



City of Westminster

Annual Council Report

Date:	20 May 2015
Classification:	For General Release
Title:	Constitutional Issues
Report of:	Head of Legal and Democratic Services
Wards Involved:	Not applicable
Policy Context:	Management of the Council
Financial Summary:	None
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1. Executive Summary

- 1.1 The Council is required to determine the allocation of places on standing committees to political groups in accordance with the proportionality rules (except in relation to the Licensing Committee). Members of Committees and Sub-Committees are appointed by the Head of Legal and Democratic Services in accordance with the wishes of the political groups following a notification process provided that, save in the case of the Licensing Committee, the appointments are in accordance with the proportionality rules. Those committees which will need to will meet on the rising of the Annual Council Meeting to determine the allocation of places on their Sub-Committees and as necessary appoint their Committee Chairmen. The names of the Members appointed to Committees and Sub-Committees is set out in Appendix A.
- 1.2 The Leader of the Council is responsible for the appointment of Cabinet Members and for the allocation of duties (terms of reference). The Cabinet Members as appointed by the Leader and their terms of reference are as set out, for information, in Appendix B. The list of Deputy Cabinet Members and Lead Members is also set out for information.
- 1.3 Following changes to Cabinet Member portfolios minor changes to Policy and Scrutiny Committee titles and terms of reference are proposed. These are set out in Appendix C.

2. Recommendations

- 2.1 That the Council determine the allocation of places on the following standing committees and notes the names of the Members appointed to them (including any changes), following notification by the respective Party Whips, as set out below and detailed in Appendix A.
- 2.2 That the Council confirm the proportional division of seats on the Standing Committees as shown in column 3 of Appendix B circulated separately, as set out below:

Committee	Members	Proportionality	
		Con	Labour
Audit and Performance	4	3	1
General Purposes	4	3	1
Westminster Scrutiny Commission	6	4	2
Children, Sport and Customer P&S Services	8	6	2
Adults, Health and Public Protection P&S	8	6	2
Environment P&S	8	6	2
Housing, Finance and Corporate Services P&S	8	6	2
Standards	6	4	2
Pension Fund	4	3	1
Planning (1)	4	3	1
Planning (2)	4	3	1
Planning (3)	4	3	1
Planning (4)	4	3	1
	72	53	19

- 2.3 That the names of the Members appointed to the Cabinet and their delegated powers (terms of reference) as set out in Appendix B, be noted.
- 2.4 That the minor changes reflected in the terms of reference of Policy and Scrutiny Committees (Appendix C) be approved.

3. Background

- 3.1 The Local Government and Housing Act 1989 requires local authorities, where Members are divided into political groups, to review, at least annually, the representation of the political groups on their Committees and Sub-Committees to ensure a political balance.
- 3.2 Following the City Council Elections on 22 May 2014 and the subsequent Warwick Ward by election, the Conservative and Labour Groups hold, respectively, 44 and 16 of the total of 60 Council seats. The proportion by which seats on Committees should be allocated is 73.33% Majority Group and

26.67% Minority Group. This equates with rounding on the basis of 72 committee seats, to 53 Majority Party and 19 Minority Party.

- 3.3 Membership of the Council's Standing Committees (except the Licensing Committee/Sub-Committee) and Sub-Committees is governed by Standing Order 28 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 Head of Legal and Democratic Services, who is the duly appointed proper officer for these purposes. The Head of Legal and Democratic Services has delegated power to appoint to all Standing Committees (except the Licensing Committee) and their Sub-Committees in accordance with any notification received under the Regulations.
- 3.4 Both political groups on the Council are required to notify the Head of Legal and Democratic Services of the names of the Members allocated a seat on the Standing Committees, Sub-Committees and subsidiary bodies. It is for the Council to note the Committee memberships as set out in Appendix A to this report and for the Committees in due course to note their Sub-Committee memberships. In addition, the Standing Committees will, where necessary, be asked to note the proportionality of Members on their Sub-Committees and also to elect a new Chairman where they have been nominated.
- 3.5 The names and their terms of reference as notified by the Leader of the Council are attached for the information of the Council.
- 3.6 The names and terms of reference of Cabinet Members are set out in Appendix B. As required by the Council's Constitution these are reported for information. The Council's Scheme of Delegations to Officers is as set out in the Council's Constitution and no changes are proposed.
- 3.7 As a consequence of the changes to Cabinet portfolios minor changes to the terms of reference of the Policy and Scrutiny Committees arise. These are reflected in the terms of reference of these committees (Appendix C).

