



City of Westminster

Council Agenda

Title: **Annual Council Meeting**

Meeting Date: **Wednesday 17th May, 2023**

Time: **7.00 pm**

Venue: **Westminster Council House, 97-113 Marylebone Road,
London, NW1 5PT**

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

In line with legislation Committee members will attend the meeting in person. This meeting will be live streamed through the Council's website.

Limited admission to the public gallery is available from 6.30pm. Please telephone if you are attending the meeting in a wheelchair or have difficulty walking up steps. There is wheelchair access via the Sammy Ofer Centre.

If you require any further information, please contact the Committee Officer, Janis Best, Committee and Councillor Support Manager.

**Email: jbest@westminster.gov.uk Tel: 07971 920521
Corporate Website: www.westminster.gov.uk**

1. ELECTION OF LORD MAYOR

- (a) To elect the Lord Mayor for the ensuing year.
- (b) Declaration of Acceptance of Office by the newly elected Lord Mayor.

2. MINUTES

To sign the Minutes of the Meeting of the Council meeting held on 8 March 2023.

(Pages 5 - 12)

3. LORD MAYOR'S COMMUNICATIONS

- (a) Notification by the Lord Mayor of appointment of the Lord Mayor's Chaplain.
- (b) Other Communications (if any).

4. PRESENTATION OF PAST LORD MAYOR'S BADGE AND VOTE OF THANKS

- (a) To present the past Lord Mayor's badge and other insignia.
- (b) Vote of Thanks.

5. REPORT FOR FULL COUNCIL: KEY DECISIONS - USE OF SPECIAL URGENCY PROCEDURE 2022/23

To note the report on the executive decisions taken in the circumstances set out in Rule 14 (special urgency) in the preceding year.

(Pages 13 - 16)

6. CONSTITUTIONAL MATTERS

To receive and consider the report and recommendations of the Director of Law as to the appointment and proportional allocation of places on Standing Committees to the Political Groups on the Council in accordance with the Local Government (Committees and Political Groups) Regulations 1990 (as amended) and as to the appointment of members to Committees in accordance with those regulations.

(To Follow)

**64 Victoria Street
London, SW1E 6QP
9 May 2023**

Chief Executive

CITY OF WESTMINSTER

MINUTES OF PROCEEDINGS

At the Meeting of the Council of the City of Westminster held at 7.00 pm on Wednesday 8th March, 2023 at Westminster Council House, 97-113 Marylebone Road, London, NW1 5PT.

PRESENT

The Lord Mayor, Councillor Hamza Taouzzale

COUNCILLORS

Concia Albert	Patrick Lilley
Gillian Arrindell	Patricia McAllister
Barbara Arzymanow	Tim Mitchell
Geoff Barraclough	Matt Noble
Liza Begum	Ellie Ormsby
David Boothroyd	Ralu Oteh-Osoka
Ruth Bush	Angela Piddock
Nafsika Butler-Thalassis	Ed Pitt Ford
Melvyn Caplan	Robert Rigby
Maggie Carman	Rachael Robathan
Md Shamsed Chowdhury	Tim Roca
Laila Cunningham	Ian Rowley
Lorraine Dean	Cara Sanquest
Tony Devenish	Caroline Sargent
Paul Dimoldenberg	Karen Scarborough
Robert Eagleton	Mark Shearer
Paul Fisher	Selina Short
Jim Glen	James Small-Edwards
David Harvey	Judith Southern
Sara Hassan	Max Sullivan
Elizabeth Hitchcock	Paul Swaddle
Adam Hug	Jessica Toale
Ryan Jude	Aziz Toki
Amanda Langford	Jacqui Wilkinson
Aicha Less	Jason Williams
Iman Less	

APOLOGIES: Councillors Louise Hyams and Alan Mendoza

1 APPOINTMENT OF RELIEF CHAIR

- 1.1 Motion moved by the Lord Mayor and seconded by Councillor Matt Noble, that Councillor Angela Piddock be elected as Relief Chair.
- 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 held on Wednesday 25 January 2023 were, with the assent of the Members present, signed by the Lord Mayor as a true record of the proceedings.

