



City of Westminster

# Full Council Agenda

Title: **Annual Council Meeting**

Meeting Date: **Wednesday 18th May, 2022**

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.**

**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 s.**

**Email: [jbest@westminster.gov.uk](mailto:jbest@westminster.gov.uk) Tel: 07971 920521  
Corporate Website: [www.westminster.gov.uk](http://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 2 March 2022.

**(Pages 5 - 14)**

**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. RETURN OF COUNCILLORS AND NOTIFICATION OF MEMBERS OF POLITICAL GROUPS INCLUDING LEADERS, DEPUTY LEADERS AND PARTY WHIPS**

The Chief Executive to submit a return of Councillors elected for the 18 wards in the City at the elections held on 5 May 2022 and details of the notification received of Members of the Political Groups including Leaders, Deputy Leaders and Party Whips.

**(Pages 15 - 18)**

**6. ELECTION OF LEADER OF THE COUNCIL**

To be moved by the Chief Whip of the Majority Party.

**7. DELEGATIONS TO LEADER AND CABINET**

To consider and receive a report of the Chief Executive.

**(Pages 19 - 28)**

**8. NOTIFICATION BY THE LEADER OF THE COUNCIL OF CABINET MEMBERS AND RELATED MATTERS**

To receive from the Leader of the Council, notification of:

**(Pages 29 - 64)**

- a) The Cabinet Members, including the Wards they represent and their delegated authorities;
- b) The terms of reference of the Cabinet and any Cabinet Committees;
- c) Any delegation of executive functions to any area committees or in any joint arrangements and delegations of executive functions to officers;
- d) To notify any Lead Members and the areas of responsibility.

## **9. CONSTITUTIONAL MATTERS**

**(Pages 65 - 96)**

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.

**64 Victoria Street  
London, SW1E 6QP  
10 May 2022**

**Chief Executive**

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## CITY OF WESTMINSTER

### MINUTES OF PROCEEDINGS

At the Meeting of the Council of the City of Westminster held at 7.00 pm on Wednesday 2nd March, 2022 at Westminster Council House, 97-113 Marylebone Road, London, NW1 5PT.

#### PRESENT

The Lord Mayor, Councillor Andrew Smith

#### COUNCILLORS

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

**APOLOGIES:** Councillors Nickie Aiken, Margot Bright, Maggie Carman, Paul Dimoldenberg, Peter Freeman, Louise Hyams, Papyra Qureshi and Judith Warner.

#### **1 APPOINTMENT OF RELIEF CHAIRMAN**

- 1.1 Motion moved by the Lord Mayor and seconded by Councillor Paul Swaddle, that Councillor Angela Harvey be elected as Relief Chairman.

1.2 Motion put, and on a show of hands, declared **CARRIED**.

## **2 MINUTES**

2.1 The minutes of the proceedings at the Council meeting held on Wednesday 19 January 2022 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 17 February 2022 was submitted.

4.2 Following debate, to which Councillor Robathan replied, the Lord Mayor put the following amendments to the recommendations in paragraph 1 of the Cabinet report moved by Councillor Adam Hug and seconded by Councillor David Boothroyd to a vote. A recorded vote was then taken:

### **Amendment 1 - Paragraph 1: Text of amendment (1) to be moved by Councillor Adam Hug and seconded by Councillor David Boothroyd**

Add an additional paragraph after the end of paragraph 9, which reads "That the Council commits to a target of reducing spending on Temporary and Agency Staff by at least £1.5m over existing plans during the course of 2022/23 and instructs officers to prepare the 2023/24 budget on a basis of freezing Council Tax for a Band D property at £468.54 for general needs purposes.

### **Vote 1 – Amendment 1**

**For amendment one:** Councillors Barraclough, Boothroyd, Toki, Noble, Hug, Bush, Lewis, Less, Roca, McKie, Butler-Thalassis, Taouzzale, Liza Begum, McAllister and Talukder.

**Against amendment one:** Councillors Swaddle, Mitchell, Scarborough, Mohindra, Spencer, Robathan, Glen, Beddoe, Adams, Caplan, Gassanly, Green, Rigby, Dean, Short, Payne, Hall, Glanz, Wilkinson, Barnes, Flight, Elcho, Burbridge, Acton, Shearer, Devenish, Murphy, Bott, Hitchcock, Arzymanow, David Harvey, Angela Harvey, Chalkley, Rowley and Cox.

**Absence or not voting:** The Lord Mayor and Councillors Nickie Aiken, Rita Begum, Margot Bright, Maggie Carman, Paul Dimoldenberg, Peter Freeman, Louise Hyams, Papy Qureshi and Judith Warner.

- 4.3 The Lord Mayor declared Amendment one to be **LOST**.

**Amendment 2 - Paragraph 1: Text of amendment (2) to be moved by Councillor Adam Hug and seconded by Councillor David Boothroyd**

Add an additional paragraph after the end of paragraph 14, which reads “That the Council resolves to take further steps to improve the budgeting process, contribute to savings and safeguard community priorities, including:

- a) Commencing a zero-based budgeting review in the new term of the council, ensuring every penny spent by the council is directed towards local community needs.
- b) Establishing a ‘critical friends board’ of independent local government experts who have not previously worked at Westminster, to seek new savings and tackle waste.
- c) Beginning a trial of participatory budgeting, so that residents can be more involved in the process of deciding council spending priorities in their area.

**Vote 2 – Amendment 2**

**For amendment two:** Councillors Barraclough, Boothroyd, Toki, Noble, Hug, Bush, Lewis, Less, Roca, McKie, Butler-Thalassis, Taouzzale, Liza Begum, McAllister and Talukder.

**Against amendment two:** Councillors Swaddle, Mitchell, Scarborough, Mohindra, Spencer, Robathan, Glen, Beddoe, Adams, Caplan, Gassanly, Green, Rigby, Dean, Short, Payne, Hall, Glanz, Wilkinson, Barnes, Flight, Elcho, Burbridge, Acton, Shearer, Devenish, Murphy, Bott, Hitchcock, Arzymanow, David Harvey, Angela Harvey, Chalkley, Rowley and Cox.

**Absence or not voting:** The Lord Mayor and Councillors Nickie Aiken, Rita Begum, Margot Bright, Maggie Carman, Paul Dimoldenberg, Peter Freeman, Louise Hyams, Papya Qureshi and Judith Warner.

- 4.4 The Lord Mayor declared Amendment two to be **LOST**.

- 4.5 The Lord Mayor then put the recommendations in paragraph 1 of the Cabinet report as unamended to a vote. A recorded vote was then taken:

**Vote 3 – Unamended**

**For the recommendations:** Councillors Swaddle, Mitchell, Scarborough, Mohindra, Spencer, Robathan, Glen, Beddoe, Adams, Caplan, Gassanly, Green, Rigby, Dean, Short, Payne, Hall, Glanz, Wilkinson, Barnes, Flight, Elcho, Burbridge, Acton, Shearer, Devenish, Murphy, Bott, Hitchcock, Arzymanow, David Harvey, Angela Harvey, Chalkley, Rowley and Cox.

**Against the recommendations:** Councillors Barraclough, Boothroyd, Toki, Noble, Hug, Bush, Lewis, Less, Roca, McKie, Butler-Thalassis, Taouzzale, Liza Begum, McAllister and Talukder.

**Absence or not voting:** The Lord Mayor and Councillors Nickie Aiken, Rita Begum, Margot Bright, Maggie Carman, Paul Dimoldenberg, Peter Freeman, Louise Hyams, Papy Qureshi and Judith Warner.

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

**RESOLVED:**

Council Tax

- 1) That the council tax for a Band D property be agreed at £468.54 for 2022/23, an increase of £4.64 (1%) for the Social Care precept and a freeze in the council tax for general purposes;
- 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 2023, be as specified in the Council Tax Resolution in Appendix 5 to the Section 151 officer's report.
- 3) That the Precepts and Special Expenses be as also specified in Appendix 5 to the Section 151 officer's report for properties in Montpelier Square and the Queen's Park Community Council;
- 4) That the formal resolution for 2022/23 attached at Appendix 5 to the Section 151 officer's report including the council tax requirement of £63.279m be agreed;
- 5) To note the proposed Greater London Authority precept (Band D) of £395.59, an increase of £31.93 (8.8%) rise in the adjusted Band D Precept;
- 6) That the Council continues the Westminster Community Contribution to allow the most expensive properties 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) Note the views of the Scrutiny Budget Task Group set out in Appendix 7 to the Section 151 officer's report;
- 8) That the proposed General Fund net budget requirement of £184.861m summarised in Appendix 4 to the Section 151 officer's report.



- 9) That the savings and investment proposals for 2022/23 to 2024/25 set out in Appendix 1, 2 and 3 to the Section 151 officer's report is approved;
- 10) That the Equality Impact Assessments included in Appendix 6 to the Section 151 officer's report be received and noted to inform the consideration of the budget;
- 11) Note the Housing Revenue Account Business Plan 2022/23 and 30-Year Housing Investment Plan presented concurrently to Cabinet on 17 February 2022 that recommends the HRA budget and rent levels for 2022/23;

#### Capital Programme

- 12) Note the Capital Strategy 2022/23 to 2026/27, forecast position for 2021/22 and future years' forecasts summarised up to 2035/36 report also presented to Cabinet on 17 February 2022 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 2022/23 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 2022/23 Integrated Investment Framework report also concurrently on this agenda, which sets out the policies and framework for future investment decisions for the Council.

- 4.6 The Lord Mayor put the recommendations in paragraph 2 of the Cabinet report, Capital Strategy Report 2022-2023 to 2026-2027, Forecast position for 2021-2022 and Future Years' summarised up to 2035-2036 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 Appendix 2 to this report.
- 2) Approve the capital expenditure for the General Fund as set out in Appendix A for 2022/23 to 2026/27 and future years to 2035/36.

- 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 Appendix 2 to 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 13 of Appendix 2 to this report.
- 4.7 The Lord Mayor put the Amendment to the recommendation to paragraph 3 of the Cabinet report to the vote by show of hands and declared the amendment **LOST**.
- 4.8 The Lord Mayor put the unamended recommendations in paragraph 3 of the Cabinet report, Housing Revenue Account Business Plan 2022/23 and 30-Year 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 2022-23 (Table 2 and Appendix 2 to the report we considered).
  - 2) Note the HRA 5-year revenue budgets for 2022-23 to 2026-27 (Table 2 and Appendix 2 to the report we considered) and HRA 30-year revenue budgets for 2022-23 to 2051-52 (Appendix 3 to the report we considered)
  - 3) Approve the HRA 5-year Capital Programme for a total of £858.11m (Appendix 4 to the report we considered)
  - 4) Note the 30-year Capital Programme for 2022-23 to 2051-52 totalling £2.215bn (Appendix 4 to the report we considered)
  - 5) Approve the creation of a £575k Hardship Fund in 2022/23 that is earmarked to support tenants experiencing financial difficulty due to increases in household bills.
  - 6) Note a rent increase of 4.1% from April 2022 as applicable under the Welfare Reform and Work Act 2016.
  - 7) Note the HRA reserves and balances for the 5-year Business Plan (Table 6 to the report we considered).
- 4.9 The Lord Mayor put the recommendations in paragraph 4 of the Cabinet report, Treasury Management Strategy Statement for 2022/23 to 2026/27 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 2022/23 to 2026/27 set out in section 6 to Appendix 4.
- 3) Approve the prudential Indicators set out in section 8 to Appendix 4.
- 4) Approve the Annual Investment Strategy and approved investments set out in Appendix 1 to Appendix 4.
- 5) Approve the Minimum Revenue Provision Policy set out in Appendix 2 to Appendix 4.

4.10 The Lord Mayor put the recommendations in paragraph 5 of the Cabinet report, Integrated Investment Framework 2022-2023 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 Appendix 5.
- 2) Approve that the target for the overall return on Council investments should aspire to at least match 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 percentages 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 aspiring to match inflation and to reduce costs and liabilities, whilst maintaining adequate cash balances for operational purposes, and not exposing the capital value of investments to unnecessary risk;
- 6) Approve those strategic investments allocated to out-of-borough property developments should be considered individually and should outweigh the benefits of investing in-borough (which can have a number of non-commercial benefits, e.g., place making) and in a diversified property portfolio acquisitions will be made out of borough only on an exceptional basis.

- 7) Approve the Investment Executive to implement, monitor and report on the investment strategy.
- 4.11 The Lord Mayor put the recommendations in paragraph 6 of the Cabinet report, Pay Policy 2022-2023 to the vote and upon a show of hands declared the recommendations **ADOPTED**.

**RESOLVED:**

That the full Council:

Approved the Pay Policy for 2022 – 2023 attached under Appendix 6, as Appendix 1.

**5 AUDIT AND PERFORMANCE COMMITTEE REPORT: 16 FEBRUARY 2022**

**Appointment of External Auditors for 2022/23 Onwards**

- 5.1 The Lord Mayor put the recommendations in paragraph 1 of the Audit and Performance Committee report to the vote and on a show of hands declared the recommendations adopted.

**RESOLVED:**

- 1) That the Public Sector Audit Appointments (PSAA) invitation to 'opt in' to the sector-led option for the appointment of external auditors for the five financial years commencing on 1 April 2023 be approved; and
- 2) That authority be delegated to the Executive Director of Finance and Resources to respond to the invitation and take the necessary steps to finalise the appointment itself following the PSAA procurement process.

**6 GENERAL PURPOSES COMMITTEE REPORT: 22 FEBRUARY 2022**

**Members' Allowances Scheme 2022-2023**

- 6.1 The Lord Mayor put the recommendations in paragraph 1 of the General Purposes Committee report to the vote and on a show of hands declared the recommendations adopted.

**RESOLVED:**

- 1) That the Members' Allowances Scheme for 2022-2023 be approved with effect from 1 April 2022.
- 2) That the Members' Allowances (Basis and SRA) for 2022-2023 be agreed in line with any salary increase for Council staff that may be agreed by the National Joint Council for Local Government Services.

The Meeting ended at 9.07pm.