4. Legal Implications

- 4.1 The Council is required to carry out a review of the representation of different political groups from time to time 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.

5. Financial Implications

- 5.1 There are no financial implications arising from this report.

**If you have any queries about this Report or wish to inspect any of the Background Papers please contact Mick Steward; Tel: 020 7641 3134
Email: msteward@westminster.gov.uk**

Background Papers: There are no further background papers

Appendices

Appendix A – List of Committee/Memberships

Appendix B – List of Cabinet Members and their Terms of Reference

Appendix C – Policy and Scrutiny Committee Terms of Reference

APPENDIX A

WESTMINSTER CITY COUNCIL

COMMITTEE MEMBERSHIPS

Committee	Constitution	Proportionality		Membership (C) Conservative (L) Labour (CH) Chairman (V.CH) Vice-Chairman (N) Nominated
		Con	Lab	
Audit and Performance	4	3	1	Jonathan Glanz (NCH) (C) David Boothroyd (L) Lindsey Hall (VCH) (C) Judith Warner (C)
General Purposes	4	3	1	Tim Mitchell (NCH) (C) David Boothroyd (L) Melvyn Caplan (C) Robert Davis (NV.CH) (C)
Pension Fund Committee	4	3	1	Suhail Rahuja (CH) (C) Antonia Cox (C) Patricia McAllister (L) Ian Rowley (C)

WESTMINSTER CITY COUNCIL

POLICY AND SCRUTINY COMMITTEE MEMBERSHIPS

Committee	Constitution	Proportionality		Membership
		Con	Lab	
				(N) Nominated (C) Conservative (L) Labour (CH) Chairman
Westminster Scrutiny Commission	6	4	2	Andrew Smith (C) Ian Adams (C) Brian Connell (C) David Harvey (C) Barrie Taylor (L) (Vacancy) (L)
Adults, Health and Public Protection	8	6	2	David Harvey(CH) (C) Barbara Arzymanow (C) Paul Church (C) Adam Hug (L) Jan Prendergast (C) Glenys Roberts (C) Ian Rowley (C) Barrie Taylor (L)
NB: The Urgency Sub-Committee membership of the Adults, Health and Public Protection P&S Committee will be determined as necessary on a proportional split of 2:1				
Environment	8	6	2	Ian Adams (CH) (C) Tom Crockett (C) Louise Hyams (C) Vincenzo Rampulla (L) Karen Scarborough (C) Cameron Thomson (C) Jacqui Wilkinson (C) Jason Williams (L)
Children, Sports & Customer Services	8	6	2	Andrew Smith (NCh) (C) Iain Bott (C) Ruth Bush (L) Melvyn Caplan (C) Peter Cuthbertson (C) Nick Evans (C) Barbara Grahame (L) Robert Rigby (C)