3 DECLARATIONS OF INTEREST

- 3.1 There were no declarations of interest.

4 CABINET REPORT

- 4.1 The report of the Cabinet on 13 February 2023 was submitted.
- 4.2 Following debate, to which Councillor Hug replied, the Lord Mayor then put the recommendations in paragraph 1 of the Cabinet report to a vote. A recorded vote was then taken:

For the recommendations: Councillors Albert, Arrindell, Barraclough, Begum, Boothroyd, Bush, Butler-Thalassis, Carman, Chowdhury, Dimoldenberg, Eagleton, Fisher, Hassan, Hug, Jude, A Less, I Less, Lilley, McAllister, Noble, Ormsby, Piddock, Roca, Sanquest, Small-Edwards, Southern, Sullivan, Toale, Toki and Williams

Abstaining: Councillors Arzymanow, Caplan, Cunningham, Dean, Devenish, Glen, Harvey, Hitchcock, Langford, Mitchell, Oteh-Osoka, Pitt Ford, Rigby, Robathan, Rowley, Sargent, Scarborough, Shearer, Short, Swaddle and Wilkinson

Absent or not voting: The Lord Mayor and Councillors Hyams and Mendoza

- 4.3 The Lord Mayor declared the recommendations in paragraph 1 of the Cabinet report as **ADOPTED**.

RESOLVED:

Council Tax

- 1) That the council tax for a Band D be agreed at £477.91 for 2023/24.
- 2) That subject to the consideration of the previous recommendation, the council tax for the City of Westminster, excluding the Montpelier Square area and Queen's Park Community Council, for the year ending 31 March 2024, be as specified in the Council Tax Resolution in Appendix 6.

- 3) That the Precepts and Special Expenses be as also specified in Appendix 6 for properties in Montpelier Square and the Queen's Park Community Council.
- 4) That the formal resolution for 2023/34 attached at Appendix 6 including the council tax requirement of £64.974m be agreed.
- 5) Note the proposed Greater London Authority precept (Band D) of £434.14, an increase of £38.55 in the adjusted Band D precept.
- 6) That the Council continues the Westminster Community Contribution scheme to allow residents in the City to voluntarily contribute towards supporting discretionary services that support the three priorities of youth services, helping rough sleepers off the streets and supporting people who are lonely and isolated.

Revenue Budget

- 7) To note the views of the Scrutiny Budget Task Group set out in Appendix 8.
- 8) That the proposed General Fund net budget requirement of £193.611m summarised in Appendix 4 is approved.
- 9) That the savings, pressures and investments for 2023/24 to 2026/27 set out in Appendix 1, 2 and 3, are approved.
- 10) That the Equality Impact Assessments included in Appendix 7 are noted to inform the consideration of the budget.
- 11) Note the Housing Revenue Account (HRA) Business Plan 2023/24 and 30-Year Housing Investment Plan presented concurrently to Cabinet on 13 February 2023 that recommends the HRA budget and rent levels for 2023/24. Capital Programme
- 12) Note the Capital Strategy 2023/24 to 2027/28, forecast position for 2022/23 and future years' forecasts summarised up to 2036/37 report also presented to Cabinet on 13 February 2023 that recommends the Council's capital programme and financing. Reserves, Balances and Budget Estimates
- 13) Agree the reserves policy as set out in section 10 of the Section 151 officer's report;
- 14) Note the opinion of the Section 151 Officer with regards to the robustness of the budget process, the estimates underpinning the budget and the adequacy of the reserves in section 10. Treasury Management and Investment Framework
- 15) Note the Treasury Management Strategy for 2023/24 including the annual investment strategy, borrowing limits and prudential indicators

summarised in this report and set out detail in a concurrent report on this agenda.

- 16) Note the 2023/24 Integrated Investment Framework report also concurrently on this agenda, which sets out the policies and framework for future investment decisions for the Council.

4.4 The Lord Mayor put the recommendations in paragraph 2 of the Cabinet report, Capital Strategy 2023/24 to 2027/28, Forecast Position for 2022/23 and Future Years Forecast to 2036/37 to the vote and on a show of hands declared the recommendations **ADOPTED**.