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

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

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City of Westminster

## Annual Council Report

<b>Date:</b>	<b>18 May 2022</b>
<b>Classification:</b>	<b>For General Release</b>
<b>Title:</b>	<b>Return of Councillors and Notification of Members of Political Groups, including Leaders, Deputy Leaders and Party Whips</b>
<b>Report of:</b>	<b>Chief Executive and Director of Law (Monitoring Officer)</b>
<b>Wards Involved:</b>	<b>Not applicable</b>
<b>Policy Context:</b>	<b>Management of the Council</b>
<b>Financial Summary:</b>	<b>None</b>
<b>Report Author and Contact Details:</b>	<b>Tristan Fieldsend Senior Committee and Councillor Co-ordinator Email: <a href="mailto:ffieldsend@westminster.gov.uk">ffieldsend@westminster.gov.uk</a></b>

### 1. Executive Summary

- 1.1 This report sets out details of the Councillors elected at the Election held on 5 May 2022 and the notification received of the Membership of political groups on the Council. It will be seen that there are 31 Labour Group Members and 23 Conservative Group Members.
- 1.2 Notification has been received that the Leader of the Majority Group is Councillor Adam Hug, the Deputy Leaders, Councillors Aicha Less and Tim Roca and Chief Whip, Councillor Matt Noble. The Opposition Party have notified that their Leader is Councillor Rachael Robathan, their Deputy Leader is Councillor Tim Mitchell their and Chief Whip, Councillor Paul Swaddle.

### 2. Recommendations

- 2.1 That the return of Councillors elected, and their respective Wards, at the City Council elections on 5 May 2022 as set out in Appendix A, including the Membership of the respective political groups, be noted.
- 2.2 That the Group Officers, as set out in paragraph 1.2 above, be noted.

**If you have any queries about this Report or wish to inspect any of the Background Papers please contact Tristan Fieldsend.  
Email: [tfieldsend@westminster.gov.uk](mailto:tfieldsend@westminster.gov.uk)**

**Background Papers:** Notifications from Parties

**Appendix A:** List of Councillors



## RETURN OF COUNCILLORS

<b>Abbey Road</b>	Amanda Langford	(Conservative)
	Alan Mendoza	(Conservative)
	Caroline Sargent	(Conservative)
<b>Bayswater</b>	Maggie Carman	(Labour)
	James Small-Edwards	(Labour & Co-operative)
	Max Sullivan	(Labour)
<b>Church Street</b>	Aicha Less	(Labour)
	Matt Noble	(Labour)
	Aziz Toki	(Labour)
<b>Harrow Road</b>	Concia Albert	(Labour)
	Ruth Bush	(Labour)
	Tim Roca	(Labour)
<b>Hyde Park</b>	Md Shamsed Chowdhury	(Labour)
	Paul Dimoldenberg	(Labour)
	Judith Southern	(Labour)
<b>Knightsbridge and Belgravia</b>	Antony Devenish	(Conservative)
	Elizabeth Hitchcock	(Conservative)
	Rachael Robathan	(Conservative)
<b>Lancaster Gate</b>	Laila Dupuy	(Conservative)
	Ryan Jude	(Labour)
	Ellie Ormsby	(Labour & Co-operative)
<b>Little Venice</b>	Melvyn Caplan	(Conservative)
	Lorraine Dean	(Conservative)
	Sara Hassan	(Labour)
<b>Maida Vale</b>	Geoff Barraclough	(Labour)
	Nafsika Butler-Thalassis	(Labour)
	Iman Less	(Labour)
<b>Marylebone</b>	Barbara Arzymanow	(Conservative)
	Ian Rowley	(Conservative)
	Karen Scarborough	(Conservative)
<b>Pimlico North</b>	Ed Pitt Ford	(Conservative)
	Jim Glen	(Conservative)
	Jacqui Wilkinson	(Conservative)
<b>Pimlico South</b>	Liza Begum	(Labour)

	Robert Eagleton	(Labour)
	Jason Williams	(Labour)
<b>Queen's Park</b>	Patricia McAllister	(Labour)
	Cara Sanquest	(Labour)
	Hamza Taouzzale	(Labour)
<b>Regent's Park</b>	Ralu Oteh-Osoka	(Conservative)
	Robert Rigby	(Conservative)
	Paul Swaddle	(Conservative)
<b>St James's</b>	Louise Hyams	(Conservative)
	Tim Mitchell	(Conservative)
	Mark Shearer	(Conservative)
<b>Vincent Square</b>	Gillian Arrindell	(Labour)
	David Harvey	(Conservative)
	Selina Short	(Conservative)
<b>West End</b>	Paul Fisher	(Labour)
	Patrick Lilley	(Labour)
	Jessica Toale	(Labour)
<b>Westbourne</b>	David Boothroyd	(Labour)
	Adam Hug	(Labour)
	Angela Piddock	(Labour)



City of Westminster

## Annual Council Report

<b>Date:</b>	<b>18 May 2022</b>
<b>Classification:</b>	<b>For General Release</b>
<b>Title:</b>	<b>Delegations to Leader and Cabinet</b>
<b>Report of:</b>	<b>Chief Executive and Director of Law (Monitoring Officer)</b>
<b>Wards Involved:</b>	<b>Not applicable</b>
<b>Policy Context:</b>	<b>Management of the Council</b>
<b>Financial Summary:</b>	<b>None</b>
<b>Report Author and Contact Details:</b>	<b>Richard Cressey, Head of Governance and Councillor Liaison</b>
	<b>Email: <a href="mailto:rcressey@westminster.gov.uk">rcressey@westminster.gov.uk</a></b>

## 1. Summary

The Standing Orders set out under article 9.2 of the City Council's Constitution require that, in the year of an ordinary election, the Terms of Reference (delegations) of the Leader of the Council and Cabinet are noted at the Annual Meeting of Full Council.

## 2. Recommendations

That the Terms of Reference of the Leader of the Council and Cabinet (as set out at appendix A) be noted by Full Council.

## 3. Background, including Policy Context

This report is submitted in accordance with Standing Order 2 (f)(v) 3(ii) which requires that the Terms of Reference of the Leader of the Council, the Cabinet as a body and the Urgency Committee of Cabinet be noted at the Annual Meeting of the Council in the year of ordinary elections.

The Leader determines the terms of reference of the individual Cabinet Members and any Committees of the Cabinet. These are set out in a separate report elsewhere on the Agenda.

The terms of reference are therefore submitted for noting as required by the Standing Orders

## 4. Legal Implications

The Standing Orders contained with 9.2 of the City Council's Constitution require that Full Council note the Terms of Reference of the Leader of the Council, the Cabinet as a body and the Urgency Committee of Cabinet in the year of ordinary elections.

Any changes to these delegations can be made by the Leader of the Council at any time.

**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](mailto:dbonfanti@westminster.gov.uk)

**APPENDICES – Appendix A Terms of Reference of the Leader of the Council and Cabinet**

**BACKGROUND PAPERS - NONE**



## **APPENDIX A| Terms of Reference of the Leader of the Council and Cabinet**

### **TERMS OF REFERENCE – DELEGATIONS TO ALL CABINET MEMBERS**

Each individual Cabinet Member will have the following delegations to the extent that relate to the services within their portfolios:

#### **CONTRACTS**

Subject to the policies and procedures approved by the Cabinet Member for Finance and Council Reform:

- (a) To agree the general levels of service for all term contracts that are being let for the first time. In the case of contracts being re-let over the value of £1.5m to approve the service levels only where, in the opinion of the Executive Director, there are significant changes to these since the last contract award.
- (b) To award all contracts exceeding £1,500,000 and consultants' agreements exceeding £300,000 within the Terms of Reference of the Cabinet Member and relevant Chief Officer, with the exception of contracts which have been referred to the Cabinet Member for Finance and Council Reform on the basis that there are corporate or major implications which need to be considered.
- (c) To monitor the performance of contracts relating to the Cabinet Member's terms of reference let by the said Cabinet Member for the first time or where the re-let of the contract has significant changes to service levels after the first six months after the award of the contract.
- (d) To monitor all contracts within the Terms of Reference of the Cabinet Member where the contract value exceeds £1,500,000 (£300,000 in respect of consultant's agreements).
- (e) To approve extensions of contracts or contract overspends where the total contract value is more than £1.5 million and the extension of overspend would account for an additional cost of 10% or more of the contract value.
- (f) To approve claims in excess of £150,000 from contractors for contracts within the Cabinet Member's Terms of Reference.
- (g) To make decisions on requests for waiver of the Procurement Code in respect of contracts with overall values of more than £1,500,000 (£300,000 for consultancy agreements) for contracts within the Cabinet Member's Terms of Reference.
- (h) To consider such other contractual matters as may be required by the Procurement Code.
- (i) To consider settlement of disputes which exceed £150,000.

#### **STAFFING MATTERS**

Staffing matters which fall within the scope of the Cabinet Member's Terms of Reference.

Where proposals involve redundancy/"early retirement" payments these will also be subject to the endorsement of the Cabinet Member for Finance and Council Reform.

To have a responsibility for upholding the Council's commitment to diversity and inclusion and creating a culture of openness, transparency and integrity.

### **FINANCIAL MATTERS**

To approve capital expenditure in accordance with the Financial Procedures on schemes within the Terms of Reference for the Cabinet Member which form part of the approved Capital Programme.

Such other financial matters as set out in the Financial Regulations contained in the Council's Constitution.

### **ETHICAL STANDARDS**

To have responsibility for ensuring that all activities within the remit of the Cabinet Member are carried out to the highest ethical standards.

### **CONSULTATION**

To consult with other Cabinet Members on major matters affecting this portfolio, as appropriate, to enable them to maintain a general oversight across portfolios as described in their Terms of Reference



## **THE LEADER OF THE COUNCIL (CABINET MEMBER)**

### **CORPORATE STRATEGY DIRECTION**

To provide leadership to the Cabinet in the development and delivery of corporate strategy and policy.

### **INNOVATION AND CHANGE**

To be responsible for the Council's Innovation and Change directorate including providing leadership in the development and delivery of strategic plans for business intelligence and analytics, public affairs, community engagement, innovation and city promotions, events and filming.

The development and delivery of strategic plans for Communications will be the responsibility of the Cabinet Member for City Management and Air Quality.

### **PEOPLE SERVICES**

To be responsible for the Council's People Services function, including all Human Resources and staffing matters. Corporate personnel, policy and management matters, including in particular:

- grievance, grading, and disciplinary appeals; training, development and staff education; wellbeing and welfare.
- staff consultation and industrial relations arrangements; recruitment and selection; superannuation, pensions, compensations and gratuities.

### **EMERGENCY PLANNING**

To be responsible for Emergency Planning, including the relationship with the Local Fire Authority, and to have general oversight of the Council's civic contingency planning arrangements and security (this relates to requests from the Metropolitan Police Service, Cabinet Office, Government Security Services and third parties for action by the City Council, which are sought in response to security issues).

To provide leadership to the Cabinet on the Council's emergency and long-term strategic response to the COVID-19 pandemic.

### **GOVERNANCE, DECISION MAKING AND APPOINTMENTS**

To be responsible for overall council governance as advised by the Chief Executive and Monitoring Officer as well as services to support good governance and councillor liaison.

To chair the Cabinet meetings, appoint/dismiss other Cabinet members and the Deputy Leader(s) and appoint/dismiss committees of the Cabinet with Terms of Reference.

To determine the terms of reference of the Cabinet, the Deputy Leader(s) and other individual Cabinet Members. To appoint and determine the terms of reference of any non-decision-making Lead Members.

To exercise any executive function not otherwise allocated to either the Cabinet or any other individual Cabinet Member, or to delegate such functions to another Cabinet Member, a committee of the Cabinet, or to an officer.

In the absence or unavailability of another Cabinet Member, or on written notice to the relevant Cabinet Member, the Leader may exercise any of that Cabinet Member's functions him or herself or arrange for the discharge of those functions by another Cabinet Member(s), a committee of the Cabinet, or an officer, including those functions of the full Cabinet.

To refer matters for consideration by the Cabinet in accordance with paragraph 2(1)(e) of the Terms of Reference of the Cabinet.

To appoint and determine the membership and terms of reference of any non-decision-making Cabinet Working Parties, in consultation with relevant Cabinet Members.

To agree or confirm arrangements for the establishment of joint committees under Section 101 (5) of the Local Government Act 1972 in so far as the functions of any such joint committee are executive functions and to appoint Members thereto, save to the extent that the Leader delegates this function to another Cabinet Member or Cabinet Members.

#### **FUTURE OF WESTMINSTER COMMISSION**

To be responsible for determining the membership of the commission and to set the commission's terms of reference.

#### **CHIEF EXECUTIVE APPRAISAL**

To conduct the annual appraisal, including the setting of annual targets, of the Chief Executive.

#### **STRATEGIC PARTNERSHIPS**

To co-ordinate links with external bodies and agencies in which the Council has an interest, including the Royal Parks Board and to optimise the benefits of those arrangements, including those where the lead is with another Cabinet Member.

To have oversight of the Council's links with the local authority associations and to act as Lead Member on the Local Government Association and London Councils.

To lead on relations with the Greater London Authority.

## THE CABINET

### 1. CONSTITUTION

The Leader and the other members of the Cabinet as appointed by her not exceeding 10 Members (including the Leader).

### 2. TERMS OF REFERENCE

Subject always to the budget and policy framework approved by the full Council; executive functions in relation to the following:

#### (1) POLICY PLANNING AND ADVICE

- (a) to approve, unless this function is being carried out by the Cabinet Member prior to submission to the full Council for adoption, or submission to the Secretary of State, the following Plans and Strategies: Annual Library Plan, Children and Young People's Strategic Plan, Programme for a Healthier Westminster, Community Strategy (the Westminster City Plan), Crime and Disorder Reduction Strategy, Early Years Development Plan, Education Development Plan, Local Development Framework, Youth Justice Plan and to make any proposals to full Council that are contrary to any of the above approved Plans and Strategies;
- (b) to keep under review the Council's objectives and to co-ordinate plans for their achievement;
- (c) within the framework approved by full Council to determine overall Council priorities for services and projects and to re-allocate financial and other resources therefore;
- (d) to require Cabinet Members to consider or to review the detailed application of service policies;
- (e) to consider all matters which, in the opinion of the Leader of the Council or the Chief Executive, involve questions of major policy or which requires co-ordination of decisions between Cabinet Members;
- (f) to advise Cabinet Members on such matters as have been referred by them for such advice or upon which the Cabinet considers they should have done;

- (g) To determine matters within the terms of reference of individual Cabinet Members where a dispute has arisen on the matter in question between the relevant Cabinet member and the Chairman of the relevant Policy and Scrutiny Committee;
- (h) To meet any other requirements incumbent on the Cabinet as set out in the Constitution.