WESTMINSTER CITY COUNCIL

POLICY AND SCRUTINY COMMITTEE MEMBERSHIPS

Committee	Constitution	Proportionality		Membership (N) Nominated (C) Conservative (L) Labour (CH) Chairman
		Con	Lab	
Housing, Finance and Corporate Services	8	6	2	Brian Connell (NCH) (C) Antonia Cox (C) Paul Dimoldenberg (L) Peter Freeman (C) Richard Holloway (C) Guthrie McKie (L) Adnan Mohammed (C) Gotz Mohindra (C)
Standards Committee	6 Members	4	2	Ian Adams (C) David Boothroyd (L) Ruth Bush (L) Brian Connell (C) Louise Hyams (C) Judith Warner (CH) (C)
* Licensing Committee	15	11	4	Nickie Aiken (NCH) (C) Heather Acton (C) Rita Begum (L) Susie Burbridge (C) Melvyn Caplan (CH) (Sub) (C) Nick Evans (C) JP Floru (C) (Sub) (C) Peter Freeman (C) Angela Harvey (CH) (Sub) (C) Louise Hyams (C) Tim Mitchell (CH) (Sub) (C) Patricia McAllister (L) Jan Prendergast (C) Shamin Talukder (L) Aziz Toki (L)
<p>NB: The Licensing Urgency Sub-Committee membership is to be:</p> <p>Cllrs Nickie Aiken (C) (NCh) Melvyn Caplan (C) Patricia McAllister (L)</p> <p>or such other Members of the Licensing Committee appointed by the Head of Legal and Democratic Services in accordance with his delegated authority.</p>				

The membership of the Licensing Sub-Committees (3 Members) are drawn from the list of Licensing Committee Members and appointed by the Head of Legal and Democratic Services in accordance with his delegated authority.

WESTMINSTER CITY COUNCIL

COMMITTEE MEMBERSHIPS RELATING TO PLANNING

Committee	Constitution	Proportionality		Membership
		Con	Lab	
				(C) Conservative (L) Labour (CH) Chairman Nominated
Planning Applications (1)	4	3	1	Robert Davis (Ch) (C) David Boothroyd (L) Susie Burbridge (C) Tim Mitchell (C)
Planning Applications (2)	4	3	1	Peter Freeman (NCh) (C) Ruth Bush (L) Paul Church (C) Jonathan Glanz (C)
Planning Applications (3)	4	3	1	Andrew Smith (Ch) (C) Barbara Grahame (L) Louise Hyams (C) Robert Rigby (C)
Planning Applications (4)	4	3	1	Tony Devenish (Ch) (C) Melvyn Caplan (C) Angela Harvey (C) Nilavra Mukerji (L)
City Planning	5	4	1	Peter Freeman (Ch) (C) David Boothroyd (L) Tony Devenish (C) Jonathan Glanz (C) Andrew Smith (C)

WESTMINSTER CITY COUNCIL

SUB-COMMITTEE MEMBERSHIPS RELATING TO THE GENERAL PURPOSES COMMITTEE

Committee	Constitution	Proportionality		Membership
		Con	Lab	
Urgency	3	2	1	(C) Conservative (L) Labour (CH) Chairman Tim Mitchell (NCh) (C) David Boothroyd (L) Robert Davis (N.VCH) (C)
Education (Awards) Appeals	4	3	1	Danny Chalkley (C) (Ch) Brian Connell (C) Barbara Grahame (L) Suhail Rahuja (C)

WESTMINSTER CITY COUNCIL

SUB-COMMITTEE MEMBERSHIPS RELATING TO THE AUDIT & PERFORMANCE COMMITTEE

Committee	Constitution	Proportionality		Membership
		Con	Lab	
Urgency	3	2	1	(C) Conservative (L) Labour (CH) Chairman Jonathan Glanz (NCh) (C) David Boothroyd (L) Lindsey Hall (C)
Appointments	4	3	1	Philippa Roe (Ch) (C) Robert Davis (C) Paul Dimoldenberg (L) Tim Mitchell (C)
Staff Appeals	3	2	1	Angela Harvey (CH) (C) Tim Mitchell (C) Guthrie McKie (L)

