



City of Westminster

# Council Agenda

Title: **Council Meeting**

Meeting Date: **Wednesday 16th September, 2020**

Time: **7.00 pm**

Venue: **This is a virtual meeting**

Members: **All Councillors are hereby summoned to attend the Meeting for the transaction of the business set out.**

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

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

**If you require any further information, please contact the Committee Officer, Reuben Segal, Head of Committee and Governance Services.**

**Email: [rsegal@westminster.gov.uk](mailto:rsegal@westminster.gov.uk) Tel: 07890 380137  
Corporate Website: [www.westminster.gov.uk](http://www.westminster.gov.uk)**

**1. APPOINTMENT OF RELIEF CHAIRMAN**

To appoint a relief Chairman.

**2. MINUTES**

To sign the Minutes of the Meeting of the Council meeting held on 24 June 2020.

**3. LORD MAYOR'S COMMUNICATIONS**

1. The Lord Mayor to report that, on 22 June, he spoke at the Westminster City Council BAME Staff Network's Windrush Day event to mark the day.
2. The Lord Mayor to report that, on 24 June, he met with Commodore Elford, Naval Regional Commander Eastern England, Royal Navy, to discuss co-operation between the Council and the Royal Navy.
3. The Lord Mayor to report that, on 24 June, he raised the Armed Forces Day flag outside City Hall with representatives of the Armed Forces, to mark Armed Forces week.
4. The Lord Mayor to report that, on 4 July, he attended and spoke at a ceremony to mark the re-opening of Chinatown following some of the Coronavirus restrictions being lifted.
5. The Lord Mayor to report that, on 10 July, he spoke at a virtual celebration to mark the 10<sup>th</sup> anniversary of the founding of the Middle Eastern Women & Society Organisation.
6. The Lord Mayor to report that, on 13 July, he met with the Receiver General of Westminster Abbey, Paul Baumann.
7. The Lord Mayor to report that, on 14 July, he spoke at Burdett-Coutts Primary School's Year Six Virtual Leaving Ceremony.
8. The Lord Mayor to report that, on 16 July, he visited Essendine Primary School to meet with staff and discuss preparations for the upcoming school year.
9. The Lord Mayor to report that, on 16 July, he chaired the virtual AGM of the London Mayors' Association, of which he is President.

**(Pages 7 - 12)**

10. The Lord Mayor to report that, on 24 July, he gave an interview to Victoria Magazine.
11. The Lord Mayor to report that, on 28 July, he visited Westminster City Council libraries in St John's Wood, Marylebone and Mayfair to thank staff for their hard work during the pandemic.
12. The Lord Mayor to report that, on 30 July, he visited Age UK Westminster's Food Parcel Service to thank volunteers for their work, and helped to deliver food parcels to residents.
13. The Lord Mayor to report that, on 1 August, he took part in a virtual Thanksgiving Service run by the Jamaican High Commission to mark Jamaican Independence Day.
14. The Lord Mayor to report that, on 16 August, he spoke on BBC Radio London to discuss Westminster's re-opening following the lifting of some Coronavirus restrictions, and Windrush Day celebrations at St John's Church in Kensal Green.
15. The Lord Mayor to report that, on 21 August, he spoke during the virtual PiP Summer Party to thank staff and students.
16. The Lord Mayor to report that, on 3 September he marked Merchant Navy Day on social media.

#### **4. STATEMENT ON URGENT MATTERS**

With the approval of the Chairman of the meeting, the Leader of the Council may make a statement on an urgent matter and the Leader of the Opposition will have an equivalent right of reply.

#### **5. DECLARATIONS OF INTEREST**

#### **6. PETITIONS AND DEPUTATIONS, IF ANY**

#### **7. QUESTIONS**

The Lord Mayor will call members who have previously indicated that they wished to ask a question in accordance with the circulated list after the Leader of the Opposition has asked his questions

**8. COUNCILLOR ISSUES**

Councillor Iain Bott: "Coronavirus"

Councillor Guthrie McKie: "The demise of Council Housing in Westminster"

**9. FUTURE POLICY PLAN**

**(Pages 13 - 18)**

To consider items for debate from the attached Future Policy Plan.

**10. BI-ANNUAL STANDARDS COMMITTEE REPORT: 10 MARCH 2020**

**(Pages 19 - 36)**

**11. CHANGE TO THE PROGRAMME OF COUNCIL MEETINGS 2020-2021**

**(Pages 37 - 40)**

**12. CHANGES TO THE SIZES OF THE PLANNING AND CITY DEVELOPMENT COMMITTEE**

**(Pages 41 - 42)**

**13. NOTICES OF MOTION**

**(a) Majority Party Motion - Action to enable the West End to more fully re-open**

To be moved by Councillor Rachael Robathan

To be seconded by Councillor Melvyn Caplan

This council notes the need for decisive action to enable more of the West End to fully re-open.

This council welcomes the significant support that businesses in Westminster have received from the Government.

This council further notes that the Westminster economy is the key driver for the London and UK economies and therefore requires even greater support so that Westminster businesses can drive the recovery of the UK economy.

This council believes that the Government should provide increased clarity about people returning to work including improving the messaging around social distancing.

The council looks to the government and other public bodies to lead by example in showing that it is safe for their staff to return to their offices.

This council believes that the Mayor should look at offering Congestion Charge exemptions for certain low pollution private vehicles that are visiting key sectors such as theatres.

This council resolves to continue to lobby the Government to extend the business rates holiday beyond March 2021 and to review the rateable value cap for certain businesses in Westminster that have not previously had access to Government grants.

This council further resolves to seek further support from the Mayor and Government for the council's initiatives to provide increased space for pedestrians and for al fresco dining hospitality initiatives and for Westminster's promotional campaigns Sight See Crowd Free and Inside Out.

This council also resolves to seek more flexibility around the statutory review of licensing policy to help support those businesses that would otherwise be affected by changes that do not take into the position of these businesses since lockdown.

**(b) Minority Party Motion – 'Planning Policy'**

To be moved by Councillor Geoff Barraclough

To be seconded by Councillor Matt Noble

The Council notes the deep concern about the Government's 'Planning for the Future' White Paper expressed by local residents and the widespread opposition to the plans from groups as diverse as Shelter and the Westminster Property Association.

The Council notes that the White Paper makes no explicit mention of any role for elected councillors, local amenity societies, neighbourhood forums or other residents groups.

The Council notes separate Government changes to the Permitted Development rules on office-to-residential conversion that can take place without planning permission or any requirement to contribute towards local infrastructure or affordable housing. It also notes Government proposals that new developments of under 50 units should not have to make any contribution to affordable housing at all.

The Council also notes the proposed revisions to Westminster's annual housing target that could see it rise fivefold, leading to badly planned homes with poor living conditions.

The Council believes that an effective planning system needs to work to provide homes and workplaces to serve society, shaped by the priorities of local residents, and that at present the White Paper does not achieve these goals.