(2) BUDGET PREPARATION AND FINANCIAL MANAGEMENT

- (a) within the framework approved by the full Council the overall control of the finances of the Council;
- (b) to consider and submit for approval annually a programme of capital expenditure and its revenue implications for the General Fund and the Housing Revenue Account for the succeeding five years and the capital estimates for the next financial year;
- (c) to indicate to Cabinet Members the limits within which revenue budgets - including the Housing Revenue Account, shall be framed for approval by the Council and to examine their individual revenue forecasts;
- (d) to recommend to the Council for approval the annual revenue and capital estimates and the Council Tax levied after making provision for contingencies and balances and taking into account any other factor that may affect the level of the Council Tax and the National Non Domestic Rate.
- (e) to take decisions on any supplementary estimates requests where the Cabinet Member for Finance, Corporate and Customer Services is minded to defer or refuse a request.
- (f) to recommend for approval any strategy or plan for the control of the Council's capital expenditure or borrowing.

(3) DEPARTMENTAL ORGANISATION

- (a) To have responsibility for the Departmental Organisation of the City Council.



City of Westminster

## Annual Council Report

<b>Date:</b>	<b>18 May 2022</b>
<b>Classification:</b>	<b>For General Release</b>
<b>Title:</b>	<b>Notification of Cabinet Members and other matters</b>
<b>Report of:</b>	<b>Chief Executive and Director of Law (Monitoring Officer)</b>
<b>Wards Involved:</b>	<b>Not applicable</b>
<b>Policy Context:</b>	<b>Management of the Council</b>
<b>Financial Summary:</b>	<b>None</b>
<b>Report Author and Contact Details:</b>	<b>Richard Cressey, Head of Governance and Councillor Liaison</b> <b>Email: <a href="mailto:rcressey@westminster.gov.uk">rcressey@westminster.gov.uk</a></b>

## **1. Executive Summary**

- 1.1 This report, submitted at the request of the Leader of the Majority Party, sets out the information, as required by Standing Order 2(f)(v). These appointments are subject to the Leader of the Majority Group being elected as Leader of the Council at the Annual Meeting of Full Council.
- 1.2 The Joint Committees are detailed in Section 17 of the Constitution. The Council is asked to endorse these.

## **2. Recommendations**

- 2.1 That the names of the Cabinet Members, the wards they represent and their delegated authorities, together with their deputies, be noted.
- 2.2 That the terms of reference of the Cabinet Urgency Committee, Shareholder Committee and Cabinet CIL Committee be noted.
- 2.3 That the Joint Committees established in accordance with Section 101 of the Local Government Act 1972, as detailed in paragraph 3.4 below, be noted.
- 2.4 That the delegation of Executive Functions to officers set out in paragraph 3.5 be noted.

## **3. Background, including Policy Context**

- 3.1 The Council's Standing Orders require the elected Leader of the Council to submit, in a year of ordinary elections of Councillors, the information set out below:
- 3.2 At the annual meeting of the Council, the Leader will present to the Council a written record of delegations made by him/her for inclusion in the Council's scheme of delegation at Chapter 3 to this Constitution. The document presented by the Leader will contain the following information about executive functions in relation to the coming year:
  - names of Cabinet Members and their Wards.
  - their delegated authorities (i.e. terms of reference).
  - the terms of reference of the Cabinet and any Cabinet Committees
- 3.3 The City Council's Constitution requires that the Leader of the Council, in addition to the matters set out in 3.1 above, advises of any area committees or joint arrangements with other local authorities and the delegation of executive functions to officers.
- 3.4 The City Council has a number of Joint Committees established in accordance with Section 101 of the Local Government Act 1972. These are as follows:

- (a) The London Councils Grants Committee
- (b) The London Councils Transport and Environment Committee
- (c) The London Councils – Leaders Committee
- (d) The North West London Joint Health Overview and Scrutiny Committee

3.5 The Leader may delegate executive functions to Officers. These are set out in Chapter 7 of the Constitution.

3.6 The Constitution will be updated to reflect all changes included in this report and in other reports on this agenda by the Director of Law in accordance with her existing delegation.

3.7 In accordance with the Constitution, the Leader may, upon notice to the proper officer, amend the Terms of Reference of the Cabinet and any Cabinet Committee and also the Terms of Reference of individual Cabinet Members.

**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](mailto:dbonfanti@westminster.gov.uk)

## **APPENDICES –**

APPENDIX A – Members of the Cabinet, Deputy Cabinet Members, Lead Members and their Wards

APPENDIX B - Cabinet Member Terms of Reference - (to follow)

APPENDIX C – Cabinet Urgency Committee, Shareholder Committee, Cabinet CIL Committee Terms of Reference

## **BACKGROUND PAPERS**

[Westminster City Council Constitution](#)

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## APPENDIX A - Members of the Cabinet, Deputy Cabinet Members, Lead Members and Wards

### CABINET MEMBERS

Portfolio	Name	Address for Correspondence	Ward
Leader of the Council	Councillor Adam Hug	Westminster City Hall 64 Victoria Street London, SW1E 6QP	Westbourne
Deputy Leader and Cabinet Member for Communities and Public Protection	Councillor Aicha Less	Westminster City Hall 64 Victoria Street London, SW1E 6QP	Church Street
Deputy Leader and Cabinet Member for Young People, Learning and Leisure	Councillor Tim Roca	Westminster City Hall 64 Victoria Street London, SW1E 6QP	Harrow Road
Cabinet Member for Finance and Council Reform	Councillor David Boothroyd	Westminster City Hall 64 Victoria Street London, SW1E 6QP	Westbourne
Cabinet Member for Adult Social Care, Public Health and Voluntary Community Sector	Councillor Nafsika Butler-Thalassis	Westminster City Hall 64 Victoria Street London, SW1E 6QP	Maida Vale
Cabinet Member for Planning and Economic Development	Councillor Geoff Barraclough	Westminster City Hall 64 Victoria Street London, SW1E 6QP	Maida Vale
Cabinet Member for City Management and Air Quality	Councillor Paul Dimoldenberg	Westminster City Hall 64 Victoria Street London, SW1E 6QP	Hyde Park
Cabinet Member for Housing Services	Councillor Liza Begum	Westminster City Hall 64 Victoria Street London, SW1E 6QP	Pimlico South
Cabinet Member for Climate Action, Regeneration and Renters	Councillor Matt Noble	Westminster City Hall 64 Victoria Street London, SW1E 6QP	Church Street

## DEPUTY CABINET MEMBERS

Deputy Cabinet Member	Special Area of Interest	Cabinet Member/Portfolio(s) supporting	Address for Correspondence	Ward
Councillor Max Sullivan	City Management & Air Quality	Councillor Paul Dimoldenberg, Cabinet Member for City Management and Air Quality	Westminster City Hall 64 Victoria Street London, SW1E 6QP	Bayswater
Councillor Jessica Toale	Culture, Heritage and the Arts	Councillor Tim Roca, Cabinet Member for Young People, Learning and Leisure	Westminster City Hall 64 Victoria Street London, SW1E 6QP	West End
Councillor Ryan Jude	Climate Action & Biodiversity	Councillor Matt Noble, Cabinet Member for Climate Action, Regeneration and Renters  Councillor David Boothroyd, Cabinet Member for Finance and Council Reform	Westminster City Hall 64 Victoria Street London, SW1E 6QP	Lancaster Gate
Councillor Cara Sanquest	Community Engagement & Consultation Reform	Councillor Matt Noble, Cabinet Member for Climate Action, Regeneration and Renters  Councillor David Boothroyd, Cabinet Member for Finance and Council Reform  Councillor Aicha Less, Cabinet Member for Communities and Public Protection  Councillor Adam Hug, Leader of the Council	Westminster City Hall 64 Victoria Street London, SW1E 6QP	Queen's Park
Councillor Concia Albert	Voluntary Sector & Public Protection	Councillor Aicha Less, Cabinet Member for Communities and Public Protection  Cabinet Member for Adult Social Care, Public Health and Voluntary Community Sector	Westminster City Hall 64 Victoria Street London, SW1E 6QP	Harrow Road
Councillor Ellie Ormsby	Procurement and Finance	Councillor David Boothroyd, Cabinet Member for Finance and Council Reform	Westminster City Hall 64 Victoria Street London, SW1E 6QP	Lancaster Gate

		Councillor Liza Begum, Cabinet Member for Housing Services		
Councillor James Small-Edwards	Planning & Economic Development	Councillor Geoff Barraclough Cabinet Member for Planning and Economic Development	Westminster City Hall 64 Victoria Street London, SW1E 6QP	Bayswater
Councillor Paul Fisher	Licensing & Public Protection	Councillor Aicha Less, Cabinet Member for Communities and Public Protection	Westminster City Hall 64 Victoria Street London, SW1E 6QP	West End
Councillor Maggie Carmen	Housing Services	Councillor Liza Begum, Cabinet Member for Housing Services	Westminster City Hall 64 Victoria Street London, SW1E 6QP	Bayswater
Councillor Robert Eagleton	Fairer Working	Councillor Geoff Barraclough Cabinet Member for Planning and Economic Development  Councillor David Boothroyd, Cabinet Member for Finance and Council Reform	Westminster City Hall 64 Victoria Street London, SW1E 6QP	Pimlico South

## LEAD MEMBERS

<b>Special Area</b>	<b>Name</b>	<b>Address for Correspondence</b>	<b>Ward</b>
Air Quality Champion	Councillor Gillian Arrindell	Westminster City Hall 64 Victoria Street London, SW1E 6QP	Vincent Square
Cycling Champion	Councillor Max Sullivan	Westminster City Hall 64 Victoria Street London, SW1E 6QP	Bayswater
Armed Forces Champion	Councillor Ellie Ormsby	Westminster City Hall 64 Victoria Street London, SW1E 6QP	Lancaster Gate
Mental Health Champion	Councillor Iman Less	Westminster City Hall 64 Victoria Street London, SW1E 6QP	Maida Vale
Animal Welfare Champion	Councillor Jessica Toale	Westminster City Hall 64 Victoria Street London, SW1E 6QP	West End
LGBTQ+ Lead Member	Councillor Patrick Lilley	Westminster City Hall 64 Victoria Street London, SW1E 6QP	West End
SEN/Learning Disabilities Champion	Councillor Nafsika Butler-Thalassis	Westminster City Hall 64 Victoria Street London, SW1E 6QP	Maida Vale
Lead Member for Soho	Councillor Patrick Lilley	Westminster City Hall 64 Victoria Street London, SW1E 6QP	West End
Edgware Road Champion	Councillor Md Shamsed Chowdhury	Westminster City Hall 64 Victoria Street London, SW1E 6QP	Hyde Park
Older Persons Champion	Councillor Judith Southern	Westminster City Hall 64 Victoria Street London, SW1E 6QP	Hyde Park

## **APPENDIX B – CABINET MEMBER TERMS OF REFERENCE**

### **TERMS OF REFERENCE – DELEGATIONS TO ALL CABINET MEMBERS**

Each individual Cabinet Member will have the following delegations to the extent that relate to the services within their portfolios:

#### **CONTRACTS**

Subject to the policies and procedures approved by the Cabinet Member for Finance and Council Reform:

- (a) To agree the general levels of service for all term contracts that are being let for the first time. In the case of contracts being re-let over the value of £1.5m to approve the service levels only where, in the opinion of the Executive Director, there are significant changes to these since the last contract award.
- (b) To award all contracts exceeding £1,500,000 and consultants' agreements exceeding £300,000 within the Terms of Reference of the Cabinet Member and relevant Chief Officer, with the exception of contracts which have been referred to the Cabinet Member for Finance and Council Reform on the basis that there are corporate or major implications which need to be considered.
- (c) To monitor the performance of contracts relating to the Cabinet Member's terms of reference let by the said Cabinet Member for the first time or where the re-let of the contract has significant changes to service levels after the first six months after the award of the contract.
- (d) To monitor all contracts within the Terms of Reference of the Cabinet Member where the contract value exceeds £1,500,000 (£300,000 in respect of consultant's agreements).
- (e) To approve extensions of contracts or contract overspends where the total contract value is more than £1.5 million and the extension of overspend would account for an additional cost of 10% or more of the contract value.
- (f) To approve claims in excess of £150,000 from contractors for contracts within the Cabinet Member's Terms of Reference.
- (g) To make decisions on requests for waiver of the Procurement Code in respect of contracts with overall values of more than £1,500,000 (£300,000 for consultancy agreements) for contracts within the Cabinet Member's Terms of Reference.
- (h) To consider such other contractual matters as may be required by the Procurement Code.
- (i) To consider settlement of disputes which exceed £150,000.

#### **STAFFING MATTERS**

Staffing matters which fall within the scope of the Cabinet Member's Terms of Reference.

Where proposals involve redundancy/"early retirement" payments these will also be subject to the endorsement of the Cabinet Member for Finance and Council Reform.

To have a responsibility for upholding the Council's commitment to diversity and inclusion and creating a culture of openness, transparency and integrity.

### **FINANCIAL MATTERS**

To approve capital expenditure in accordance with the Financial Procedures on schemes within the Terms of Reference for the Cabinet Member which form part of the approved Capital Programme.

Such other financial matters as set out in the Financial Regulations contained in the Council's Constitution.

### **ETHICAL STANDARDS**

To have responsibility for ensuring that all activities within the remit of the Cabinet Member are carried out to the highest ethical standards.

### **CONSULTATION**

To consult with other Cabinet Members on major matters affecting this portfolio, as appropriate, to enable them to maintain a general oversight across portfolios as described in their Terms of Reference.

## **DEPUTY LEADER AND CABINET MEMBER FOR YOUNG PEOPLE, LEARNING AND LEISURE**

### **DEPUTY LEADER**

To deputise for the Leader as directed.

To exercise the functions of the Leader in the absence or unavailability of the Leader, except the appointment and dismissal of Cabinet Members.

To be responsible for all ceremonial and Lord Mayoral matters, including expenditure.

### **CHILDREN'S SERVICES**

The Cabinet Member for Children's Service is required by s19 of the Children Act 2004 to have political responsibility for the leadership, strategy and effectiveness of the local authority's children's services.

To be politically responsible for children's services including discharging the education and children's social services functions of the local authority. The functions for which they are responsible are set out in section 18(2) of the Children Act 2004. This includes responsibility for children and young people receiving education or children's social care services in their area and all children looked after by the local authority or in custody (regardless of where they are placed).

### **SAFEGUARDING AND VULNERABLE CHILDREN**

To have political accountability for children's wellbeing including ensuring that there are clear and effective arrangements to protect children and young people from harm (including those attending independent schools).

To be a "participating observer" of the Local Safeguarding Children's Partnership; they may engage in discussions but not be part of the decision-making process in order to provide the Cabinet Member with the independence to challenge the Director for Children Services (and others) when necessary.

To be responsible for promoting prevention, early intervention and offer early help so that emerging problems are dealt with before they become more serious in order to improve educational attainment, narrow the gaps for the most disadvantaged, and promote the wider well-being of children and young people.