RESOLVED:

That full Council:

- 1) Approve the capital strategy as set out in this report.
- 2) Approve the capital expenditure for the General Fund as set out in Appendix A for 2023/24 to 2027/28 and future years to 2036/37.
- 3) Approve that all development and investment projects, along with all significant projects follow the previously approved business case governance process as set out in section 8 of this report.
- 4) Approve that no financing sources, unless stipulated in regulations or necessary agreements, are ring fenced.
- 5) Approve the proposed financing of the capital programme and revenue implications as set out in section 12 of this report.
- 6) Delegate to the Executive Director of Finance and Resources the decisions surrounding financing of the capital programme to provide sufficient flexibility to allow for the most effective use of the Council's resources

4.5 The Lord Mayor put the recommendations in paragraph 3 of the Cabinet report, 2023/24 Housing Revenue Account 30-Year Business Plan and Housing Investment Plan to the vote and on a show of hands declared the recommendations **ADOPTED**.

RESOLVED:

That full Council:

- 1) Approve the HRA revenue budget for 2023/24.
- 2) Note the HRA 5-year revenue budgets for 2023/24 to 2027/28 and HRA 30- year revenue budgets for 2023/24 to 2052/53.
- 3) Approve the HRA 5-year Capital Programme totalling £794.51m.

- 4) Note the 30-year Capital Programme for 2023/24 to 2052/53 totalling £2.359bn.
- 5) Approve the inclusion of all Fairer Westminster investments, including the expansion of the HRA Rent Support Fund to £1.010m in 2023/24 (to be earmarked to support tenants experiencing financial difficulty during the cost-of-living crisis).
- 6) Approve a rent increase of 7% from 3rd April 2023 in line with the social rent cap introduced by government for 2023/24, whilst noting that the Council continues to exercise its discretion under the rent restructuring policy to set rents for re-lets (both new tenants and transfers) up to formula target rent. 7) Approve an increase of 10.1% to the fees charged for garages and sheds (in line with CPI at September 2022) from 3rd April 2023. 8) Approve that tenant service charges be varied in line with estimated actual costs for 2023/24 from 3rd April 2023. 9) Note the HRA reserves and balances for the 5-year Business Plan.

4.6 The Lord Mayor put the recommendations in paragraph 4 of the Cabinet report, Treasury Management Strategy Statement for 2023/24 to 2027/28 to the vote and on a show of hands declared the recommendations **ADOPTED**.

RESOLVED:

That full Council:

- 1) Approve the Treasury Management Strategy Statement.
- 2) Approve the borrowing strategy and borrowing limits for 2023/24 to 2027/28 set out in section.
- 3) Approve the Prudential Indicators set out in section 8 of the report.
- 4) Approve the Annual Investment Strategy and approved investments set out in Appendix 1 of the report.
- 5) Approve the Minimum Revenue Provision Policy set out in Appendix 2 of the report.

4.7 The Lord Mayor put the recommendations in paragraph 5 of the Cabinet report, Integrated Investment Framework 2023-2024 to the vote and upon a show of hands declared the recommendations **ADOPTED**.

RESOLVED:

That full Council:

- 1) Approve and implement the Integrated Investment Framework set out in this report.

- 2) Approve that the target for the overall return on Council investments should aspire to at least meet forecasts for inflation over the medium term.
- 3) Approve that the benefits of investing in the Pension Fund should be used as a benchmark when evaluating other investments.
- 4) Adopt the asset allocation percentage ranges set out in the framework and work towards achieving these.
- 5) Agree that the overarching objective of this framework is to achieve an overall return on Council investments, matching CPI inflation over the medium term, and to reduce costs and liabilities, while maintaining adequate cash balances for operational purposes, and not exposing the capital value of investments to unnecessary risk.
- 6) Agree that assets must only be acquired for strategic purposes. Such prospective acquisitions must be considered individually, with the reasons for investment limited to regeneration or development of the location, or other strategic purposes in which the asset is established. Out-of-borough acquisitions may also be considered by exception.
- 7) Agree the Investment Executive to implement, monitor and report on the investment strategy.