The Council believes that as currently drafted, the 'Planning for the Future' proposals would significantly reduce local people's opportunity to have their say on new developments in Westminster, with no recognition of amenity issues such as light overshadowing, noise nuisance and sense of enclosure.

The Council believes that these planning changes could drastically reduce the ability of local authorities to build the social and affordable homes for rent that we need while massively increasing the number of private units and the risk of poor quality conversions.

The Council resolves to explicitly and publicly oppose the permitted development changes, the proposed new house building targets and the proposals in the Planning for the Future document that would reduce the say of local people, remove the decision making role of elected councillors and undermine obligations for developers to support affordable housing delivery.

The Council resolves to lobby the Government, make statements to the media, collaborate with London Councils and the Local Government Association on a cross-party basis, and take all other appropriate steps to demand the Government change course.

The Council resolves to demand that if the Government goes ahead with its White Paper plans, it allows local authorities like Westminster to set any new 'infrastructure levy' at levels that can fully respond to local needs.

**64 Victoria Street  
London, SW1E 6QP  
8 September 2020**

**Stuart Love, Chief Executive**

## CITY OF WESTMINSTER

### MINUTES OF PROCEEDINGS

At a virtual meeting of the Council of the City of Westminster held at 7.00 pm on  
Wednesday 24th June, 2020.

#### PRESENT

The Lord Mayor, Councillor Jonathan Glanz

#### COUNCILLORS

Heather Acton	Elizabeth Hitchcock
Ian Adams	Adam Hug
Barbara Arzymanow	Louise Hyams
Timothy Barnes	Aicha Less
Geoff Barraclough	Pancho Lewis
Richard Beddoe	Andrea Mann
Rita Begum	Patricia McAllister
David Boothroyd	Guthrie McKie
Iain Bott	Tim Mitchell
Margot Bright	Gotz Mohindra
Susie Burbridge	Eoghain Murphy
Ruth Bush	Matt Noble
Nafsika Butler-Thalassis	Emily Payne
Melvyn Caplan	Papya Qureshi
Maggie Carman	Robert Rigby
Danny Chalkley	Rachael Robathan
Antonia Cox	Tim Roca
Lorraine Dean	Ian Rowley
Tony Devenish	Karen Scarborough
Paul Dimoldenberg	Mark Shearer
Richard Elcho	Selina Short
Christabel Flight	Andrew Smith
Peter Freeman	James Spencer
Murad Gassanly	Paul Swaddle, OBE
Jonathan Glanz	Shamim Talukder
Jim Glen	Hamza Taouzzale
Matthew Green	Aziz Toki
Lindsey Hall	Judith Warner
Angela Harvey	Jacqui Wilkinson

**APOLOGIES:** Councillor Nickie Aiken

## **1 APPOINTMENT OF RELIEF CHAIRMAN**

- 1.1 It was moved by the Lord Mayor and seconded by Councillor Paul Swaddle that Councillor Ian Adams be elected as Relief Chairman.
- 1.2 Motion put, and on a show of hands, declared **CARRIED**.

## **2 MINUTES**

- 2.1 **RESOLVED:** The minutes of the proceedings at the Council meeting on Wednesday 20 May 2020 were, with the assent of the Members present, signed by the Lord Mayor as a true record of the proceedings.

## **3 LORD MAYOR'S COMMUNICATIONS**

- 3.1 The Lord Mayor referred to these as set out on the agenda.

## **4 DECLARATIONS OF INTEREST**

- 4.1 There were no declarations.

## **5 STATEMENT ON URGENT MATTERS**

- 5.1 The Leader of the Council, Councillor Rachael Robathan, made an urgent statement regarding Covid-19 and the Council's response to it.
- 5.2 After Councillor Robathan had spoken the Leader of the Opposition, Councillor Adam Hug, replied.

## **6 FUTURE POLICY PLAN**

- 6.1 The meeting debated the item chosen for debate from the Future Policy Plan by the Majority Party.

### **The Council's Response to Covid-19 and City Renewal**

- 6.2 The Majority Party had selected item number 23 on the Future Policy Plan, The Council's Response to Covid-19 and City Renewal. The debate will be referred to the relevant Executive Director for consideration when reporting on the subject.

## **7 PETITIONS AND DEPUTATIONS, IF ANY**

- 7.1 There were none.

## **8 QUESTIONS**

- 8.1 The questions, supplementary questions and replies are included as a recording on the Council's website

## **9 COUNCILLOR ISSUES**

## **ZSL/London Zoo – Why it Needs Saving?**

- 9.1 Councillor Robert Rigby spoke and Councillor Paul Swaddle replied.

## **10 NOTICES OF MOTION**

- 10.1 The Minority Party had selected for debate the Notice of Motion as set out on the agenda. The Notice of Motion was moved by Councillor Nafsika Butler-Thalassis and seconded by Councillor Papya Qureshi
- 10.2 Councillor Tim Mitchell moved and it was seconded by Councillor Tim Barnes that the Notice of Motion be amended, as follows:

“This Council notes that according to the Office of National Statistics and Public Health England, COVID 19 has killed disproportionately many more BAME people than white people.

This Council notes that some of the higher death rates in BAME communities relate to pre-existing health problems particularly diabetes, cardiovascular disease, hypertension and obesity.

This Council notes that, while many people during this crisis have had the opportunity to work from home it was our poorest households that continued sending people out to work. The highest COVID 19 death rates have been among security guards, care workers, bus drivers, taxi drivers and retail workers.

This Council notes Westminster’s history as a place of arrival for many BAME communities, who make up at least 40% of our City’s population today.

The Council also notes the positive initiatives by WCC such as the Community Cohesion Commission, efforts to improve opportunities for BAME staff and City Hall commemorating George Floyd and Grenfell, but also appreciates the scale of the work still to do to achieve equality in our city.

*Add words in italics:*

*The Council also notes the role WCC has played in working with partners on equality issues including the recent WCC BAME Staff Network webinar event, hosting representatives from 22 London local authorities, MOPAC, the LGA, NHS, and MIND, to discuss the disproportionate impact of COVID 19 on BAME communities and work towards practical solutions to help these communities recover.*

The Council believes health inequalities have their roots in the social determinants of health – in this case overcrowded or insecure housing, poverty, and employment in occupations with high exposure to COVID 19.

This Council resolves to take active measures to reduce the structural disadvantage and racism faced by BAME communities in Westminster.

*Add words in italics:*

*“The Council resolves to publish a presentation produced by its Public Health department, which looks at disparities in the risks and outcomes of COVID 19. This presentation including the analysis will be scrutinised by the Health and Wellbeing Board at the 9 July 2020 meeting. The presentation will promote a shared understanding of health inequalities, including those that impact across Westminster and RBKC, the NHS, and other key partners.*

*The Council resolves that the Director of Public Health should conduct an in-depth study of health inequalities in Westminster as part of the Annual Public Health Report for 2020-21. This report will review the findings of the “Marmot Review: Ten Years On” publication from March 2020 - a core focus of which is how social and economic factors lead to poor health and premature death for the most deprived. The report will identify ~~The Council resolves to carry out a Joint Strategic Needs Assessment (JSNA) on~~ the needs of BAME communities in Westminster, looking at access to decent housing (particularly addressing overcrowding and homelessness), employment prospects, health inequalities, education, and the wider determinants of health.*

The Council resolves to allocate the resources needed to implement the findings of the **JSNA Annual Public Health Report 2020-21** while taking urgent action now to address known problems including local public health led efforts to improve Covid-19 testing and access to healthcare in BAME and other excluded communities.