To have shared responsibility with officers and members to act as an effective and caring corporate parent for looked after children.

To be responsible for ensuring arrangements are in place for alternative provision for children outside mainstream education or missing education to receive suitable full-time education.

To be responsible for ensuring there is coherent planning between all agencies providing services for children involved in the youth justice system.

To be responsible for matters relating to gangs, serious youth violence and criminal exploitation of any young people aged above 18 years where the young person(s) involved has Special Educational Needs and/or is a Care Leaver. All other matters relating to gangs,

serious youth violence and criminal exploitation of any young people aged above 18 years remain the responsibility of the Cabinet Member for Communities and Public Protection.

## **CHILDREN WITH DISABILITIES**

To be responsible for ensuring that disabled children and those with Special Educational Needs (SEND) can access high quality provision that meets their needs and fund provision for children with statements of SEND.

## **FAIR ACCESS**

To be responsible for ensuring fair access to all schools for every child in accordance with the statutory School Admissions and School Admissions Appeal Codes and ensure appropriate information is provided to parents. This includes school transport arrangements; ensuring a diverse supply of strong schools, promotion of early years provision and developing the early years market, wellbeing and leisure activities, children's and young people's participation in public decision making; and promotion of education and training of young people aged 16-19 (or 25 for those with learning disabilities).

## **EDUCATION**

To be responsible for working with headteachers, school governors and academy sponsors and principals, to promote educational excellence for all children and young people and be ambitious in tackling underperformance. This includes working with these stakeholders to take action in relation to poorly performing schools; develop school improvement strategies; promote and facilitate high standards in education; support-maintained schools to deliver against the Early Years Foundation Stage Framework; establish a schools' forum; ensure proper staffing and governance of maintained schools.

## **YOUNG PEOPLE'S SKILLS, LEARNING AND OPPORTUNITIES**

To be responsible for all matters relating to youth employment (under 18 years).

To be responsible for the City Lions Programme.

To be responsible for internships (16 – 17 years) and science, technology, engineering, arts and mathematics (STEAM) opportunities for those under 18.

## **LIBRARIES, ARCHIVES AND REGISTRATION SERVICES**

To be responsible for the Council's functions under the Public Libraries Act.

To be responsible for the Council's functions under the Registration of Births, Deaths and Marriages Acts.

To be responsible for the Council's functions under the Public Records Act, and other legislation covering archives and records.

To be responsible for the setting of fees and charges for the libraries and archives services, and for non-statutory fees and charges in the registration service.



To be responsible for the public library service and facilities, including community and specialist libraries, specialist collections, home library service, schools' library service, and the City of Westminster Archives.

To be responsible for the provision of registration, citizenship and ceremonies services in the Council's venues and other licensed venues.

## **LEISURE**

To be responsible for the development and delivery of the strategy for the Active Communities service, to support those who live, work and study in Westminster to live healthy and active lives, including through:

Responsibility for the effective management of the leisure contract with Everyone Active across all leisure centre facilities, including Paddington Recreation Ground.

Programmes and events that support our communities and residents to be active, to support the vulnerable, and to help them to better access our services. This includes community use of school sites, PE and School Sport across all schools in Westminster, as well as our further and higher education link and work to develop talented Athletes.

Promoting Council initiatives and wider work to enhance the role of our parks and open spaces in supporting health and wellbeing, in consultation with the Cabinet Member for City Management and Air Quality.

Improving the use of digital technology to improve access to physical activity opportunities.

The delivery of targeted initiatives in partnership with delivery partners and community and voluntary organisations, including club support, capacity building, and workforce development for all in the physical activity, leisure and sports sector.

The operation of the Sayers Croft Field Centre, based in Ewhurst Surrey, which is owned by the Council and delivering the Forest Schools programme based at Paddington Recreation Ground's environmental area and classroom.

To work with the Cabinet Member for Finance and Council Reform on investment in physical assets such as leisure centres and oversee investment in other assets such as outdoor gyms or Multi Use Games Areas.

## **CULTURE AND TOURISM**

To be responsible for the cultural offer across Westminster, including:

- liaison with the cultural industries in the city,
- responsibility for the development and delivery of the Council's cultural strategy,
- strategic oversight of public art,
- responsibility for the Council's Green Plaques and City of Sculpture programmes, including Chairing the advisory panels for each programme, and
- strategic oversight of tourism matters related to the cultural offer in Westminster,
- Improving accessibility to culture.

## **WESTMINSTER ADULT EDUCATION SERVICE AND LIFELONG LEARNING**

To be responsible for the provision of lifelong learning services as required by legislation.

To provide adequate facilities for further and adult education in Westminster and in this context to be responsible for the Council's decisions relating to the Westminster Adult Education Service (WAES).

To be responsible for all matters relating to Post Compulsory Education awards and awards for further and higher education.

To be responsible for setting charges for services provided by the Council in discharging the responsibilities for adult education.

## **DEPUTY LEADER AND CABINET MEMBER FOR COMMUNITIES AND PUBLIC PROTECTION**

### **DEPUTY LEADER**

To deputise for the Leader as directed.

To exercise the functions of the Leader in the absence or unavailability of the Leader, except the appointment and dismissal of Cabinet Members.

To coordinate and oversee the Council's response regarding the national Census, including any matters arising from the Census results.

To be responsible for promoting equality, diversity and inclusion across all Council practices and workings with external providers.

To be responsible for the Council's Equalities Policy and statutory obligations and the Equality Act 2010.

### **PUBLIC PROTECTION**

To be responsible for the Council's approach to reducing crime, disorder and antisocial behaviour and to represent the Council on the Safer Westminster Partnership.

To be responsible for the Council's Police relationships including Safer Neighbourhoods Teams, Community Safety Commissioning and other consultative forums.

To be responsible for domestic abuse, including the Multi Agency Risk Assessment Conference process.

To be responsible for enforcement activities in relation to hate crime, antisocial behaviour, nuisance, noise, and other breaches of relevant legislation falling within this term of reference.

To be responsible for enforcement related to road safety, including action to tackle pedicabs.

To support the Cabinet Member for Young People, Learning and Leisure on matters relating to gangs, serious youth violence and exploitation of young people under the age of 18 years.

To be responsible for matters relating to gangs, serious youth violence and criminal exploitation of young people for those aged above 18 years, including the Integrated Gang and Exploitation Unit (18+). This excludes any young people above 18 years with Special Educational Needs and Care Leavers who will remain the responsibility of the Cabinet Member for Young People, Learning and Leisure.

To be responsible for the Youth Offending Team and any legal responsibilities for offending children below 18 years of age.

To be responsible for the Council's Prevent duties in accordance with the Counter-terrorism and Security Act 2015.

To be responsible for the Council's duties under the regulation of investigatory powers act.

### **REGULATORY SERVICES**

To be responsible for the City Council's regulatory services including trading standards, health and safety, food safety, regulation of the private rented, pest control and street trading enforcement including street markets and environmental sciences, including home improvements under the Disabled Facilities Grant.

Responsibility for the Private Rented Sector Strategy together with the regulation of the Private Rented Sector (including houses of multiple occupancy and short-term lets), including any enforcement action lies with the Cabinet Member for Climate Action, Regeneration and Renters.

## **COMMUNITY ENGAGEMENT AND NEIGHBOURHOODS**

To be responsible for the development of the Council's Community Engagement Strategy and the subsequent implementation of any agreed strategy.

To be responsible for determining ward budget spending proposals developed by Ward Members.

To be responsible for Westminster Connects.

To be responsible for the Open Forums or similar engagement events.

To be responsible for the Council's advice services, including providing support for communities from outside of the UK, in consultation with the Cabinet Member for Young People, Learning and Leisure where this support relates to registrar services and citizenship.

To be responsible for relationships with the Queen's Park Community Council.

## **CABINET MEMBER FOR ADULT SOCIAL CARE, PUBLIC HEALTH AND VOLUNTARY SECTOR**

### **ADULT SOCIAL CARE AND PUBLIC HEALTH**

To be responsible for the development for all strategy and policy for Adult Social Care and Public Health matters.

To be responsible for all services for vulnerable adults including older people, learning disability, physical disability and mental health as per the requirements set out in the Care Act 2014.

To be responsible for services and support for Carers as per the requirements set out Care Act 2014.

To be responsible for Public Health (including Sexual Health Services).

To be responsible for Public Health matters for children and young people, in consultation with the Cabinet Member for Young People, Learning and Leisure.

To be responsible for and lead on the Council's relationships with the NHS, including Council functions under Section 75 of the Health Act 2006.

To be responsible for all health-related functions exercised on behalf of an NHS body insofar as they relate to Adult Social Care.

To be responsible for all policy matters in relation to all property assets of the Council allocated for use for operational and service purposes in relation to Adult Social Care and Public Health except:

- Those properties managed corporately; and
- Those properties also used for another Council purpose where the service is a minor user.

The Cabinet Member for Adult Social Care, Public Health and Voluntary Community Sector will:

- act as Chair (along with their counterpart in The Royal Borough of Kensington and Chelsea) of the Bi-Borough Health and Wellbeing Board and champion the health of people in Westminster across the full range of issues which may negatively or positively impact on physical or mental health. This may include issues such as air quality. This may often involve close working with other Cabinet Members or partner agencies.
- oversee the provision/ commissioning of quality care and support services for vulnerable adults and ensuring adequate standards in partnership with regulatory bodies where relevant to ensure safeguards are in place to protect service users.

- oversee the safeguarding of vulnerable adults in line with the requirements of the Care Act 2014 and the practices recommended by the Pan London Safeguarding Adults Agreement.

- 

The Cabinet Member will discharge their responsibilities and roles in accordance with the framework provided by the following legislation:

- Local Authorities Social Services Act 1970
- Care Act 2014
- Mental Health Act 1983
- Mental Capacity Act 2005
- Health and Social Care Act 2012
- Health Act 2006

### **FOOD POVERTY STRATEGY**

To be responsible for the development and operation of a food poverty strategy and the provision of additional assistance to community-led support services. Including:

- the provision of support to community food banks.
- engaging and working with volunteers and food bank users to support those facing food poverty.
- Identifying permanent homes for Westminster's food banks together with the Cabinet Member for Finance and Council Reform.

### **VOLUNTARY AND COMMUNITY SECTOR (VCS)**

To be responsible for the Council's engagement with the VCS and for ensuring feedback from the voluntary sector about the needs of our communities is sought, heard and acted upon by the Council.

To be responsible for the development and operation of any central grant scheme targeted towards the VCS along with any and social value strategies.

To be responsible for the Council's relationship with the Westminster Faith Exchange.

## **CABINET MEMBER FOR PLANNING AND ECONOMIC DEVELOPMENT**

### **PUBLIC REALM AND PLACE-SHAPING**

To be jointly responsible for formal decisions relating to public realm projects, with the Cabinet Member for City Management and Air Quality. Public Realm projects are those that significantly change the design of public realm in the City; these are distinct from any Place shaping projects which will require a 'place plan' and/or consider a wider range of cross cutting outcomes.

Public Realm projects do not include the annual maintenance programmes that are carried out on our footways, carriageways and public lighting and are the responsibility of the Cabinet Member for City Management and Air Quality.

To be responsible for the Council's overall Place Shaping approach including any area-based documents or strategies to which other Cabinet Members and Chief Officers shall have regard to when developing and making decisions on specific projects.

To be responsible for all aspects of the transformation of the Oxford Street District. This includes all executive decision-making authority relating to the Oxford Street District programme. The Leader and other Cabinet Members as required should be consulted prior to any decisions being taken.

To be responsible for all executive functions relating to the Public Realm Capital Works Programme relating to these terms of reference.

To be responsible for urban design.

### **SMART CITY AND DIGITAL CONNECTIVITY**

To be responsible for the Smart City programme, in consultation with other Cabinet Members as relevant, including driving digital innovation throughout the Council and externally.

To be responsible for the Council's strategy to promote investment in digital connectivity including broadband infrastructure, 5G and Wi-Fi in Westminster in collaboration with the Cabinet Member for City Management and Air Quality.

To be responsible for digital inclusion, in consultation with other Cabinet Members as relevant.

### **PLANNING FUNCTIONS**

To be responsible for the strategic direction of planning policy and service, including the adoption of Westminster's local plan, supplementary planning documents and all other related documentation as required under the Town and Country Planning Act 1990 and the Planning and Compulsory Purchase Act 2004.

To develop any supplementary planning documents needed in consultation with other Cabinet Members as relevant.

To be responsible, on behalf of the Council for the London Plan, as relevant to the Council.

To be responsible for managing consultations by and responses to other national and strategic planning authorities.

To be responsible for the discharge of the Council's duties to consider planning applications in line with the relevant statutory requirements and, in liaison with the Chairman of Planning, oversee the conduct of Planning Applications Sub-Committees

To be responsible for the review and monitoring of compliance by applicants and planning committees with the Council's planning policy in consultation with the Chairman of Planning.

To be responsible for all other planning matters and listed building including Planning Performance Agreements and planning enforcement.

To be responsible for sustainable urban drainage matters in consultation, as appropriate, with the Cabinet Member for City Management and Air Quality.

### **BUILDING CONTROL/STREET NAMING**

To be responsible for the Council's Building Control and Street Naming functions

### **LONDON LOCAL AUTHORITIES ACT 2007**

To be responsible for all executive functions relating to Portable Advertisement Designation Areas in accordance with powers contained in the London Local Authorities Act 2007 and any other planning matters contained in this enactment not included in any other Cabinet Members terms of reference.

### **COMPULSORY PURCHASE ORDERS**

To be responsible for all strategic decisions relating to the issuing of Compulsory Purchase Orders (CPOs), except in matters relating to the Council's provision of new housing (which will be the responsibility of the Cabinet Member for Climate Action, Regeneration and Renters).

### **NEIGHBOURHOOD PLANNING**

To have responsibility for matters emanating from the Localism Act in relation to neighbourhood planning, in particular:

- the designation of neighbourhood areas and forums;
- the fulfilment of the Council's legal obligation to support the neighbourhood planning process; and
- all required procedures relating to the development of Neighbourhood Plans including advising on general conformity.

### **NEIGHBOURHOOD ENGAGEMENT**

To be responsible for liaison with neighbourhood fora and Amenity Societies.

To be responsible for the Community Right to Bid Scheme and the register of Assets of Community Value as set out in the Localism Act 2011.

### **COMMUNITY INFRASTRUCTURE LEVY**

To be responsible for any matters relating to the administration of the Community Infrastructure Levy as a collecting authority on behalf of the Mayor of London and of a Westminster Community Infrastructure Levy as a charge setting authority, within the meaning of the Planning Act 2008. This includes administering the distribution of appropriate funds to parish councils and allocations of funding for neighbourhoods.