WESTMINSTER CITY COUNCIL

ADVISORY PANELS REPORTING TO THE CABINET MEMBER FOR FINANCE AND RESOURCES

Committee	Constitution	Proportionality		Membership (C) Conservative (L) Labour (CH) Chairman
		Con	Lab	
Council and Staff Joint Consultation Committee *	5	4	1	Tim Mitchell (C) Heather Acton (C) Angela Harvey (C) Guthrie McKie (L) Rachael Robathan (C)
Rating Panel *	4	3	1	Jonathan Glanz (CH) (C) Tony Devenish (C) Patricia McAllister (L) Judith Warner (C)
Discretionary Housing Payments Panel *	4	3	1	Jan Prendergast (CH) (C) Barbara Arzymanow (C) Susie Burbridge (C) Ruth Bush (L) Melvyn Caplan (C) Murad Gassanly (L) Lindsey Hall (C)
				Membership drawn from this panel

* Proportionality Rules do not apply

Miscellaneous Panels:

Adoption & Fostering: Louise Hyams
 Lead Members appointed by the Leader:
 Cycling Champion: Councillor Brian Connell
 Fraud Czar: Lindsey Hall
 Edgware Road Task Group: Heather Acton

APPENDIX B**MEMBERS OF THE CABINET**

Portfolio	Name	Address for Correspondence	Ward
Leader of the Council	Councillor Philippa Roe	Westminster City Hall 64 Victoria Street London, SW1E 6QP	Knightsbridge and Belgravia
Deputy Leader and Built Environment	Councillor Robert Davis	Westminster City Hall 64 Victoria Street London, SW1E 6QP	Lancaster Gate
Finance and Corporate Services and Chief Whip	Councillor Tim Mitchell	Westminster City Hall 64 Victoria Street London, SW1E 6QP	St James's
Adults and Public Health	Councillor Rachael Robathan	Westminster City Hall 64 Victoria Street London, SW1E 6QP	Knightsbridge and Belgravia
City Management	Councillor Richard Beddoe	Westminster City Hall 64 Victoria Street London, SW1E 6QP	Bryanston and Dorset Square
Children and Young People	Councillor Danny Chalkley	Westminster City Hall 64 Victoria Street London, SW1E 6QP	Vincent Square
Housing, Regeneration, Business and Economic Development	Councillor Daniel Astaire	Westminster City Hall 64 Victoria Street London, SW1E 6QP	Regent's Park
Sports, Leisure and Customer Services	Councillor Steve Summers	Westminster City Hall 64 Victoria Street London, SW1E 6QP	Vincent Square
Public Protection	Councillor Nickie Aiken	Westminster City Hall 64 Victoria Street London, SW1E 6QP	Warwick
Sustainability and Parking	Councillor Heather Acton	Westminster City Hall 64 Victoria Street London, SW1E 6QP	Hyde Park

AREA	DEPUTY CABINET MEMBER
Built Environment	Councillor Peter Freeman
Children and Young People	Councillor Paul Church
Housing, Regeneration, Business and Economic Development	Councillor Susie Burbridge Councillor Louise Hyams
Finance and Corporate Services	Councillor J P Floru
Adults and Public Health	Councillor Iain Bott
Sports, Leisure and Customer Services	Councillor Richard Holloway
Sustainability and Parking	Councillor Robert Rigby
Public Protection	Councillor Antonia Cox

1. THE LEADER (CABINET MEMBER)

1. To provide leadership to the Cabinet.
2. To chair the Cabinet meetings, appoint/dismiss other Cabinet members and the Deputy Leader and appoint/dismiss committees of the cabinet.
3. To determine the terms of reference of the Cabinet, the Deputy Leader and other individual Cabinet Members.
4. 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.
5. 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.
6. To co-ordinate links with external bodies and agencies in which the City 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.
7. To have oversight of the Council's links with the local authority associations.
8. To have general oversight of European Union matters in so far as they affect the Council's interests.
9. To be responsible for the Council's Communications and Strategy Directorate and their overall staffing.
10. To be responsible for the Government Relations Strategy including London Government; the Communications Strategy; the overall staffing arrangements of the Communications and Strategy Directorate; and monitoring the effectiveness of the services provided by the Directorate including Members Services.
11. To refer matters for consideration by the Cabinet in accordance with paragraph 2(1)(e) of the Terms of Reference of the Cabinet.
12. To appoint and determine the membership and terms of reference of any non-decision making Cabinet Working Parties.
13. To appoint and determine the terms of reference of any non-decision making Lead Members.