*The Council resolves to review the findings and recommendations from the recent Public Health England report on COVID 19 and ethnicity and incorporate these into the Council’s recovery strategy.”*

- 10.3 Following debate, Councillor Butler-Thalassis agreed to accept the amendment to the motion.
- 10.4 In the absence of any objections from the Members present, The Lord Mayor declared the substantive motion carried.

**RESOLVED:**

“This Council notes that according to the Office of National Statistics and Public Health England, COVID 19 has killed disproportionately many more BAME people than white people.

This Council notes that some of the higher death rates in BAME communities relate to pre-existing health problems particularly diabetes, cardiovascular disease, hypertension and obesity.

This Council notes that, while many people during this crisis have had the opportunity to work from home it was our poorest households that continued sending people out to work. The highest COVID 19 death rates have been among security guards, care workers, bus drivers, taxi drivers and retail workers.

This Council notes Westminster's history as a place of arrival for many BAME communities, who make up at least 40% of our City's population today.

The Council also notes the positive initiatives by WCC such as the Community Cohesion Commission, efforts to improve opportunities for BAME staff and City Hall commemorating George Floyd and Grenfell, but also appreciates the scale of the work still to do to achieve equality in our city.

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The Council resolves to allocate the resources needed to implement the findings of the *Annual Public Health Report 2020-21* while taking urgent action

now to address known problems including local public health led efforts to improve Covid-19 testing and access to healthcare in BAME and other excluded communities.

The Council resolves to review the findings and recommendations from the recent Public Health England report on COVID 19 and ethnicity and incorporate these into the Council's recovery strategy."

The Meeting ended at 9.38 pm

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

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

# Agenda Item 9

## City of Westminster

### Council Meeting

Wednesday 16 September 2020

#### Future Policy Plan

No.	Subject	Cabinet Member Portfolios	Lead Officer
1	Addressing Dementia	Adult Social Care and Public Health	Bernie Flaherty
2	Adult Education	Business and Planning	Debbie Jackson
3	Affordable Business Space	Business and Planning	Debbie Jackson
4	Affordable Childcare	Children's Services	Sarah Newman
5	Affordable Housing	Finance, Property and Regeneration Business and Planning	Debbie Jackson
6	Air Quality	Public Protection and Licensing Adult Social Care and Public Health	Raj Mistry
7	Alternative Education	Children's Services	Sarah Newman
8	Anti-social Behaviour	Public Protection and Licensing	Raj Mistry
9	Apprenticeships	Business and Planning	Debbie Jackson
10	Assets of Community Value	Business and Planning	Ezra Wallace/ Debbie Jackson
11	Benefits administration	Finance, Property and Regeneration	Gerald Almeroth
12	BIDS	Business and Planning	Debbie Jackson
13	Business Rates	Finance, Property and Regeneration	Stuart Love Gerald Almeroth
14	Capital Programme	Finance, Property and Regeneration	Gerald Almeroth
15	Care Act	Adult Social Care and Public Health	Bernie Flaherty
16	CCTV	Environment and Highways Public Protection and Licensing	Raj Mistry
17	Child poverty	Adult Social Care and Public Health Children's Services	Sarah Newman Bernie Flaherty
18	Child Protection	Adult Social Care and Public Health Children's Services	Sarah Newman
19	Childhood Obesity	Adult Social Care and Public Health Children's Services	Sarah Newman Bernie Flaherty

20	City for All	Leader of the Council	Stuart Love
21	City Inspectors	Public Protection and Licensing	Raj Mistry
22	Combating Long Term Unemployment	Business and Planning	Debbie Jackson
23	COVID-19 response and city renewal	Leader of the Council	Stuart Love/Leslie Seary
24	Clinical Commissioning Groups	Adult Social Care and Public Health	Bernie Flaherty
25	Climate Emergency	Leader of the Council	Ezra Wallace Raj Mistry
26	Commercial Opportunities	Finance, Property and Regeneration	Gerald Almeroth
27	Community Cohesion	Leader of the Council Community Services and Digital	Raj Mistry
28	Community Engagement	Community Services and Digital Business and Planning (Neighbourhood Fora/ Amenity Societies)	Lesley Seary Debbie Jackson
29	Community Infrastructure Levy	Business and Planning	Ezra Wallace Debbie Jackson
30	Corporate Parenting	Children's Services	Sarah Newman
31	Corporate Services	Finance, Property and Regeneration	Gerald Almeroth
32	Council Budget & Financial Management	Finance, Property and Regeneration	Stuart Love Gerald Almeroth
33	Council Management	Leader of the Council	Stuart Love
34	Council Tax	Finance, Property and Regeneration	Stuart Love Gerald Almeroth
35	Counter-terrorism	Leader of the Council	Stuart Love Raj Mistry
36	Crossrail 1 and 2	Business and Planning	Debbie Jackson
37	Customer Services	Community Services and Digital	Gerald Almeroth
38	Cycling	Environment and Highways	Raj Mistry Debbie Jackson
39	Debt Management	Finance, Property and Regeneration	Gerald Almeroth

40	Devolution	Leader of the Council	Stuart Love
41	Encouraging social enterprise	Business and Planning	Debbie Jackson
42	EU Nationals	Leader of the Council	Stuart Love
43	Equalities	Leader of the Council	Lee Witham/ Stuart Love
44	Family Recovery / Troubled Families	Children's Services	Sarah Newman
45	Fostering and Adoption	Children's Services	Sarah Newman
46	Education	Children Services	Sarah Newman
47	Freedom Pass	Adult Social Care and Public Health	Bernie Flaherty
48	Gangs & Youth Violence	Children's Services Public Protection and Licensing	Sarah Newman Raj Mistry
49	GP Quality & Performance	Adult Social Care and Public Health	Bernie Flaherty
50	Green Spaces & Parks	Environment and Highways	Raj Mistry
51	Growth and Economic Development	Business and Planning	Debbie Jackson
52	Public Health	Adult Social Care and Public Health	Bernie Flaherty
53	Healthwatch Westminster	Adult Social Care and Public Health	Bernie Flaherty
54	High Speed 2	Business and Planning	Debbie Jackson
55	Homelessness / Rough Sleeping	Public Protection and Licensing Housing Services	Bernie Flaherty Debbie Jackson
56	Housing Revenue Account	Housing Services Finance, Property and Regeneration	Debbie Jackson Gerald Almeroth
57	Housing Strategy & Housing Renewal	Housing Services Finance, Property and Regeneration	Debbie Jackson
58	Housing Service	Housing Services	Debbie Jackson
59	Health & Wellbeing Strategy and the Sustainability and Transformation Plan (STP)	Adult Social Care and Public Health	Stuart Love Bernie Flaherty
60	Digital Strategy	Community Services and Digital	Gerald Almeroth
61	Information Technology Strategy	Community Services and Digital	Gerald Almeroth
62	Integrated Business Centre	Finance, Property and Regeneration	Gerald Almeroth