### **SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990**

To be responsible for the management of the Section 106 fund and commitments, other than those S106 funds and commitments made to the Affordable Housing Fund, which are the responsibility of the Cabinet Member for Climate Action, Regeneration and Renters.



## **ECONOMIC DEVELOPMENT AND RECOVERY**

To be responsible for the Council's approach to supporting businesses, including small to medium sized enterprises, new start-ups, Business Improvement Districts (BIDS) (including exercising the Council's vote) and other business and enterprise development programmes.

To be responsible for the Council's approach to economic recovery and recovery of the West End in consultation with other Cabinet Members, most notably the Cabinet Member for Young People, Learning and Leisure on matters of culture.

To be responsible for the Council's approach to economic recovery, including investment in local high streets and the recovery of the West End, including Oxford Street.

To be responsible for the Council's strategy relating to markets and street trading in consultation with the Cabinet Member for Communities and Public Protection.

To be responsible for attracting inward investment into Westminster and offering support to investors through the Westminster Investment Service

To be responsible for the Council's Employment Programme for combatting worklessness and removing barriers to adult employment (18 and over).

To be responsible for the Council's initiatives promoting employment, including training and apprenticeships (18 and over).

## **CABINET MEMBER FOR FINANCE AND COUNCIL REFORM**

### **STRATEGIC FINANCE**

To have responsibility for Strategic Finance and all other strategic financial matters where these, in the opinion of the Executive Director for Finance and Resources, have significant implications across portfolios.

### **FINANCIAL MANAGEMENT**

To be responsible for the determination of general policy and overall strategy for the Council's financial practices and procedures within the approved budget framework (Financial Regulations).

To be responsible for the Council's Capital Programme and for monitoring all capital expenditure against the approved programme and estimates, including changes which can be contained within the overall programme.

To be responsible for the planned financing of the Capital Programme and the resultant impact on the revenue budgets.

To be responsible for monitoring all expenditure out of revenue against the approved annual estimates.

To be responsible for determining within the approved budget framework any re-allocation of funds between services during the financial year.

To be responsible for matters relating to the setting and implementation of the Council's Treasury Management Strategy.

To be responsible for providing direction on any proposals for expenditure, which Cabinet Members cannot meet from their respective Revenue or Capital estimates, and to advise the Cabinet of the decisions taken. This includes any instances where the Cabinet Member for Finance and Council Reform is minded to defer or refuse a proposal which shall be referred to the Cabinet for a decision.

### **FINANCIAL AND ASSET ADMINISTRATION**

To be responsible for revenue collection.

To be responsible for cash flow management, borrowing, lending and investments.

To be responsible for internal audit and anti-fraud function.

To be responsible for all insurance matters for the Council.

To be responsible for expenditure within approved capital budgets on matters within the terms of reference of the Cabinet Member for Finance and Council Reform.

To be responsible for loan provision or grant to companies, including decisions relating to the issue of loan capital in relation to any subsidiary and to any approvals relating to any intra-group loans except those delegated to the Shareholder Committee.

To be responsible for supplies and central purchasing, including printing, stationery and office equipment.

To be responsible for the Council's vehicle fleet.

To be responsible for endorsing any staffing policy proposals involving redundancy/ “early retirement” payments referred to another Cabinet Member for decision.

Benefits and benefits policy.

To be responsible for the Council’s policy in respect of business rates.

### **CORPORATE PROPERTY: POLICY, PLANNING AND STRATEGY**

To be responsible for the determination of policy, planning and strategy matters in relation to all property assets of the Council allocated for use for operational and service purposes.

To be wholly responsible for all property assets, except schemes delivered jointly with other Cabinet Members. Housing management and development of housing schemes sits outside the area of responsibility.

To be responsible for determining the future of property identified by other Cabinet Members as surplus to their requirements.

To be responsible (subject to any statutory requirements) for any appropriation of land, including appropriation for planning purposes. Any appropriations must be made in consultation with the other Cabinet Member(s) where such appropriation affects another Cabinet Member’s area of responsibility.

To assist the Cabinet Member for Housing Services with the management and maintenance of the Council’s commercial property within the HRA.

To be responsible for the resolution of any disagreement in relation to proposals by service departments for future use of property, maintenance, alterations or improvements and the acquisition of new premises by construction, purchase or leasing.

### **MAJOR PROJECTS WITHIN COUNCIL-OWNED BUILDINGS**

To be responsible for the delivery of major capital projects and programmes across services, in conjunction with the Cabinet Member responsible for delivery of the service.

To be responsible for the annual programme of capital maintenance and delivery of externally funded projects across schools and operational buildings.

### **PROCUREMENT AND CONTRACT MANAGEMENT**

To be responsible for the Council’s Corporate Procurement Strategy including contract management and central commissioning.

To be responsible for the Council’s Procurement Code, including approval of changes to the Code and Responsible Procurement and Commissioning Strategy.

To be responsible for the Council’s contract processes relating to market testing; competitive tendering; to manage the strategic implementation of a Value for Money framework across the Council.

To maintain an overview of overall contract performance on behalf of the City Council. On the advice of the Chief Executive, to review and take decisions on any City Council contract which is giving cause for concern and to inform the appropriate Cabinet Member of the action taken.

To be responsible for the financial arrangements for contract management.

### **LEGAL SERVICES**

To be responsible for legal services used by the Council and other functions within the Legal Services Department including electoral services, land charges and coronial services.

To be responsible for the Council's data protection and GDPR.

### **CUSTOMER SERVICES AND DIGITAL**

To be responsible for the Council's Customer Services programme including the website, Corporate Complaints and the monitoring of Freedom of Information, Environmental Regulations and Data Protection responses.

To be responsible for Customer Contact services including the corporate contact centre.

To be responsible for the digital transformation of the Council's services in collaboration with other Cabinet Members and partner agencies where necessary.

To be responsible for information systems, information technology, and telecommunications in relation to Council services.

## **CABINET MEMBER FOR CITY MANAGEMENT AND AIR QUALITY**

### **INNOVATION AND CHANGE**

To be responsible for the development and delivery of any strategic plans of the Communications team withing the Innovation and Change directorate.

### **PUBLIC REALM**

To be jointly responsible for formal decisions relating to public realm projects, with the Cabinet Member for Planning and Economic Development. Public Realm projects are those that significantly change the design of public realm in the City; these are distinct from any place shaping projects which will require a 'place plan' and/or consider a wider range of cross cutting outcomes, and are the sole responsibility of the Cabinet Member for Planning and Economic Delivery. Public Realm projects do not include the annual maintenance programmes that are carried out on our footways, carriageways and public lighting and are the responsibility of the Cabinet Member for City Management and Air Quality.

To be responsible for all matters relating to the Parliamentary Estate including Parliament Square.

### **AIR QUALITY AND ENVIRONMENT**

To lead on the development and delivery of the Council's Air Quality Action Plan, in consultation with the Cabinet Member for Climate Action, Regeneration and Renters. This also includes the development and delivery of the Schools Clean Air Fund in consultation with the Cabinet Member for Young People, Learning and Leisure.

To be responsible for all policy and delivery of environmental matters except responsibility for strategic direction relating to carbon reduction and sustainability, which is the responsibility of the Cabinet Member for Climate Action, Regeneration and Renters. The Cabinet Member for City Management and Air Quality will however oversee operational delivery of any Carbon Reduction Strategies.

To be responsible for flood risk, in consultation with the Cabinet Member for Planning and Economic Development.

### **PARKS, OPEN SPACES AND BIODIVERSITY**

To be responsible for the effective maintenance of public parks and public open spaces and cemeteries managed by the Council, as well as city-greening initiatives such as hanging baskets, tree planting and maintenance.

To be responsible for tree planting and maintenance.

To be responsible for the City Council's strategy and statutory functions relating to biodiversity, and the advancement of the strategy's priorities, namely, the protection of important habitats and species; the protection of existing green assets and, in consultation with the Cabinet Member for Planning and Economic Delivery, the creation of new green infrastructure.

## **STREET CLEANSING**

To be responsible for the Council's Street cleansing duties, including major cleansing contracts as well as oversight and maintenance of public conveniences.

## **CITY INSPECTORS**

To be responsible for the deployment of City Inspectors for all non-regulatory enforcement activities (illegal dumping of waste, littering and other street based anti-social behaviour issues); where this relates to licensing issues this should be in consultation with the Cabinet Member for Communities and Public Protection.

Noise Enforcement is the responsibility of the Cabinet Member for Communities and Public Protection.

## **WASTE AND RECYCLING**

To be responsible for overseeing our major waste and cleansing contracts to ensure the effective operational delivery of the Council's waste collection and disposal, including bulky refuse.

To oversee the Council's approach to supporting residents, businesses, and visitors to reduce waste production and increase recycling in consultation with the Cabinet Member for Climate Action, Regeneration and Renters.

To be responsible for the strategic direction of commercial waste consolidation as part of a wider sustainable transport approach in consultation with the Cabinet Member for Climate Action, Regeneration and Renters.

## **HIGHWAYS AND TRANSPORT**

To be responsible for the discharge of the Council's functions under the statutory powers within Highways Acts including (but not limited to) the Highways Act 1980 and the Traffic Management Act 2004.

To be responsible for the Council's work in delivering a clean, safe and welcoming street environment.

To be responsible for planned roads and highway maintenance including footway and carriage works, public lighting, bridges and other structures as well as the transportation works budget and other related and capital projects.

To be responsible for all transport projects and the management of all transport schemes including major transport initiatives; local road safety schemes; agreeing the Local Implementation Plan; relations with Transport for London (TfL); relations with utilities in Westminster, including the operation of the utilities permit scheme.

To be responsible for Highways Planning.

## **PARKING**

To be responsible for the Council's Parking policy. This includes responsibility for the development and maintenance of parking on the City's housing estates in consultation with the Cabinet Member for Housing Services.

To be responsible for the Council's policy on parking enforcement matters and operation of parking enforcement, including on housing estates in consultation with the Cabinet Member for Housing Services.

### **SUSTAINABLE TRANSPORT STRATEGY**

To be responsible for the Council's approach to sustainable and active travel and transport, in consultation with the Cabinet Member on Climate, Regeneration and Renters and Young People, Learning and Leisure.

To be responsible for the Council's work to encourage our communities, residents, visitors and businesses to choose sustainable forms of travel within and through the city.

To be responsible for making environmentally friendly travel options easier for everyone, including enhancing infrastructure for walking and cycling, and the use of electric and zero/low emission vehicle options.

### **ROAD SAFETY**

To be responsible for the Council's road safety functions.

To be responsible for pedestrian safety including school crossing patrols.

### **PUBLIC MORTUARY**

To be responsible for the public Mortuary service.

To be responsible for the coordination of the London Mortuary Management programme, on behalf of all London Local Authorities, in consultation with the Leader of the Council who has responsibility for emergency planning.

## **CABINET MEMBER FOR HOUSING SERVICES**

### **HOUSING, ROUGH SLEEPING ACCOMMODATION AND HOMELESSNESS SERVICES**

To be responsible for the Housing Solutions Service and allocations, including the prevention of homelessness.

To be responsible for facilities for homeless accommodation and providing sustainable pathways to accommodation for street based rough sleepers, including temporary accommodation and hostels.

To be responsible for strategic relationships with external providers on matters relating to street based rough sleeping and homelessness.

To be responsible for the issues arising from street based Rough Sleeping and prevention of street based Rough Sleeping.

To be responsible for the Council's approach to reducing the Street Population, including associated enforcement measures.

To be responsible for enforcing against organised criminality, disorder, modern slavery and anti-social behaviour issues associated with street based Rough Sleeping.

To be responsible for rough sleepers with no recourse to public funds.

To be responsible for the transition of street based rough sleepers to sustainable pathways and accommodation.

### **SOCIAL HOUSING MANAGEMENT MATTERS**

To be responsible for the management and maintenance of the Council's housing stock (including properties managed by the Westminster Community Homes Charity. Where the Council is acting as shareholder, the Shareholder Committee shall take such decisions (including any changes to current agreements with such bodies).

To be responsible for energy conservation within Westminster's housing stock.

To be responsible for the operation and maintenance of the Pimlico District Heating Undertaking.

To be responsible for rents of social housing dwellings (including charges for services) and housing benefits.

To be responsible for the allocation, transfer, exchange and inheritance of accommodation.

To be responsible for the provision of social and community facilities on housing estates.

To be responsible for liaison with lessees' and tenants' associations.

To be responsible for liaison with Registered Providers.

To be responsible for existing Sheltered and Special Needs housing.

To be responsible for anti-social behaviour and CCTV on housing estates.



## **OTHER RESPONSIBILITIES**

To be responsible for the asset management of HRA land and property to ensure additional affordable housing is maximised, in consultation with the Cabinet Members for Finance and Council Reform, and Climate Action, Regeneration and Renters.

## **CABINET MEMBER FOR CLIMATE ACTION, REGENERATION AND RENTERS**

### **CLIMATE ACTION**

To be responsible for the Council's Climate Action Group to strategically steer all of the Council's Climate Action activity in consultation with relevant Cabinet Members.

To be responsible for the City Council's response to the Climate Emergency. Including to co-ordinate the Council's role and response to cross-cutting sustainability issues, such as reducing carbon emissions, improving resource efficiency and developing sustainable energy.

Responsibility to direct delivery of action to address the Climate Emergency in consultation with individual Cabinet Members who are responsible for delivering climate priorities through their portfolio activities. The majority of wider environmental responsibilities, particularly those not related to carbon reduction and sustainability fall under the remit of the Cabinet Member for City Management, and Air Quality.

### **PRIVATE RENTED SECTOR**

To be responsible for the regulation of the Private Rented Sector (including houses in multiple occupation),

To be responsible for the Private Rented Sector Strategy, in consultation with the Cabinet Member for Housing Services.

### **REGENERATION**

To be responsible for housing led regeneration programmes, including liaison with other Cabinet Members where regeneration programmes overlap with other areas of responsibility.

To be responsible for the provision by the Council of new housing within the City by way of new construction and conversion of existing buildings. This includes executive decisions related to Westminster Builds except where the Council is acting as shareholder, where the Shareholder Committee shall take such decisions.

To be responsible for the acquisition of properties by Compulsory Purchase for housing purposes.

To be responsible for the declaration of clearance, general improvement and housing action areas and the implementation of proposals for the acquisition, improvement and/or conversion of properties in such areas.