14. 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.
15. Partnerships not included in the Terms of Reference of any other Cabinet Member.

DEPUTY LEADER (CABINET MEMBER)

- (1) To exercise the functions of the Leader in the absence or unavailability of the Leader.

CIVIC MATTERS

- (2) Implementation and monitoring in respect of civic, ceremonial and Lord Mayoral matters.

CABINET MEMBER FOR FINANCE AND CORPORATE SERVICES

1. **STRATEGIC FINANCE**

To have responsibility for Strategic Finance including Westminster Community Homes and all other strategic matters where these, in the opinion of the Cabinet Member for Finance and Corporate Services have significant implications across portfolios.

2. **GENERAL**

The determination of general policy, planning and overall strategy for:

- (a) Information, information systems, information technology, and telecommunications
- (b) Corporate personnel management matters, including in particular:
 - grievance, grading and disciplinary appeals;
 - training and education;
 - health, safety and welfare;
 - staff consultative and industrial relations arrangements;
 - recruitment and selection;
 - superannuation, pensions, compensations and gratuities.
- (c) Staffing and service issues within the Legal and Democratic Service areas.
- (d) Staffing and service issues within the Member Services Support Unit.
- (e) Any other corporate service not within the terms of reference of any other Cabinet Member.

3. **FINANCE**

- (a) Within the approved budget framework, the determination of general policy and overall strategy for the Council's financial practices and procedures;
- (b) To monitor regularly all capital expenditure against the approved programme and estimates including changes which can be contained within the overall programme;
- (c) To monitor regularly all expenditure out of revenue against the approved annual estimates;

- (d) Within the approved budget framework to determine any re-allocation of funds between Services during the financial year;
- (e) To give directions 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 including any instances where the Cabinet Member for Finance and Corporate Services is minded to defer or refuse a proposal which shall be referred to the Cabinet for a decision.

4. OTHER MATTERS

- (a) Revenue Collection;
- (b) Borrowing, lending and investments;
- (c) Internal audit, economy in expenditure and value for money in the provision and management of the Council's administration and services;
- (d) To authorise expenditure within approved capital budgets on matters within the terms of reference of the Cabinet Member for Finance and Corporate Services;
- (e) Supplies and central purchasing, including printing, stationery and office equipment;
- (f) Provision of the Council's vehicle fleet;
- (g) Endorsement of any staffing proposals involving redundancy/"early retirement" payments referred to another Cabinet Member for decision
- (h) Benefits and benefits policy
- (i) To be responsible for the City Council's policy in respect of business rates.

5. CORPORATE PROPERTY POLICY, PLANNING AND STRATEGY

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.

- (a) To be responsible for all property assets of the Council except those allocated to other Cabinet Members;

- (b) To determine the future of property identified by other Cabinet Members as surplus to their requirements;
- (c) To settle any disagreement in relation to proposals by service departments for repairs, alterations or improvements and the acquisition of new premises by construction, purchase or leasing.

6. WESTCO

- (a) To have responsibility for matters relating to Westco which require an executive decision of the Council.

7. LOCAL GOVERNMENT TRANSFORMATION

- (a) Reviewing, as required, the need for effective local government to provide strong and effective links between the public, Members and the Council.
- (b) Evaluating the impact of Government proposals insofar as they affect the effectiveness of local services.
- (c) Managing the internal transformation of the Council including Tri-borough and the central commissioning model structure.

8. ETHICAL STANDARDS

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

9. STAFFING MATTERS

Staffing matters in respect of the functions falling within these terms of reference.

10. PROCUREMENT AND CONTRACT MANAGEMENT

- 1. To control and determine the policies and procedures, including the Procurement Code relating to contracts entered into by the City Council.
- 2. To control and determine the policies relating to market testing; competitive tendering; business units; to manage the strategic implementation of a Best Value framework across the City Council and to determine the City Council's policy in relation to externalisation.
- 3. To maintain an overview of overall contract performance on behalf of the City Council.