63	Legal Services	Finance, Property and Regeneration	Tasnim Shawkat
64	Libraries	Children's Services	Raj Mistry
65	Licensing	Public Protection and Licensing	Raj Mistry
66	Local Government Finance	Finance, Property and Regeneration	Gerald Almeroth
67	London Plan	Business and Planning	Barbra Brownlee Ezra Wallace
68	Protests & demonstrations	Leader Public Protection and Licensing	Raj Mistry
69	Managing the public realm	Business and Planning Environment and Highways	Debbie Jackson Raj Mistry
70	Utility Companies	Environment and Highways	Raj Mistry
71	Mayor of London & London Governance	Leader of the Council	Stuart Love
72	Natural Environment	Environment and Highways	Raj Mistry
73	Neighbourhood Forums	Business and Planning	Ezra Wallace
74	Ward budgets	Community Services and Digital	Richard Cressey
75	Overcrowding (Housing)	Housing Services	Debbie Jackson
76	Parking services and enforcement	Environment and Highways	Raj Mistry
77	Development Planning	Business and Planning	Debbie Jackson
78	Policing	Public Protection and Licensing	Raj Mistry
79	Policy and Scrutiny	Leader of the Council	Ezra Wallace
80	Preventing Re-offending	Public Protection and Licensing	Raj Mistry
81	Procurement	Finance, Property and Regeneration	Gerald Almeroth
82	Corporate Property	Finance, Property and Regeneration	Debbie Jackson
83	Tenancy Agreements (residential)	Housing Services	Debbie Jackson

84	Public Conveniences	Environment and City Management	Raj Mistry
85	Queens Park Community Council	Community Services and Digital	Stuart Love Ezra Wallace
86	Royal Parks	Leader of the Council	Raj Mistry Debbie Jackson
87	School Meals	Children's Service	Sarah Newman
88	School Nursing	Adult Social Care and Public Health Children's Services	Bernie Flaherty Sarah Newman
89	Sexual Health	Adult Social Care and Public Health	Bernie Flaherty
90	Short Term Lets	Public Protection and Licensing	Raj Mistry
91	City Promotions, Events and Filming	The Leader of the Council	Lesley Seary
92	Special Needs Provision	Children's Service	Sarah Newman
93	Specialist Housing Strategy for Older People	Adult Social Care and Public Health Housing Services	Bernie Flaherty Debbie Jackson
94	Sports & leisure services	Community Services and Digital	Raj Mistry
95	Staffing	The Leader of the Council Finance, Property and Regeneration	Stuart Love
96	Street Entertainment	Public Protection and Licensing	Raj Mistry
97	Street Management	Public Protection and Licensing	Raj Mistry
98	Substance misuse	Adult Social Care and Public Health	Bernie Flaherty
99	Support for small businesses	Business and Planning	Debbie Jackson
100	Supporting carers	Adult Social Care and Public Health	Sarah Newman Bernie Flaherty
101	City Plan	Business and Planning	Ezra Wallace
102	Transport for London	Environment and Highways	Raj Mistry
103	Bi-borough	Leader of the Council	Stuart Love
104	Violence Against Women & Girls	Public Protection and Licensing Adult Social Care and Public Health	Raj Mistry Bernie Flaherty
105	Voluntary sector and community support	Community Services and Digital	Ezra Wallace
106	Waste and recycling	Environment and Highways	Raj Mistry

107	West End Partnership	Leader of the Council	Stuart Love
108	Oxford Street District	Leader of the Council Finance, Property and Regeneration	Debbie Jackson
109	Emergency Planning	Leader of the Council	Raj Mistry

## **Report of the Standards Committee held on 10 March 2020**

**Present:** Councillor Judith Warner (Chairman), Richard Beddoe, Ian Adams, Louise Hyams, David Boothroyd and Nafsika Butler-Thalassis

### **1. Bi-annual Standards Committee Report**

- (a) We have considered a draft Bi-annual Standards committee report which covered the committee's work between March 2018 and March 2020.
- (b) The provision of such a report emphasises the importance the Council places on the importance of ethical standards across the organisation and affords the opportunity to highlight key achievements and areas of good practice and to identify any requirements for improvement.
- (c) We welcomed the report and have put forward a number of suggested changes which have been reflected in the final version which is recommended to the Council for noting.

#### **Recommendation:**

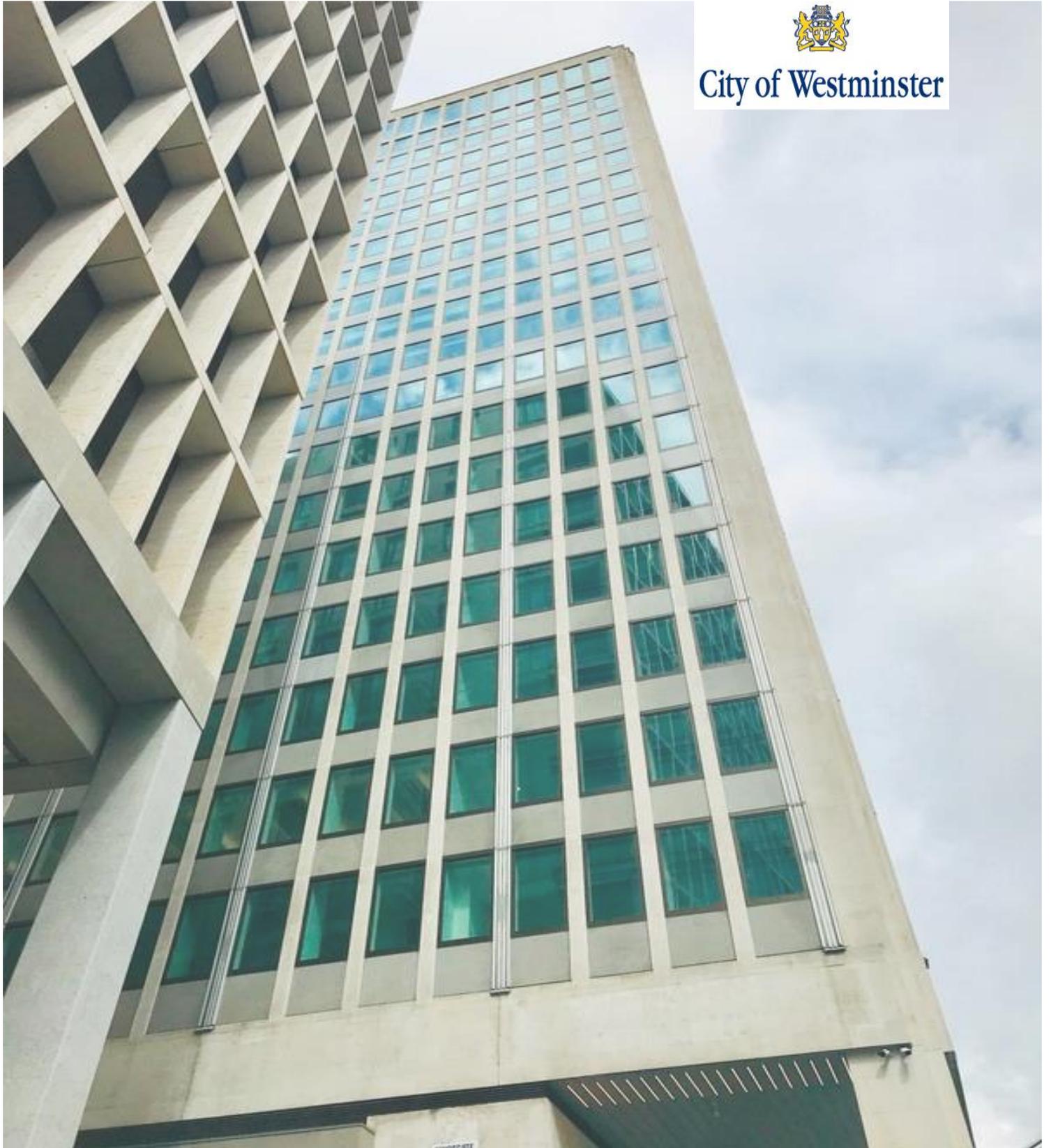
That the Council notes the Bi-annual Standards Committee report as set out in Appendix 1.