To be responsible for the allocation policy for the Affordable Housing Fund provisions made in accordance with S106 of the Town and Country Planning Act 1990, in consultation with the Cabinet Member for Housing Services, Cabinet Member for Planning and Economic Development and Cabinet Member for Finance and Council Reform.

## **APPENDIX C – Cabinet Urgency Committee, Shareholder Committee, Cabinet CIL Committee Terms of Reference**

### **CABINET CIL COMMITTEE**

#### **1. CONSTITUTION**

Up to five members of the Cabinet as appointed by the Leader.

#### **2. TERMS OF REFERENCE**

- (i) To provide Member oversight of implementation and collection of CIL
- (ii) To provide Member oversight of the engagement processes with neighbourhoods and others.
- (iii) To agree the regulation of the statutory list of infrastructure that might be funded through CIL.
- (iv) To take decisions on spend proposals for CIL and strategic section 106 funds submitted by the officer working group or to refer decisions to Cabinet as appropriate.
- (v) To steer the two yearly reviews of the Westminster CIL already committed to.

## **URGENCY COMMITTEE OF THE CABINET**

### **CONSTITUTION**

3 Members of the Cabinet, as notified to the Chief Executive by the Leader of the Council or in his/her absence the Deputy Leader of the Council.

### **TERMS OF REFERENCE**

1. All matters, within the terms of reference of the Cabinet, which the Urgency Committee of the Cabinet is satisfied are Urgent and cannot wait for a decision by the Cabinet at its next programmed meeting.
2. To make a recommendation direct to the Council on any urgent matters which by statute or under the City Council's executive arrangements must be determined by full Council.

## **CABINET SHAREHOLDER COMMITTEE**

### **1. OVERVIEW**

- 1.1 The Shareholder Committee forms part of the overall governance arrangements for Westminster City Council ("**the Council**") in relation to companies and other legal entities which are wholly or partly owned or controlled by the Council (including where such control comes about indirectly, such as via a loan agreement) (each a "**Subsidiary**" and together the "**Subsidiaries**").

### **2. CONSTITUTION**

- 2.1 The members of the Shareholder Committee will be appointed by the Leader of the Council. Only Cabinet Members may sit on the Shareholder Committee.
- 2.2 Each Shareholder Committee member may nominate an alternate Cabinet Member to attend a meeting in their place.
- 2.3 The Shareholder Committee will be supported by Council officers as required.
- 2.4 The Shareholder Committee will appoint the Leader as Chair of the Shareholder Committee. If the Chair is not present at the start of a meeting of the Shareholder Committee, those members present will appoint one of the members present to chair that meeting.
- 2.5 Additional advisors, who do not need to be officers or members of the Council, may be invited to attend the Shareholder Committee as required.

### **3. ROLE OF THE SHAREHOLDER COMMITTEE**

- 3.1 The Shareholder Committee will have a role in ensuring proper governance of the Council's Subsidiaries, such role to include:
- 3.1.1 monitoring information from each Subsidiary, in particular on financial and other risks and escalating such risks within the Council as appropriate;
  - 3.1.2 exercising decisions relating to the Council's role as shareholder, member, owner, lender, or other position of significant control over the Subsidiary, where those decisions have been delegated to the Shareholder Committee; and
  - 3.1.3 making reports and recommendations to the Cabinet on areas outside of the Shareholder Committee's delegated authority.
- 3.2 It is expected that each Subsidiary will enter into a form of agreement with the Council (whether as owner, controller or lender) setting out the basis of the relationship between them (each a "**Memorandum of Agreement**").

3.3 A detailed description of the Shareholder Committee's role in relation to each Subsidiary will be set out in the relevant Memorandum of Agreement.

3.4 Authority to make decisions on behalf of the Council is delegated to the Shareholder Committee for each Subsidiary as follows:

3.4.1 The following decisions are delegated to the Shareholder Committee for all Subsidiaries:

Altering in any respect the articles of association of a Subsidiary (or any other governing document such as the Rules of a Community Benefit Society)
Altering the rights attaching to any of the shares in a Subsidiary
Permitting the registration of any person as a shareholder or member of a Subsidiary
Nominating directors to be appointed on the board of a Subsidiary and notifying a Subsidiary to remove directors from its board
Increasing the amount of a Subsidiary's issued share capital
Altering the name of any Subsidiary
Adopting, reviewing or amending a Subsidiary's Business Plan
Where a Subsidiary fails to produce a Business Plan as required by its Memorandum of Agreement, producing that Subsidiary's Business Plan
Directing the board of a Subsidiary to take or to refrain from taking a particular action

3.4.2 Any Memorandum of Agreement entered into with a Subsidiary may identify additional decisions which are delegated by Cabinet to the Shareholder Committee in relation to that Subsidiary only.

3.5 Decisions which are not delegated to the Shareholder Committee in accordance with 3.4 above will be taken through the usual decision-making processes in accordance with the Council's governance and constitutional framework. This will include decisions relating to the issue of loan capital in relation to any Subsidiary and to any approvals relating to any intra-group loans.

#### 4. **OPERATION OF THE SHAREHOLDER COMMITTEE**

4.1 The Shareholder Committee will meet three times per year, or more frequently if required.

- 4.2 The quorum for a meeting of the Shareholder Committee is a minimum of 2 members.
- 4.3 Meetings will be held in public or otherwise in line with the Council's democratic meeting protocol. There may be particular matters or agenda items which are required to be considered in private due to commercial confidentiality, and these will be handled in accordance with the Council's usual democratic protocol.
- 4.4 Minutes and agendas will be managed and published in accordance with the Council's usual democratic protocol.
- 4.5 The Shareholder Committee shall make its decisions as follows:
  - 4.5.1 At meetings of its members by consensus of those present, unless any member of the Shareholder Committee requires a vote, in which event a majority decision will be taken with each member of the Shareholder Committee present having a single vote. Advisors and officers present to support the Shareholder Committee will not have a vote. The Chair of the meeting has a casting vote in the event that there is no clear majority; or
  - 4.5.2 In cases of urgency, by a decision made by the Leader or by an alternate Cabinet Member nominated by the Leader.
  - 4.5.3 Certain decisions, including the nomination of Directors, may be taken outside of meetings by signed resolution of a majority of Committee Members. The Monitoring Officer will determine if a decision may be taken in this manner.
- 4.6 After each meeting, the Chair shall approve the minutes and authorise the implementation of the Shareholder Committee's decisions, including where relevant the signature of any documents by appropriate Council signatories.
- 4.7 The Shareholder Committee will review the Terms of Reference annually and make any necessary recommendations to the Leader and Cabinet.

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City of Westminster

## Annual Council Report

<b>Date:</b>	<b>18 May 2022</b>
<b>Classification:</b>	<b>For General Release</b>
<b>Title:</b>	<b>Constitutional Matters</b>
<b>Report of:</b>	<b>Director of Law (Monitoring Officer)</b>
<b>Wards Involved:</b>	<b>Not applicable</b>
<b>Policy Context:</b>	<b>Management of the Council</b>
<b>Financial Summary:</b>	<b>None</b>
<b>Report Author and Contact Details:</b>	<b>Richard Cressey, Head of Governance and Councillor Liaison</b> <b>Email: <a href="mailto:rcressey@westminster.gov.uk">rcressey@westminster.gov.uk</a></b>

### 1. Summary

- 1.1 The Council is required to confirm the proportional division of seats on the Standing Committees and to note the Members appointed to them. The Committees are required to appoint and confirm the proportional division of seats on their Sub-Committees and subsidiary bodies, and to note the Members appointed to them. The Committees will meet on the rising of the Annual Council Meeting to do this and, with the exception of the Westminster Scrutiny Commission and four Policy and Scrutiny Committees, appoint their Chair, agree the appointment of their Sub-Committees and related matters. Scrutiny Chairs will be appointed at the first meeting of those Committees.
- 1.2 The Council's Standing Committees were established in their current form at the Annual Council meeting in 2021 and these remain in place until amended by a vote of the Council. Following the City Council Elections on 5 May 2022, the Chief Executive has received notification from the political groups that an agreement has been reached to propose a variation of the number of seats on Standing Committees to be achieved by reducing the number of seats on certain committees. The proposals in this report reflect this agreement and are set out for approval of the Council.
- 1.3 The Chief Executive has also received notification from both political groups of the names of the Members which will form the Majority Party and the Opposition Party of the Council. These Members will be appointed to serve on Standing Committees and Standing Sub-Committees by the Chief Executive in accordance with the notification received from the respective Party Whips.

## 2. Recommendations

- 2.1 That the number of seats appointed to on Standing Committees be amended as set out in 2.2 below and their Terms of Reference as set out in Appendix A be approved.
- 2.2 That the Council confirm the proportional division of seats on the Standing Committees as set out below.

Committee	Members		
	Total	Labour	Conservative
Audit and Performance Committee	4	3	1
General Purposes Committee	4	3	1
Westminster Scrutiny Commission	5	3	2
Communities, City Management and Air Quality P&S	7	4	3
Children & Adults, Public Health & Voluntary Sector P&S	7	4	3
Finance, Planning and Economic Development P&S	7	4	3
Climate Action, Housing and Regeneration P&S	7	4	3
Standards Committee	5	3	2
Pensions Fund Committee	4	3	1
Planning & City Development Committee	14	8	6
Licensing Committee	15	8	7
<b>Total</b>	<b>79</b>	<b>47</b>	<b>32</b>
<b>Target number (and variance)</b>		<b>45 (+2)</b>	<b>34 (-2)</b>

- 2.3 That the Council note the Members appointed to the Standing Committees by the Chief Executive following notification received from the respective party Chief Whip under the Local Government (Committees and Political Groups) Regulations 1990 as amended, set out in Appendix B, to be tabled.
- 2.4 That the Council's Constitution, including the Scheme of Delegations to Officers in respect of Non-Executive functions, be endorsed.

## 3. Background

- 3.1 The Local Government and Housing Act 1989 requires local authorities, where Members are divided into political groups, to review periodically the representation of the political groups on their Committees and Sub-Committees to ensure a political balance.

- 3.2 The following principles apply to the allocation of seats in sequential order:
- (a) That not all the seats on the body to which appointments are being made are allocated to the same political group;
  - (b) That the majority of seats on each Committee are allocated to a particular group if the number of persons belonging to that group is a majority of the authority's membership;
  - (c) That, subject to (a) and (b), when allocating seats to a political group, the total number of their seats across all the ordinary committees of the Council must reflect their proportion of the authority's membership; and
  - (d) Subject to (a) to (c), that the number of seats on each committee is, as far as possible, in proportion to the group's membership of the authority.
- 3.3 Sub-Committees are also governed by the political balance rules, but it is not necessary to add up all the Sub-Committee seats and then allocate them in proportion. As far as this is practicable, the allocation of seats on each Sub-Committee should reflect the proportional representation of the political groups on the Council.
- 3.4 Following the City Council Elections on 5 May 2022 the Labour and Conservative Groups hold, respectively, 31 and 23 of the total of 54 Council seats. The proportion by which seats on Committees should be allocated is 57.41% Majority Group and 42.59% Opposition Group.
- 3.5 The committee structure agreed by Annual Council in 2021 created a total of 85 committee seats across Standing Committees. This would have equated to an entitlement of 49 Majority Party and 36 Opposition Party seats. Following the principles set out at 3.2, the only way to ensure a majority of seats on each Committee were allocated to the Majority Group would be to allocate 53 seats to the Majority Group and 32 to the Opposition Group, creating a variance of four seats in favour of the Majority party.
- 3.6 In order to mitigate the imbalance set out at 3.5, but also in light of the impact of boundary changes adopted at the 2022 local elections which reduced the overall number of councillors to 54 from 60, both political groups have agreed to the proposal of a reduction in the total number of seats on Standing Committees from 85 to 79. This reduction results in a variance of two (rounded up from 1.6) seats in favour of the Majority Party with a target of 45 seats for the Majority Party (achieved 47) and 34 seats for the Opposition Group (achieved 32). This reduction has been realised by reducing the number of Majority Group seats on the Scrutiny Commission from four to three, on all four Policy and Scrutiny Committees from five to four and on the Standards Committee from four to three.
- 3.7 The Chief Executive and the Director of Law (Monitoring Officer) have confirmed that the proposed allocation is in accordance with the proportionality rules and the principles stated at 3.2.

- 3.8 Membership of the Council's Standing Committees and Sub-Committees is governed by Chapter 5, Section 23(1) which, in accordance with the Local Government (Committees and Political Groups) Regulations 1990, as amended, provides for Members of Standing Committees and Sub-Committees to be those whose names have been notified to the Chief Executive, who is the duly appointed proper officer for these purposes. The Chief Executive has the delegated power to appoint to all Standing Committees and Sub-Committees in accordance with notifications received from Party officers under the Regulations.
- 3.9 Both political groups on the Council have to notify the Chief Executive of the names of the Members to serve on the Standing Committees, Sub-Committees and subsidiary bodies. It is for the Council to note the Standing Committee memberships as set out in Appendix B to this report and for the Standing Committees to note their Sub-Committee memberships in due course. In addition, the Standing Committees will be asked to appoint their Chairs, where necessary, and confirm the terms of reference of their Sub-Committees, as set out in the Constitution.
- 3.10 The City Council is required to appoint a Licensing Committee in accordance with the Licensing Act 2003. In accordance with the provisions of the Licensing Act the minimum number of Members who can be appointed to the Licensing Committee is 10 and the maximum 15. The Council, as the busiest Licensing authority, has always appointed the maximum number of Members
- 3.11 The responsibility for the delegation of executive functions sits with the Leader who allocates these to the full Cabinet, a Cabinet Committee, a Cabinet Member or an Officer. The nominated Leader of the Council has confirmed that he is content with the Scheme of Delegations for executive functions to Officers as set out in the Constitution and these are noted elsewhere on this agenda. The terms of reference of the Cabinet, Cabinet Committees and Cabinet Members are also set out elsewhere on this agenda.
- 3.12 The Council will note that the Constitution which can be found on the Council's website: [www.westminster.gov.uk](http://www.westminster.gov.uk). The Monitoring Officer has delegated authority to keep the Constitution up-to-date. The Council is asked to note that proposed revisions to the Constitution will be reported via the General Purposes Committee in the coming months. Otherwise, the Constitution is kept up-to-date by Officers under delegated powers.

#### **4. Financial Implications**

- 4.1 The proposals in this report make no substantive changes to the structure of the Standing Committees and therefore there are no financial implications associated with the appointments to Standing Committees. Any changes to allowances and their impact will be reported through the General Purposes Committee.

