To assist Belgravia Neighbourhood Forum with plan preparation and evidence for the Belgravia Neighbourhood Plan.	Knightsbridge and Belgravia	Belgravia Neighbourhood Forum	£0.029m	Belgravia Neighbourhood CIL
11	The Covent Garden Lighting Partnership To make technical improvements to lighting and a new 17" version around Covent Garden.	St. James's	The Seven Dials Trust	£0.015m	'Outside Neighbourhood Areas' Neighbourhood CIL
12	The Northbank Low Emission Neighbourhood – Street greening Maintenance of greening measures on pedestrian and cycle routes to reduce local emissions and exposure to pollution.	St. James's	Northbank (BID)	£0.010m	'Outside Neighbourhood Areas' Neighbourhood CIL
TOTAL		-	-	£0.731m	-