Judith Warner, Chairman

### **Background Papers**

Report to Standards Committee (10.3.20)

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City of Westminster

**BI-ANNUAL STANDARDS COMMITTEE REPORT  
(MARCH 2018 TO MARCH 2020)**

## Contents

1. Achievements over the previous two years
2. What we did and the outcomes
3. Monitoring Officer/Support to the Committee
4. Independent Persons
5. Meetings
6. Terms of Reference
7. Membership of the Committee
8. The year ahead

Appendix 1: Member Training since May 2018

## Introduction

This is the first Bi-annual report of the Standards Committee.

The document starts by setting out the key achievements of the committee over the past two years.

It goes on to explain what the committee considered at each meeting and the outcomes from them.

It then highlights the support provided to the committee and the Monitoring Officer by the councils Independent Persons.

It concludes by highlighting a couple of identified priority areas of work for the year ahead.

## Key Achievements of the Committee during the period March 2018 to March 2020

The committee had a busy work programme covering routine or regular items. This section set out the committee's achievements over and above its regular work.

- We **strengthened** the **Members' Code of Conduct** in light of the recommendations by the Committee on Standards in Public Life;
- We **enhanced** the **Arrangements** for dealing with complaints alleging a breach of the Member's Code of Conduct in response to lessons learnt;
- We **improved** the **probity in planning decision making** by members by recommending that a greater emphasis is placed on ethical standards in the revised 'Guidance for Members - Making Planning Decisions';
- We **produced guidance** for members on the use of social media in acknowledgement of the challenges that such communication entails;
- We **introduced a requirement** for **all members to publicly record in their register of interests the training** they have undertaken in their role as part of their continuing professional development;
- We **raised the profile** of standards through;
  - Debate at Council meetings
  - Obtaining a commitment from the Leader of the Council to attend one of our meetings per year for a question and answer session on ethical standards

## Meetings - What we did and the Outcomes

15 March 2018

### 1. Member Complaints - Annual Report and Response to Consultation on Standards in Public Life

#### What did we consider?

We received an annual report on complaints of an alleged breach of the code of conduct by members.

We noted that where there is an allegation of a pattern of bullying, harassment, and/or intimidation it can take time for complainants to come forward and it is likely to be very difficult to investigate such a complaint over a period of 3 months when patterns can often occur over a longer period of time.

On 29 January 2018 the Committee on Standards in Public Life (CSPL) launched a consultation on Local Government Ethical Standards. At our meeting we considered the questions asked by the consultation.

#### Outcomes/Achievements

We agreed:

- To amend the time limit (from 3 to 6 months) in the Council's "Arrangements for dealing with complaints alleging a breach of the Members' Code of Conduct" ("Arrangements") where it is alleged that a member has displayed bullying and intimidating behaviour.
- To form a small panel including at least one of the Independent Persons to produce a final response to the consultation on behalf of the committee. This was submitted to the CSPL in May 2018.

### 2. Recording of Member Training

#### What did we consider?

We considered whether councillors should publicly record training they have undertaken as evidence of continuing professional development.

#### Outcomes

- We recommended to the full Council that the Register of Interest form is amended to include an additional section to record training undertaken by members and co-opted members and that this requirement is included in an updated Members' Code of Conduct.
- The changes to the Register of Interest form and the Members' Code of Conduct were agreed by Council on the 18 April 2018.

5 July 2018

1. **Member Development Charter**

**What did we consider?**

We considered a report on the Local Government Association (LGA) Member Development Charter. We were asked to consider whether the Council should adopt the model as a framework for modelling its own training needs.

**Outcome**

We felt that although the LGA Charter provided some structure and guidelines on what to base members' training we concluded that the Council did not need to adopt the model as a framework for its own purposes but should ensure training is specific to Westminster members' needs.

2. **Guidance on use of Social Media by Members**

**What did we consider?**

In light of the changing form of modern communication and the issues that can arise from such use:

We considered whether there was need for guidelines to be produced for members when using social media.

We reviewed the guidelines that had been adopted by Wycombe District Council and discussed whether a similar set of guidelines should be produced by the Council.

**Outcome**

We agreed that a draft guide on the use of social media be produced for review at the next meeting.

## 6 December 2018

### 1. Review of the May 2018 Induction Programme and Member Development Update

#### What did we consider?

Following the local election in May, we reviewed the lessons learnt from the Member Induction Programme and noted an update on the Member Development Programme.

#### Outcome

- We welcomed the content of the Induction Programme.
  1. We supported having mandatory Code of Conduct and Governance/Safeguarding sessions for all members.
  2. We felt that new members should be obliged to attend other sessions that are considered to be of particular importance to their work and role
  3. We suggested that further thought of how this could be achieved should be considered.
  4. We made recommendations for future induction programmes.
- We asked officers to develop measures for evaluating the effectiveness of the training provided as part of the Member Development Programme.

### 2. Guidance on use of Social Media by Members

#### What did we consider?

Further to our meeting in July, we reviewed a draft guide on the use of social media by members.

#### Outcome

We agreed the draft note and referred the guidance to a Council meeting for consideration by all councillors.