- 4.2 It should be noted that the Council agreed at its meeting in March 2022 to increase the Members allowances for this financial year to match any settlement to local government staff. The local government pay settlement resulted in a 1.75% increase for staff and this has therefore now been applied to Member allowances. Provision has been made in the Council's 2022-2023 budget for this increase.

## 5. Legal Implications

- 5.1 The Council is required to carry out a review of seats at least annually in accordance with the Local Government and Housing Act 1989 and the Local Government (Committee and Political Groups) Regulations 1990. These requirements are reflected in this report.

**If you have any queries about this report or wish to inspect any of the background papers please contact Tristan Fieldsend.  
Email: [tfieldsend@westminster.gov.uk](mailto:tfieldsend@westminster.gov.uk)**

### Background Papers

The Constitution – available via the Council's website

#### Appendices:

- Appendix A – Terms of Reference of the Committees
- Appendix B – Memberships of the Standing Committees (*to be tabled*)

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## **AUDIT AND PERFORMANCE COMMITTEE TERMS OF REFERENCE**

### **CONSTITUTION**

4 Members of the Council, 3 Majority Party Members and 1 Opposition Party Member, but shall not include a Cabinet Member.

### **TERMS OF REFERENCE**

#### Audit Activity

1. To consider the head of internal audit's annual report including the auditor's opinion on the Council's control environment and a summary of internal audit and anti-fraud activity and key findings.
2. To consider reports, at regular intervals, which summarise:
  - the performance of the Council's internal audit and anti fraud service provider/s
  - audits and investigations undertaken and key findings
  - progress with implementation of agreed recommendations
3. To consider the external auditor's annual letter, relevant reports, and the report to those charged with governance.
4. To consider specific reports as agreed with the external auditor.
5. To comment on the scope and depth of external audit work and to ensure it gives value for money.
6. To liaise with the Audit Commission over the appointment of the Council's external auditor.
7. To comment on the proposed work plans of internal and external audit.

#### Regulatory Framework

8. To maintain an overview of the Council's Constitution in respect of contract procedure rules, financial regulations and codes of conduct and behaviour.
9. To review any issue referred to it by the Chief Executive or a Director, or any Council body.
10. To monitor the effective development and operation of risk management and corporate governance in the Council.
11. To monitor Council policies on 'Raising Concerns at Work', the Council's complaints process and the Antifraud and Corruption Strategy; specifically the

effectiveness of arrangements in place to ensure the Council is compliant with the Bribery Act 2010.

12. To oversee the production of the authority's Statement on Internal Control and to recommend its adoption.
13. To consider the Council's arrangements for corporate governance and agreeing necessary actions to ensure compliance with best practice.
14. To consider the Council's compliance with its own and other published standards and controls.
15. To maintain an overview of the arrangements in place for maintaining High Ethical Standards throughout the Authority and in this context to receive a report annually from the Director of Law and the S151 Officer.

#### Accounts

16. To review the annual statement of accounts and approve these for publication. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the Council.
17. To consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts.

#### Performance Monitoring

18. To review and scrutinise the financial implications of external inspection reports relating to the City Council.
19. To receive the quarterly performance monitoring report and refer any issues which in the Committee's view require more detailed scrutiny to the relevant Policy and Scrutiny Committee.
20. To review and scrutinise personnel issues where they impact on the financial or operational performance of the Council including but not limited to agency costs, long-term sickness, ill health early retirements and vacancies; and
21. To review and scrutinise Stage 2 complaints made against the City Council and monitor progress.
22. To consider and advise upon, prior to tender, the most appropriate contractual arrangements where a proposed contract has been referred to the Committee by the Chief Executive.
23. To maintain an overview of overall contract performance on behalf of the Council.



24. To review and scrutinise contracts let by the Council for value for money and adherence to the Council's Procurement Code.
25. To review and scrutinise the Council's value for money to Council tax payers.
26. To scrutinise any item of expenditure that the Committee deems necessary in order to ensure probity and value for money.

#### Staffing

27. To advise the Cabinet Member(s) for with responsibility for Finance and staffing on issues relating to the remuneration of all staff as necessary.
28. In the course of carrying out its duties in respect of 27 above, to have regard to the suitability and application of any grading or performance related pay schemes operated, or proposed, by the Council.

## **GENERAL PURPOSES COMMITTEE**

### CONSTITUTION

4 Members of the Council (3 Majority Party Members and 1 Opposition Party Member).

### TERMS OF REFERENCE

#### (1) MEMBERS ALLOWANCES

Making recommendations to the Council for the adoption or revision of a scheme of allowances for Members.

#### (2) HEALTH AND SAFETY

The City Council's functions under the Health and Safety at Work Act 1974 (except to the extent that these functions are discharged by the Council or an employer).

#### (3) FUNCTIONS IN RELATION TO ELECTIONS

Elections and Electoral Registration Matters.

#### (4) PROMOTION/OPPOSITION OF LEGISLATION/BYELAWS

- (a) To make recommendations to the Council as to the promotion or opposition to legislation where considered appropriate.
- (b) To recommend to Council the adoption, amendment or repeal of bylaws.

#### (5) CONSTITUTION AND STANDING ORDERS

To keep under review and make recommendations as to the Constitution and to recommend to the Council the adoption, repeal or amendment of Standing Orders. To make recommendations to the Council as to the appointment of Committees.

Note: This does not apply to changes to the following core documents which are the responsibility of the relevant Cabinet Member, Committee or Strategic Executive Board Member or Senior Office to approve. In addition, changes to the terms of reference of Sub-Committees shall, once approved by the relevant parent committee be included in the Constitution, without additional approval being necessary.

Code of Governance	(Chief Executive)
Procurement Code	(Cabinet Member for Finance and Council Reform)
Scheme of Delegations *	(Director of Law)

Employee Code (Director of People Services)  
Financial Regulations (Executive Director of Finance and  
Resources)

\* The Scheme of Delegations will only be updated by the Director of Law following the approval of the delegation by the Cabinet, Cabinet Member or relevant Committee.

(6) PAYMENTS OF COMPENSATION IN CASES OF MALADMINISTRATION

Approval of payments and benefits in cases of maladministration where these exceed Chief Officers delegated powers or the relevant Chief Officers refer the matter to the Committee.

(7) OTHER MATTERS

- (a) All other non-executive functions not delegated to any other committee.
- (b) All other functions referred to in Schedule 2 to the Local Authorities (Functions and Responsibilities)(England) Regulations 2000 (i.e. "local choice" functions) not specifically allocated
- (c) Other matters more specifically included in the terms of reference of the Committee's Sub-Committees.

## **WESTMINSTER SCRUTINY COMMISSION**

### **CONSTITUTION**

5 Members of the Council (3 nominated by the Majority Party and 2 by the Opposition Party), but shall not include a member of the Cabinet.

### **TERMS OF REFERENCE**

- (a) To carry out the Policy and Scrutiny functions, as set out in Chapter 4 of the Constitution in respect of matters relating to all those duties within the terms of reference of the Leader of the Council.
- (b) To carry out the Policy and Scrutiny function in respect of matters within the remit of the Council's non-executive Committees and Sub-Committees, which are within the broad remit of the Committee, in accordance with paragraphs 18.2 and 18.3 as well as section 19 of Chapter 4 of the Constitution.
- (c) To carry out those duties assigned to the Westminster Scrutiny Commission as set out in the Constitution.
- (d) To be responsible for the management and co-ordination of the Policy and Scrutiny function.
- (e) To assign tasks to the most appropriate Policy and Scrutiny Committee, where the issue does not sit within the terms of reference of a particular Policy and Scrutiny Committee.
- (f) To approve the Annual Report of Policy and Scrutiny activity, as required under the Constitution.

## **STANDARDS COMMITTEE TERMS OF REFERENCE**

### **CONSTITUTION**

5 Members of the Council, 3 Majority Party Members and 2 Opposition Party Member.

### **TERMS OF REFERENCE**

- (a) To promote and maintain high standards of conduct by the Members and Co-opted Members of the City Council.
- (b) To advise the City Council on the adoption or revision of a Code of Conduct for Members.
- (c) Advising, training or arranging to train Members and Co-opted Members on matters relating to the City Council's Code of Conduct for Members.
- (d) To assist Members and Co-opted Members to observe the City Council's Code of Conduct for Members.
- (e) To monitor the operation of the Code of Conduct for Members.
- (f) 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.
- (g) Where necessary, to conduct hearings into allegations of breaches of the said code, and interview officers, Members and others as required.
- (h) 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).
- (i) 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.
- (j) 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.
- (k) To consider, advise and, if appropriate, take action upon other Member conduct issues not otherwise dealt with under these terms of reference.

## **PENSION FUND COMMITTEE**

### CONSTITUTION

4 Members of the Council (3 Majority Party Members and 1 Opposition Party Member)

### TERMS OF REFERENCE

To have responsibility for all aspects of the investment and other management activity of the Council's Pension Fund, including, but not limited to, the following matters:

- (a) To agree the investment strategy having regard to the advice of the Fund Managers and the independent adviser.
- (b) To monitor performance of the Fund and of the individual Fund Managers;
- (c) To determine the Fund management arrangements, including the appointment and termination of the appointment of the Fund Managers, Custodians and Fund Advisers.
- (d) To agree the Statement of Investment Principles, the Funding Strategy Statement, the Business Plan for the Fund, the Governance Policy Statement, the Communications Policy Statement and the Governance Compliance Statement and to ensure compliance with these.
- (e) To approve and publish the pension fund annual report.
- (f) To prepare and publish a pension administration strategy.
- (g) To make an admission agreement with any admission body.
- (h) To ensure compliance with all relevant statutes, regulations and best practice with both the public and private sectors.
- (i) To determine the compensation policy on termination of employment and to make any decisions in accordance with that policy other than decisions in respect of the Chief Executive, Chief Officers and Deputy Chief Officers of the Council (which fall within the remit of the Appointments Sub-Committee).
- (j) To determine policy on the award of additional membership of the pension fund and to make any decisions in accordance with that policy other than decisions in respect of the Chief Executive, Chief Officers and Deputy Chief Officers of the Council (which fall within the remit of the Appointments Sub-Committee).
- (k) To determine policy on the award of additional pension and to make any decisions in accordance with that policy other than decisions in respect of the Chief Executive, Chief Officers and Deputy Chief Officers of the Council (which fall within the remit of the Appointments Sub-Committee).

- (l) To determine policy on retirement before the age of 60 and to make any decisions in accordance with that policy other than decisions in respect of the Chief Executive, Chief Officers and Deputy Chief Officers of the Council (which fall within the remit of the Appointments Sub-Committee).
- (m) To determine a policy on flexible retirement and to make any decisions in accordance with that policy other than decisions in respect of the Chief Executive, Chief Officers and Deputy Chief Officers of the Council (which fall within the remit of the Appointments Sub-Committee). To determine questions and disputes pursuant to the Internal Disputes Resolution Procedures.
- (n) To determine any other investment or pension policies that may be required from time to time so as to comply with Government regulations and to make any decisions in accordance with those policies other than decisions in respect of the Chief Executive, Chief Officers and Deputy Chief Officers of the Council (which fall within the remit of the Appointments Sub-Committee).

## **COMMUNITIES, CITY MANAGEMENT & AIR QUALITY POLICY AND SCRUTINY COMMITTEE**

### CONSTITUTION

7 Members of the Council (4 Majority Party Members and 3 Opposition Party Members).

### TERMS OF REFERENCE

- (a) To carry out the Policy and Scrutiny functions, as set out in Chapter 4 of the Constitution in respect of matters relating to all those duties within the terms of reference of the Cabinet Member for Cabinet Member for Communities and Public Protection and the Cabinet Member for City Management and Air Quality.
- (b) To carry out the Policy and Scrutiny function in respect of matters within the remit of the Council's non-executive Committees and Sub-Committees, which are within the broad remit of the Committee, in accordance with paragraphs 18.2 and 18.3 as well as section 19 of Chapter 4 of the Constitution.
- (c) Matters within the broad remit of the Cabinet Members referred to in (a) above which are the responsibility of external agencies.
- (d) Any other matter allocated by the Westminster Scrutiny Commission (WSC).
- (e) To have the power to establish ad hoc or Standing Sub-Committees as Task Groups to carry out the scrutiny of functions within these terms of reference.
- (f) To scrutinise the duties of the Lead Members which fall within the remit of the Committee or as otherwise allocated by the Westminster Scrutiny Commission.
- (g) To scrutinise any Bi-borough proposals which impact on service areas that fall within the Committee's terms of reference
- (h) To oversee any issues relating to Performance that fall within the Committee's terms of reference.
- (i) To have the power to scrutinise those partner organisations whose services fall within the Committee's terms of reference.
- (j) To consider any Councillor Calls for Action referred by a Ward Member to the Committee.
- (k) To discharge the Council's statutory responsibilities under Section 19 of the Police and Justice Act 2006, thus acting as the Council's crime and disorder committee and fulfilling all the duties that entails.



## **CHILDREN & ADULTS, PUBLIC HEALTH & VOLUNTARY SECTOR POLICY AND SCRUTINY COMMITTEE**

### **CONSTITUTION**

7 Members of the Council (4 Majority Party Members and 3 Opposition Party Member).

4 co-opted Members with voting rights ie one co-opted representative each from the Church of England and Roman Catholic Diocesan Education Boards and two Parent Governor Representatives. 2 co-opted Members without voting rights, ie 2 Headteachers of Westminster maintained schools.

NB: The voting rights of the co-opted only extend to matters relating to Education.

### **TERMS OF REFERENCE**

- (a) To carry out the Policy and Scrutiny functions, as set out in Chapter 4 of the Constitution in respect of matters relating to all those duties within the terms of reference of the Cabinet Member for Cabinet Member for Young People, Learning and Leisure and the Cabinet Member for Adult Social Care, Public Health and Voluntary Sector.
- (b) To carry out the Policy and Scrutiny function in respect of matters within the remit of the Council's non-executive Committees and Sub-Committees, which are within the broad remit of the Committee, in accordance with paragraphs 18.2 and 18.3 as well as section 19 of Chapter 4 of the Constitution.
- (c) Matters within the broad remit of the Cabinet Members referred to in (a) above which are the responsibility of external agencies and in particular to scrutinise matters relating to the provision of Health Services within Westminster, including the consideration of any reports referred by the local Health Watch.
- (d) To scrutinise the duties of the Lead Members which fall within the remit of the Committee or as otherwise allocated by the Westminster Scrutiny Commission.
- (e) To scrutinise any Bi-borough proposals which impact on service areas that fall within the Committee's terms of reference.
- (f) Any other matter allocated by the Westminster Scrutiny Commission.
- (g) To have the power to establish ad hoc or Standing Sub-Committees as Task Groups to carry out the scrutiny of functions within these terms of reference.
- (h) To oversee any issues relating to Performance within the Committee's terms of reference.