4.8 The Lord Mayor put the recommendations in paragraph 6 of the Cabinet report, Pay Policy 2023-2024 to the vote and upon a show of hands declared the recommendations **ADOPTED**.

RESOLVED:

That the full Council approve the Pay Policy for 2023 – 2024 as attached as Appendix 1 to this report.

5 GENERAL PURPOSES COMMITTEE REPORT - MEMBER ALLOWANCES SCHEME 2023 - 2024

5.1 The Opposition Party had selected for debate the report on the Member Allowances Scheme 2023-2024 as set out on the agenda. Councillor Tim Mitchell moved, and it was seconded by Councillor Melvyn Caplan that the recommendations in the report be amended, as follows:

“That recommendation 1 of the Report of the General Purposes Committee - Member Allowances 2023-24 be amended to read “Be recommended to approve, in line with the staff pay award for 2022/2023, a 4.04% uplift for the basic allowance and all SRAs.”

- 5.2 Following debate, The Lord Mayor put the amendment to the recommendations to the vote and following a show of hands declared the amendment to the recommendations **LOST**.
- 5.3 The Lord Mayor then put the unamended recommendations to the vote and following a show of hands declared the recommendations **CARRIED**.
- 5.4 In accordance with Council Procedure Rules a recorded vote was requested by Councillor Swaddle.

For the recommendations: Councillors Albert, Arrindell, Barraclough, Begum, Boothroyd, Bush, Butler-Thalassis, Carman, Chowdhury, Dimoldenberg, Fisher, Hassan, Hug, Jude, A Less I Less, Lilley, McAllister, Noble, Ormsby, Piddock, Roca, Sanquest, Small-Edwards, Southern, Sullivan, Toale, Toki and Williams

Against the recommendations: Councillors Arzymanow, Caplan, Cunningham, Dean, Devenish, Eagleton, Glen, Harvey, Hitchcock, Langford, Mitchell, Oteh-Osoka, Pitt Ford, Rigby, Robathan, Rowley, Sargent, Scarborough, Shearer, Short, Swaddle and Wilkinson

Absent or not voting: The Lord Mayor and Councillors Hyams and Mendoza

RESOLVED:

That Full Council:

- 1) Approve the Member Allowances 2023-2024 Option 4 scheme, as set out in the report, with effect from 1 April 2023.
- 2) Approve the amendment to the Dependents/Carers Allowance Policy as set out in Appendix B of the report.

6 GENERAL PURPOSES COMMITTEE REPORT - CONSTITUTIONAL CHANGES

- 6.1 The Lord Mayor put the recommendations of the General Purposes Committee report to the vote and on a show of hands declared the recommendations adopted.

RESOLVED:

That Full Council:

- 1) Approve the introduction of a 30-minute public participation item at Full Council meetings in line with the headline proposals set out in section 4 of the report.

- 2) Approve the amendment of the petitions scheme to support public participation at meetings of Full Council as set out in section 4 of the report.
- 3) Agree that table 4 as set out in section 4 of the report detailing changes to meeting timings in the Full Council standing orders be adopted.
- 4) Approve the selection of Councillor Issues to be in proportion to the sizes of Groups on the council and to remove the random selection of councillors for this item with this process replaced by nominations made by Groups.
- 5) Approve the removal of the future policy plan as a device for selecting debates (and the accompanying requirement for a briefing note to be produced) and its replacement with a requirement for the Group proposing a subject for debate to give a short descriptive paragraph to frame the debate.
- 6) Approve the delegation of authority to the Monitoring Officer to adopt such changes agreed by Full Council into the Constitution and to update and maintain supporting documents such as the Full Council Public Participation Protocol, including to make changes to public participation rules in consultation with Group Whips and Chair of the General Purposes Committee.
- 7) Approve that a review of the Public Participation Protocol be undertaken in Spring 2024.
- 8) Approve the amendments to the scheme of Outside Bodies as set out at section 5 of the report, subject to Imperial College Court being retained on the list of recognised outside bodies.
- 9) Approve that the Director of Law to investigate further any issues around the indemnity of members serving on an outside body.