## 6 December 2018

### 3. Gifts and Hospitality

#### What did we consider?

One of the member complaints in 2018 included issues related to the acceptance of gifts and hospitality which attracted significant attention.

As a consequence, we considered a report that restated the Council's position with regards to the acceptance of gifts and hospitality by members particularly in the context of the Council's planning function.

This issue was considered as part of a wider review of the Council's Planning Service commissioned by the CEx.

#### Outcome

We noted:

- The restated guidance to members with regards to gifts and hospitality and the advice of the Monitoring Officer about the importance of displaying sound judgement when offered gifts or hospitality, particularly from planning applicants.
- That it is important to consider the perceptions by members of the public rather than simply complying with the law and the letter of the Code of Conduct.

## 21 March 2019

### 1. Q&A with the Leader of the Council on Ethical Standards

#### What did we consider?

We heard from the Leader of the Council on Ethical Standards and submitted questions to her on a range of current issues.

#### Outcome

We recommended that regular meetings should be held between the Leader, Group Whips and the Monitoring Officer to discuss members' conduct matters to help uphold high standards.

2. **Review of Local Government Ethical Standards by Committee on Standards in Public Life**

**What did we consider?**

We considered the key findings of the review.

We considered what further changes could be made to the Council's Code of Conduct and arrangements for dealing with complaints alleging a breach of the members code of conduct, which would not require legislative change.

We discussed in detail some particular sections of the CSPL report including a) bullying and harassment, b) the role of ward councillors and planning committee members in relation to planning matters and c) social media.

**Outcome**

- We noted the 26 recommendations and the 15 best practice points made by the CSPL and that the council already practised many of the recommendations which did not require legislative changes as a matter of good practice.
- We agreed to receive a further report on proposed changes to the Code of Conduct in light of the review's recommendations that did not require changes in legislation.

3. **Annual Report on Complaints to the Monitoring Officer**

**What did we consider?**

We considered a report that summarised details of complaints against members of the council.

We reviewed a recommended change to the Code of Conduct to provide greater clarity regarding the standards of conduct/behaviour Members must comply with.

**Outcome**

We agreed to recommend to full Council that the Members' Code of Conduct is amended to include the following additional text:

To promote and support high standards of conduct through leadership and by example, ***including, not acting in a manner which could be seen to bring the Council or the role of the councillor into disrepute.***

This was approved by full Council on 18 September 2019.

1. **Local Government Ethical Standards - Probity in Planning Decision Making**

**What did we consider?**

We considered the actions taken by the Council following the independent review of Westminster's Planning Service by the Planning Advisory Service and the review of Ethical Standards in Public Life by the CSPL.

We reviewed and made suggested amendments to the draft revised 'Guidance for Members – Making Planning Decisions' as it related to ethical standards.

**Outcome**

- We agreed the draft revised guidance subject to incorporating the Cabinet Office principles for accepting gifts and hospitality as recommended by the CSPL and to moving the section relating to ethical standards to the head of the guide to emphasise its importance.
- We requested that once finalised training on the guidance is included as part of the Member Development Programme.
- We requested that the pre-application planning guide for officers and members is circulated to all members of the council.

2. **Local Government Ethical Standards - Implementation of Recommendations of the Committee on Standards in Public Life**

**What did we consider?**

We reviewed the proposed action for the Council to implement following the review of Local Government Ethical Standards by the CSPL.

**Outcome**

- We noted the CSPL recommendations and best practice which are already adopted by the Council.
- We agreed to enhance the wording of the provision in relation to bullying and harassment in the Code of Conduct as proposed by the CSPL, and as set out in the proposed draft amendments to the Code.
- We agreed to include in the Code of Conduct the Cabinet Office principles for accepting gifts or hospitality, as recommended by CSPL, and as set out in the proposed draft amendments to the Code.
- We agreed to refer the changes to the Code of Conduct to the General Purposes Committee to recommend for adoption by the Council.
- The changes to the Code of Conduct were agreed by Council on the 18<sup>th</sup> September 2019.

## 11 July 2019

### 3. Guidance on the use of Social Media By Members

#### What did we consider?

We reflected on the discussion at the Council meeting on 26 June 2019 where some councillors made suggested changes to the guidance.

#### Outcome

We agreed to consult all councillors on the draft guidance and to consider any comments at our next meeting.

## 14 November 2019

### 1. Update Report on the use of Social Media by Members

#### What did we consider?

We considered the revised guidance, which reflected the consultation responses received from members.

#### Outcome

- We reiterated our support for a guidance note for councillors given the immediacy of social media compared to letter writing as well as its function as a form of broadcasting. This view is supported by the Council's Independent Persons.
- The guidance was agreed by the Full Council at its meeting on the 22 January 2020.
- It will be kept under review and will be the subject of further revision as social media forms develop.

### 2. Update on Member Code of Conduct Training and Member Development Programme

#### What did we consider?

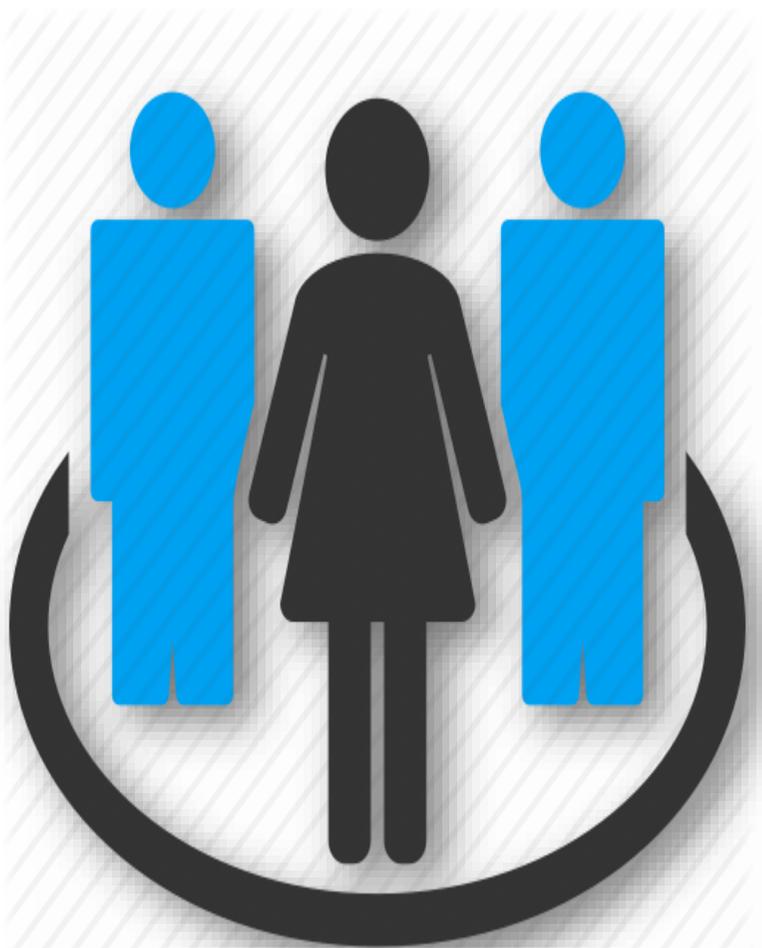
We considered an update on the refresher Members' Code of Conduct training following the adoption of a revised code. The training incorporated issues including diversity and unconscious bias.