- (i) To have the power to scrutinise those partner organisations that are relevant to the remit of the Committee.
- (j) To consider any Councillor Calls for Action referred by a Ward Member to the Committee.
- (k) To discharge the Council's statutory responsibilities under Section 7 and 11 of the Health and Social Care Act 2001 with regard to any planned substantial developments and variations to NHS services.
- (l) To oversee strategic and accountability issues within local health commissioners and providers.

## **FINANCE, PLANNING & ECONOMIC DEVELOPMENT POLICY AND SCRUTINY COMMITTEE**

### **CONSTITUTION**

7 Members of the Council (4 Majority Party Members and 3 Opposition Party Members).

### **TERMS OF REFERENCE**

(a) To carry out the Policy and Scrutiny functions, as set out in Chapter 4 of the Constitution in respect of matters relating to all those duties within the terms of reference of the Cabinet Member for Cabinet Member for Business and Planning and the Cabinet Member for Finance and Council Reform.

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(b) To carry out the Policy and Scrutiny function in respect of matters within the remit of the Council's non-executive Committees and Sub-Committees, which are within the broad remit of the Committee, in accordance with paragraphs 18.2 and 18.3 as well as section 19 of Chapter 4 of the Constitution.

(a) Matters, within the broad remit of the Cabinet Members referred to in (a) above which are the responsibility of external agencies.

(d) Any other matter allocated by the Westminster Scrutiny Commission.

(e) To have the power to establish ad hoc or Standing Sub-Committees as Task Groups to carry out the Scrutiny of functions within these terms of reference.

(f) To scrutinise the duties of the Lead Members which fall within the remit of the Committee or as otherwise allocated by the Westminster Scrutiny Commission.

(g) To scrutinise any Bi-borough proposals which impact on service areas that fall within the Committee's terms of reference

(h) To oversee any issues relating to Performance that fall within the Committee's terms of reference.

(i) To have the power to scrutinise those partner organisations that are relevant to the remit of the Committee.

(j) To consider any Councillor Calls for Action referred by a Ward Member to the Committee.

## **CLIMATE ACTION, HOUSING AND REGENERATION POLICY AND SCRUTINY COMMITTEE**

### **CONSTITUTION**

7 Members of the Council (4 Majority Party Members and 3 Opposition Party Members).

### **TERMS OF REFERENCE**

- (a) To carry out the Policy and Scrutiny functions, as set out in Chapter 4 of the Constitution in respect of matters relating to all those duties within the terms of reference of the Cabinet Member for Cabinet Member for Housing Services and the Cabinet Member for Climate Action, Regeneration and Renters.
- (b) To carry out the Policy and Scrutiny function in respect of matters within the remit of the Council's non-executive Committees and Sub-Committees, which are within the broad remit of the Committee, in accordance with paragraphs 18.2 and 18.3 as well as section 19 of Chapter 4 of the Constitution.
- (c) Matters within the broad remit of the Cabinet Members referred to in (a) above which are the responsibility of external agencies.
- (d) Any other matter allocated by the Westminster Scrutiny Commission.
- (e) To have the power to establish ad hoc or Standing Sub-Committees as Task Groups to carry out the scrutiny of functions within these terms of reference.
- (f) To scrutinise the duties of the Lead Members which fall within the remit of the Committee or as otherwise allocated by the Westminster Scrutiny Commission.
- (g) To scrutinise any Bi-borough proposals which impact on service areas that fall within the Committee's terms of reference.
- (h) To oversee any issues relating to Performance within the Committee's terms of reference.
- (i) To have the power to scrutinise those partner organisations under a duty to that are relevant to the remit of the Committee.
- (j) To consider any Councillor Calls for Action referred by a Ward Member to the Committee.

## **PLANNING AND CITY DEVELOPMENT COMMITTEE**

### **CONSTITUTION**

14 members of the Council (8 Majority party members and 6 Opposition party members). Such members to be members of the Planning Applications Sub-Committees (Nos 1 to 3) and the Planning (Major Applications) Sub-Committee

### **TERMS OF REFERENCE**

- (a) To consider proposed local plan policies (and supplementary planning documents) at appropriate stages of the statutory process for their preparation and adoption and make recommendations to the relevant Cabinet Member.
- (b) To have oversight of the practices and procedures of the Planning (Major Applications) Sub-Committee, Planning Applications Sub-Committees (but not to consider individual planning applications) making recommendations where necessary to officers, Planning Applications Sub-Committees and/or the Cabinet for Planning and Public Realm.
- (c) To consider and recommend a training programme for members of the Planning Applications Sub-Committees.

## LICENSING COMMITTEE

### CONSTITUTION

15 Members of the Council. 8 nominated by the Majority party and 7 nominated by the Opposition party.

### TERMS OF REFERENCE

- (a) All matters relating to the discharge by the Authority of its licensing functions as required by Section 7(1) of the Licensing Act 2003.
- (b) To receive reports on Licensing Act 2003 matters, as required by the Council's Policy Statement on Licensing.
- (c) To agree procedures for operation by the Licensing Committee and the Licensing Sub-Committees when conducting hearings and other functions within their terms of reference.
- (d) To establish Licensing Sub-Committees and approve their terms of reference.
- (e) To be responsible for those matters more fully set out in the terms of reference of the Licensing Sub-Committee and to determine any matter referred to it by a Licensing Sub-Committee.
- (f) To consider any reports which are required by Statute to be submitted to the Licensing Committee.
- (g) To be responsible for the delegation to Officers of licensing functions as defined by the Licensing Act 2003 and the other functions included within these Terms of Reference.
- (h) Procedures for the conduct of business at the Officer Panel and the Licensing Sub-Committees, including all matters in respect of the processing of applications.
- (i) Non-executive matters in respect of the Council's Street Markets and all other non-executive Street Trading matters.
- (j) Non-executive matters in respect of licensing functions within these terms of reference and those of the Licensing Sub-Committees.
- (k) The grant, approval, review, refusal, revocation, renewal, transfer of variation of any licence, registration, certificate, consent, permit, approval of permission, except where such function is within the terms of reference of a Cabinet Member or such specific matter is being discharged by a Licensing Sub-Committee.
- (l) All non-executive functions relating to the Gambling Act 2005.

## WESTMINSTER CITY COUNCIL

### COMMITTEE MEMBERSHIPS

Key:

(Ch) Chairman

(VCh) – Vice Chairman

#### STANDING COMMITTEE MEMBERSHIPS

COMMITTEE	CONSTITUTION	MEMBERSHIP	
		LAB	CON
Audit and Performance	4	3 Cllr Aziz Toki (Ch) Cllr Jessica Toale Cllr Paul Fisher	1 Cllr Tony Devenish
General Purposes	4	3 Cllr David Boothroyd (Ch) Cllr Aicha Less Cllr Matt Noble	1 Cllr Paul Swaddle
Pension Fund	4	3 Cllr Patricia McAllister (Ch) Cllr Ryan Jude Cllr Robert Eagleton	1 Cllr Ed Pitt-Ford
Westminster Scrutiny Commission	5	3 Cllr Patricia McAllister (Ch) Cllr Angela Piddock Cllr Jason Williams	2 Cllr Rachael Robathan Cllr Karen Scarborough
Children & Adults, Public Health & Voluntary Sector  Nb. The membership of this P&S Committee will include 4 co-opted members with voting rights on Education matters only)	7	4 Cllr Angela Piddock Cllr Ellie Ormsby Cllr Max Sullivan Cllr Iman Less	3 Cllr Tim Mitchell Cllr Karen Scarborough Cllr Selina Short

Communities, City Management & Air Quality	7	4 Cllr Jason Williams Cllr Iman Less Cllr James Small-Edwards Cllr Judith Southern	3 Cllr Mark Shearer Cllr Melvyn Caplan Cllr Laila Dupuy
Finance, Planning & Economic Development	7	4 Cllr Sara Hassan Cllr Patrick Lilley Cllr Paul Fisher Cllr Concia Albert	3 Cllr Paul Swaddle Cllr Ian Rowley Cllr Ralu Oteh-Osoka
Climate Action, Housing and Regeneration	7	4 Cllr Patricia McAllister Cllr Gillian Arrindell Cllr Cara Sanquest Cllr Robert Eagleton	3 Cllr David Harvey Cllr Elizabeth Hitchcock Cllr Alan Mendoza
Standards Committee	5	3 Cllr Patricia McAllister (Ch) Cllr Md Shamsed Chowdhury Cllr Sara Hassan	2 Cllr Louise Hyams Cllr Tim Mitchell
Licensing Committee	15	8 Cllr Aziz Toki (Ch) Cllr Maggie Carman (VCh) Cllr Liza Begum Cllr Md Shamsed Chowdhury Cllr Robert Eagleton Cllr Judith Southern Cllr Angela Piddock Cllr Iman Less	7 Cllr Jim Glen Cllr Tim Mitchell Cllr Jacqui Wilkinson Cllr Louise Hyams Cllr Melvyn Caplan Cllr Caroline Sargent Cllr Laila Dupuy
Planning and City Development	14	8 Cllr Ruth Bush (Ch) Cllr Jason Williams (VCh) Cllr Paul Fisher Cllr Nafsika Butler-Thalassis Cllr Md Shamsed Chowdhury Cllr Ryan Jude Cllr Cara Sanquest Cllr Ellie Ormsby	6 Cllr Robert Rigby Cllr Mark Shearer Cllr Jim Glen Cllr Barbara Arzymanow Cllr Ed Pitt-Ford Cllr Amanda Langford



**SUB-COMMITTEE MEMBERSHIPS RELATING TO PLANNING**

SUB-COMMITTEE	CONSTITUTION	MEMBERSHIP	
		LAB	CON
Planning (Major Applications) Sub-Committee	6	4 Cllr Ruth Bush (Ch) Cllr Jason Williams Cllr Paul Fisher Cllr Nafsika Butler-Thalassis	2 Cllr Robert Rigby Cllr Mark Shearer
Planning Applications Sub (1)  Nb. membership of individual sub-committees will vary depending on member availability. This will notified in advance of the meeting	4	3 Cllr Jason Williams (Ch) Cllr Md Shamsed Chowdhury Cllr Ellie Ormsby	1 Cllr Jim Glen
Planning Applications Sub (2)	4	3 Cllr Paul Fisher (Ch) Cllr Ryan Jude Cllr Md Shamsed Chowdhury	1 Cllr Barbara Arzymanow
Planning Applications Sub (3)	4	3 Cllr Nafsika Butler-Thalassis (Ch) Cllr Cara Sanquest Cllr Ryan Jude	1 Cllr Amanda Langford

Planning Reserves: Councillor Ed-Pitt-Ford

**SUB-COMMITTEE MEMBERSHIPS RELATING TO POLICY AND SCRUTINY**

<b>SUB-COMMITTEE</b>	<b>CONSTITUTION</b>	<b>MEMBERSHIP</b>	
		<b>LAB</b>	<b>CON</b>
Health Urgency Sub-Committee (Sub of Children & Adults, Public Health & Voluntary Sector P&S Committee)	3	2 Cllr Angela Piddock (Ch) Cllr Ellie Ormsby	1 Cllr Tim Mitchell

**SUB-COMMITTEE MEMBERSHIPS RELATING TO AUDIT AND PERFORMANCE**

<b>SUB-COMMITTEE</b>	<b>CONSTITUTION</b>	<b>MEMBERSHIP</b>	
		<b>LAB</b>	<b>CON</b>
AP Urgency	3	2 Cllr Aziz Toki (Ch) Cllr Jessica Toale	1 Cllr Tony Devenish
Appointments  Nb. This represents the core membership. Substitutions will be made based on the content of roles under consideration and availability of members	4	3 Cllr Adam Hug (Ch) Cllr Matt Noble Cllr Liza Begum	1 Cllr Rachael Robathan
Staff Appeals	3	2 Cllr Adam Hug (Ch) Cllr Robert Eagleton	1 Cllr Rachael Robathan

**SUB-COMMITTEE MEMBERSHIPS RELATING TO GENERAL PURPOSES**

<b>SUB-COMMITTEE</b>	<b>CONSTITUTION</b>	<b>MEMBERSHIP</b>	
		<b>LAB</b>	<b>CON</b>
GP Urgency	3	2 Cllr David Boothroyd (Ch) Cllr Matt Noble	1 Cllr Paul Swaddle
Education Appeals	3	2 Cllr Judith Southern (Ch) Cllr Angela Piddock	1 Cllr Karen Scarborough

**SUB-COMMITTEE MEMBERSHIPS RELATING TO LICENSING**

SUB-COMMITTEE	CONSTITUTION	MEMBERSHIP	
		LAB	CON
Licensing Urgency	3	2 Cllr Aziz Toki (Ch) Cllr Maggie Carman	1 Cllr Jim Glen

*The membership of the Licensing Sub-Committees (3 Members) are drawn from the list of Licensing Committee Members & appointed by the Director of Law in accordance with delegated authority.*

**SUB-COMMITTEE MEMBERSHIPS RELATING TO PENSIONS**

SUB-COMMITTEE	CONSTITUTION	MEMBERSHIP	
		LAB	CON
Pension Fund Urgency	3	2 Cllr Cllr Patricia McAllister (Ch) Cllr Robert Eagleton	1 Cllr Ed-Pitt-Ford

**SUB-COMMITTEE MEMBERSHIPS RELATING TO STANDARDS**

<b>SUB-COMMITTEE</b>	<b>CONSTITUTION</b>	<b>MEMBERSHIP</b>	
		<b>LAB</b>	<b>CON</b>
Standards Urgency	3	2 Cllr Patricia McAllister (Ch) Cllr Sara Hassan	1 Cllr Louise Hyams

**ADVISORY PANELS REPORTING TO THE CABINET MEMBER FOR  
FINANCE AND RESOURCES**

Proportionality Rules do not apply to these Committees and Panels

SUB-COMMITTEE	CONSTITUTION	MEMBERSHIP	
		LAB	CON
Council and Staff Joint Consultation Committee	5	4 Cllr Adam Hug (Ch) Cllr Aicha Less Cllr Matt Noble Cllr David Boothroyd	1 Cllr Rachael Robathan
Ratings Panel	4	3 Cllr Patricia McAllister (Ch) Cllr Robert Eagleton Cllr Concia Albert	1 Cllr Paul Swaddle
Discretionary Housing Payments Panel	4	3 Cllr Gillian Arrindell (Ch) Cllr Angela Piddock Cllr Maggie Carman	1 Cllr Lorraine Dean