The Meeting ended at 9.42pm.

CHAIRMAN: _____

DATE _____



City of Westminster

Annual Council Report

Date:	17 May 2023
Classification:	For General Release
Title:	Key Decisions: Use of Special Urgency Procedure 2022/23
Report of:	Leader of the Council
Wards Involved:	Not applicable
Policy Context:	Management of the Council
Financial Summary:	None
Report Author and Contact Details:	Richard Cressey, Head of Governance and Councillor Liaison

Email: rcressey@westminster.gov.uk

1. Summary

The Access to Information Procedural Rules (Article 33.18 (3) of the Council's Constitution) require that, at least once a year the Leader will submit a report detailing all Key Decisions taken under Special Urgency provisions in the preceding year.

This report details a single instance where Special Urgency provisions were used during the 2022/23 municipal year.

2. Recommendations

That Full Council note the Key Decision taken under Special Urgency in 2022/23 as set out at Section 4 of the report.

3. Background, including Policy Context

3.1 The City Council's Constitution sets out, under Article 33.12, that 28 days' notice must be given where the Cabinet, a Cabinet Committee, an individual Cabinet Member or Officer intends to make a Key Decision.

3.2 Where the provision of such notice is impracticable the Constitution provides both General Exception and Special Urgency provisions. The General Exception provisions require, amongst other things, a period of five clear working days' notice to be given. Where compliance with the General Exception principle is impractical the decision can be taken under Special Urgency provisions.

3.3 Cases of Special Urgency can only proceed where the decision maker has obtained agreement that the making of the decision is urgent and cannot reasonably be delayed from:

(a) the Chairman of the relevant Policy and Scrutiny Committee; or

(b) if there is no such person, or if they are unable to act, the Lord Mayor.

4. Details of decisions taken under Special Urgency provisions

- 4.1 During the municipal year, 2022/23, the provision of Special Urgency was used once to facilitate an urgent decision. Further detail on this decision is set out below.

Decision Title	Decision Maker	Reason for Special Urgency	Notice of proposed decision first published:	Date Decision Notice Published
Direct Award of Travel Care contracts for Children and Adults	Cabinet Member for Young People, Learning and Leisure Cabinet Member for Adult Social Care, Public Health and Voluntary Sector	Unforeseen provider withdrawal and the need to maintain service continuity for this statutory service.	3 rd August 2022	12 th August 2022 Statement of Decision

- 4.2 In the single case of Special Urgency provision being used in 2022/23 as detailed in this report, the approval of the Chair of the relevant Policy and Scrutiny Committee was given. This approval was given by Councillor Angela Piddock, Chair of the Children, Adults, Public Health and Voluntary Sector Policy and Scrutiny Committee agreed to the use of Special Urgency provisions on 11 August 2022.

- 4.3 In accordance with statutory and Constitutional requirements, following the approval of the Chair of Policy and Scrutiny Committee two notices were published. The first detailing that the decision would be taken under special urgency and the second stating the decision had been made and including the report upon which the decision was based.

5. Legal Implications

- 5.1 The relevant rules of the City Council's Constitution setting out the need to report on the use of Special Urgency Procedures regarding Key Decisions during the preceding year have already been outlined in the earlier body of this report. The recommendation set out in this report is in line with these provisions.

6. Financial Implications

- 6.1** There are no direct financial consequences of this report. The decision reported above as having been taken under the Special Urgency procedure was supported by a report that set out the financial implications of that decision and was subject to financial review as part of the decision-making process.

7. Equalities Implications

- 7.1** There are no direct equalities implications of this report. The decision reported above as having been taken under the Special Urgency procedure was supported by a report that set out the equalities implications of that decision.

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

Daniella Bonfanti, Cabinet Manager, dbonfanti@westminster.gov.uk

BACKGROUND PAPERS

- **Key Decision Report and Statement of Decision - *DIRECT AWARD OF TRAVEL CARE CONTRACTS FOR CHILDREN AND ADULTS***