We also reviewed the member development training provided to councillors since the local election to ensure that the training offered is both useful and appropriate to Councillors. The Council provides a range of training to members including mandatory training on the Code of Conduct as well as specialist training on a range of subjects including planning and licensing (See Appendix for full list of sessions).

#### Outcome

- We noted the positive feedback from members on the refresher Members' Code of Conduct training.
- We consider that the training programme plays an important role so that councillors are kept up-to-date in matters such as changes in legislation and the way the Council works.
- We have invited officers and councillors to suggest new areas of training for members where they consider additional insight for professional practice is required.

## Monitoring Officer/Support to the Committee



The Council's Monitoring Officer is Tasnim Shawkat. The Monitoring Officer is a statutory position under the Local Government and Housing Act 1989 and the role is to:

- Support the Standards Committee and the Independent Persons;
- Contribute to the promotion and maintenance of high standards of conduct within the Council;
- Maintain systems and processes for dealing with allegations of breaches of the Councillor Code of Conduct;
- Investigate, or appoint someone to investigate, allegations of breaches of the Councillor Code of Conduct and report these, where relevant to the Standards Sub-Committee;
- Maintain the Councillors' Register of Interests;
- Act as a point of contact for advice and/or queries raised by Councillors;
- Organise training for Councillors on conduct-related and decision making matters;
- Maintain, reviewing and updates the Constitution for approval by full Council;
- Advise on various issues, including legality, administrative and governance matters;
- Keep under review various governance-related policies, such as Gifts and Hospitality, Conflicts of Interest and Whistleblowing;
- Consider and may investigate whistleblowing concerns.

Further support to the Committee is provided by Hazel Best and Joyce Golder, Principal Solicitors and Reuben Segal, Head of Committee and Governance Services.

## Independent Persons (IP)

### Principle role

The principal role of the IP is to give an **independent view** on governance issues in general and specifically in relation to alleged breaches of the Code of Conduct for Members. The Council's IP's work closely with the Monitoring Officer and her deputies, considering all complaints and whether an alleged breach of the Code meets the criteria for investigation.

### Consultation

It is also a **statutory requirement to consult** the IP before deciding on the outcome of an investigation into a complaint and whether to impose any sanction. The Member complained about may also, at any stage of the process, seek a view from the IP. By law, the council must appoint at least one IP. In order to avoid any conflict of interest the council has always appointed two IP's and recently has increased this to three to provide cover in the event of leave or resignation.

### Our Independent Persons

During the period which this report covers Sir Stephen Lamport served as an IP between July 2015 until October 2018 and Baroness Rabbi Julia Neuberger between November 2015 and November 2019. The Standards Committee has previously expressed its gratitude for their service to the Council. The current Independent Persons are **Asif Iqbal** who was appointed in November 2018 and **Elizabeth Walters** and **Shajad Hussain** who were appointed in September 2019.

As required by law the Council's Independent Persons are appointed by the full Council following a recommendation from the General Purposes Urgency Committee who have responsibility for overseeing the recruitment process including holding interviews with applicants.

### Expertise and Knowledge

The Council's IPs come from varied professional backgrounds which bring a breadth of knowledge and experience relating to ethical standards. Although not members they regularly attend meetings and play an important role in providing independent perspective on ethical standards. All of the IPs have attended the Council's mandatory training for members on the Members' Code of Conduct and have additionally received **bespoke training** from the Monitoring Officer regarding their responsibilities and duties. To obtain a better understanding of Members' roles, the IPs have been encouraged to attend some of the Council's other formal meetings particularly the meeting of Full Council.



## Meetings

The Standards Committee meets three times per annum and over the period that the report covers met on the: 15 March 2018, 5 July 2018, 6 December 2018, 21<sup>st</sup> March 2019, 11 July 2019 and 14<sup>th</sup> November 2019.

## Terms of Reference

The Standards Committee has oversight of the conduct and probity of Councillors. Its responsibilities are set out in **Chapter 5 – Committees, Section 26 of the Council’s Constitution** as follows:

- To promote and maintain high standards of conduct by the Members and Co-opted Members of the City Council.
- To advise the City Council on the adoption or revision of a Code of Conduct for Members.
- Advising, training or arranging to train Members and Co-opted Members on matters relating to the City Council’s Code of Conduct for Members.
- To assist Members and Co-opted Members observe the City Council’s Code of Conduct for Members.
- To monitor the operation of Code of Conduct for Members.
- Consider reports referred to the Committee by ethical standards officers or the Monitoring Officer of investigations into alleged breaches of the City Council’s Code of Conduct for Members.
- Where necessary, to conduct hearings into allegations of breaches of the said code, and interview officers, Members and others as required.
- Determining whether allegations of breaches of the said code are made out and determining what action, if any, to take in relation hereto including, where it is determined that a breach has occurred, deciding what sanctions, if any, should be applied in relation to the Member or Member concerned (and for the avoidance of doubt, the Committee shall only have power to impose any sanction authorised by law).
- Consider any complaints in respect of Members referred to the Committee under the City Council’s “Whistleblowing” procedure and determining the action to be taken, if any.
- To the extent allowed by the Law, granting dispensations in relation to Member and co-opted Member interests as referred to in the Members Code of Conduct.
- To consider, advise and, if appropriate, take action upon other Member conduct issues not otherwise dealt with under these terms of reference.

## Membership of the Committee

The Committee has six members. They are Councillors Judith Warner, Ian Adams, Richard Beddoe, Louise Hyams, David Boothroyd and Patricia McAllister.

During the period to which this report covers the following Councillors were members on the committee:

Judith Warner, Melvyn Caplan, Danny Chalkley, Louise Hyams, Robert Rigby, David Boothroyd, Ruth Bush and Patricia McAllister.

## The Year Ahead

The Committee has a number of standing items which it considers during the course of the year. Other items are programmed in response to consultation on regulatory changes or in response to ethical standards issues that arise which require consideration and possible changes to the council's constitution.

### Consultation on the Model Code of Conduct

The Local Government Association (LGA) has undertaken a review of the member model code of conduct in response to the recommendations made by the CSPL, but also in response to rising local government concern about the increasing incidence of public, member to member and officer/member intimidation and abuse and overall behavioural standards and expectations in public debate and engagement.

Members and the Council's Independent Persons were encouraged to respond to the consultation. The Committee will, at its next meeting in October, consider the LGA's key findings and consider any required changes to Westminster's Members Code of Conduct. Any proposed changes will be recommended to the Full Council for adoption and mandatory training will be provided to councillors.

### Review of the Protocol on Member/Officer Relations

The committee is due to review the protocol on member/officer relations to ensure that it remains fit for purpose.

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**City of Westminster**

## Report to full Council

<b>Date:</b>	<b>16 September 2020</b>
<b>Classification:</b>	<b>For General Release</b>
<b>Title:</b>	<b>Changes to the programme of Full Council Meetings 2020/2021</b>
<b>Wards Affected:</b>	<b>N/A</b>
<b>Policy Context:</b>	<b>Management of the Council</b>
<b>Financial Summary:</b>	<b>There are no financial implications</b>
<b>Report of:</b>	<b>Tasnim Shawkat, Director of Law</b>

### **1. Executive Summary**

- 1.1 This report concerns proposals to amend the programme of meetings for full council for the current municipal year to reflect the changes to the business and financial planning round for 2021/2022 that have arisen as a consequence of Covid-19.

### **2. Recommendations:**

- 2.1 That full council agree the following changes to the Programme of Council Meetings for 2020-2021:
- (i) That the extraordinary meeting (Budget) programmed to be held on Wednesday 11 November 2020 now be held as an ordinary council meeting for the reasons set out in paragraph 3.3 below and
  - (ii) That the meeting on the 3 March 2021 be amended to an extraordinary meeting to receive the Leader's Speech and consider budget proposals for 2021/2022.

### **3. Background Information**

- 3.1 Following recommendations from the General Purposes Committee the full council agreed last year to bring forward the receipt of the Leader's Speech and its consideration of budget proposals for the following fiscal year from March to November each year. It also agreed minor adjustments to the council meeting

procedure rules to reflect these changes. The agreed changes followed an approach broadly pursued on a trial basis over the two previous years.

- 3.2 The rationale for these changes was that the approval of the budget for the next fiscal year at an earlier stage allowed for departments to better plan on a full year basis for the following fiscal year. Any changes which impacts on the budget approved in the autumn is to be reported to the Cabinet in the following February and then to the full council in early March when the formal Council Tax Resolution is to be determined.

### **Leader's Speech and Budget Setting Process for 2021-22**

- 3.3 On the 13 July 2020 Cabinet considered an update on the council's medium-term financial position in order to inform the business and financial planning round for 2021/22. The report outlined that the Covid-19 pandemic has had a considerable impact on the council and the City of Westminster. The paper assessed the current financial impact result of Covid-19 and reviewed other key financial assumptions together with national and local policy issues that the Council need to consider in making its plans for the period. The report also set out an approach for the budget process that takes account of these and the requirement to identify savings options that fit within the overall policy and financial framework aligning resources to the Council's key policy objectives set out in the City for All. It was recognised that the current financial and economic conditions are continually changing as well as the government response to this.
- 3.4 Cabinet agreed the budget process approach set out in the report whereby the budget proposals for 2021/22 and the medium-term financial plan would be developed and scrutinised over the autumn and winter before being presented to full council for determination in March next year.
- 3.5 To facilitate this full council will need to agree to change the programme of council meetings for 2020/21 so that the extraordinary budget meeting scheduled for the 11 November reverts to an ordinary meeting and that the meeting scheduled for the 3 March 2021 is amended to receive the Leader's Speech and consider budget proposals for the following fiscal year.

## **4. Financial implications**

- 4.1 No additional financial implications arise from the proposals set out in this report.

## **5. Legal Implications**

- 5.1 The Programme of Council Meetings allows the council to take decisions in accordance with statutory requirements.
- 5.2 The function of calculating the City Council's budget requirement and the City Council's element of the Council Tax, and the function of setting the Council Tax,

are the responsibility of the full Council. The formal Council Tax resolution may only be adopted once the relevant information from the precepting authorities has been received. Section 30(6) of the Local Government Finance Act 1992 provides that the council has to set its budget before 11 March in the financial year preceding the one in respect of which the budget is set

## **6. Consultation**

- 6.1 The proposals in this report have been circulated to the Party Whips who have indicated their support for them.
- 6.2 Consultation on the proposals has also been undertaken with the General Purposes Urgency Sub-Committee by way of the written urgency procedures who also have expressed support for them.
- 6.3 No outstanding issues remain as a result of this consultation.

**If you have any queries about this report please contact Reuben Segal:**

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

## **BACKGROUND PAPERS**

- None

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**City of Westminster**

## Report to full Council

<b>Date:</b>	<b>16 September 2020</b>
<b>Classification:</b>	<b>For General Release</b>
<b>Title:</b>	<b>Changes to the Planning and City Development Committee</b>
<b>Wards Affected:</b>	<b>N/A</b>
<b>Policy Context:</b>	<b>Management of the Council</b>
<b>Financial Summary:</b>	<b>The proposals in this report will, if agreed, result in an additional SRA payment from the Members Allowances Budget of £1398.04.</b>
<b>Report of:</b>	<b>Tasnim Shawkat, Director of Law</b>

### **1. Executive Summary**

- 1.1 This report concerns proposals to amend the size of the Planning & City Development Committee by increasing its membership from 14 members to 15 from the 1 October 2020.

### **2. Recommendations:**

- 2.1 That full council agrees to amend the size of the Planning and City Development Committee from 14 members to 15 members from the 1 October 2020.

### **3. Reasons for Decision**

- 3.1 The increase in the size of the Committee would ensure there was an additional member available to sit on the Planning Sub-Committee meetings. This will ensure that there is sufficient membership capacity to attend meetings and undertake effective decision making.

### **4. Background Information**

- 4.1 The rationale for these changes was that currently some members of the Planning and City Development Committee sit on more than one Planning Sub-Committee. An increase in the membership of the Committee by one member will permit a more even division of duties at Planning Sub-Committee meetings.

- 4.2 It is proposed to increase the membership of the Committee by one from its current total of 14 members to 15. The Committee currently has a proportionality of 9 majority party members and 5 minority party members. The increase will permit a new proportionality of 10 majority party members and 5 minority party members. This new proportionality accords with the principles of the Committee proportionality agreed by the Council.
- 4.3 In accordance with standing orders relating to committees, the membership will be appointed by the Chief Executive in accordance with the wishes of the Political Groups. There will be a further full review reported to the next Annual Council meeting.

## **5. Financial implications**

- 5.1 The appointment of an additional member of the Committee from 1 October 2020 would lead to an additional Special Responsibility Allowance from the Members Allowances budget of £1398.04 to the 31 March 2020. This will be off-set by underspends elsewhere in the Members Allowances Scheme.

## **6. Legal Implications**

- 6.1 As set out in section 3 of the report.

## **7. Consultation**

- 7.1 The proposals in this report have been circulated to the Party Whips who have raised no objections to them.
- 7.2 Consultation on the proposals has also been undertaken with the General Purposes Urgency Sub-Committee by way of the written urgency procedures who also have expressed support for them.
- 7.3 No outstanding issues remain as a result of this consultation.

**If you have any queries about this report please contact Reuben Segal:**

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

## **BACKGROUND PAPERS**

- None