4. 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.
5. To award contracts which have been referred to the Cabinet Member for Finance and Corporate Services on the basis that there are corporate or major implications which need to be considered.
6. 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.
7. To award all contracts exceeding £1,500,000 and consultants agreements exceeding £300,000 within the terms of reference of the Cabinet Member and contracts of lesser values where referred to the Cabinet Member by the relevant Chief Officer.
8. 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.
9. 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).
10. To approve extensions of contracts or contract overspends where the total contract value is more than £1.5 million and the extension or overspend would account for an additional cost of 10 per cent or more of the contract value.
11. To approve claims in excess of £150,000 from contractors for contracts within the Cabinet Member's terms of reference.
12. 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.
13. To consider such other contractual matters as may be required by the Procurement Code.
14. To consider settlement of disputes which exceed £150,000.
15. To receive a briefing note advising of a contract award by a Strategic

Director or Senior Leadership Team Member where the contract is more than £500,000 in value (£50,000 for consultancies) for contracts within the Cabinet Member's terms of reference.

11. FINANCIAL MATTERS

To approve capital expenditure in accordance with the Financial Regulations on schemes within the Cabinet Member for Finance and Corporate Services and terms of reference which form part of the approved capital programme.

12. ETHICAL STANDARDS

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

13. CONSULTATION

To consult with the 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.

CABINET MEMBER FOR THE BUILT ENVIRONMENT

1. **PLANNING FUNCTIONS**

To have responsibility for the Council's executive functions under the Planning Acts following consultation as considered appropriate by the Cabinet Member for Built Environment with the Chairman of the Planning Applications Committees or the relevant Policy and Scrutiny Committee; and Place Shaping.

2. **BUILDING CONTROL/STREET NAMING**

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

3. **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.

4. **MAJOR PROJECTS**

To be responsible for and have oversight of major infrastructure projects in partnership, as required with the Cabinet Member for City Management, including City for All projects which fall within these Terms of Reference.

5. **GRANTS**

To have responsibility for decisions on grants related to Planning matters.

PUBLIC REALM SCHEMES

6. To be responsible for all executive functions relating to the Public Realm Capital Works Programme relating to these terms of reference, including Street Improvements and street furniture which have little or no impact of traffic.

7. **SPECIAL EVENTS**

To have responsibility for the Council's special events strategy and delivery including West End Live.

8. PUBLIC ART

Public art projects and matters following consultation as considered appropriate by the Cabinet Member for Built Environment with the Chairman of the Planning Applications Committees or the Environment Policy and Scrutiny Committee.

9. LOCAL DEVELOPMENT FRAMEWORK

To make further decisions and undertake further action to progress Westminster's local plan, supplementary planning documents and all other documentation which forms part of the Local Development Framework as required under the Town and Country Planning Act 1990 (as amended) and the Planning and Compulsory Purchase Act 2004 (as amended).

10. ENVIRONMENTAL ISSUES

- (a) To be responsible for the City Council's functions in relation to Water Management.
- (b) To be responsible for functions relating to trees and tree policy, in particular:
 - i. The planting and maintenance of trees, shrubs and grass margins in or adjacent to streets and trees located in open spaces
 - ii. Dangerous excavations and trees on private land

11. COMPULSORY PURCHASE ORDERS

To be responsible for all strategic decisions relating to issuing of Compulsory Purchase Orders (CPOs), except in matters relating to Housing and the Housing Renewal Strategy (which will be the responsibility of the Cabinet Member for Business, Skills and Housing).

12. STAFFING MATTERS

- (a) Staffing matters in respect of those matters within these terms of reference.
- (b) Subject also to the endorsement of the Cabinet Member for Finance and Corporate Services where proposals involve redundancy/"early retirement" payments.

13. PROPERTY MANAGEMENT

Policy matters in relation to all property assets of the Council allocated for use for operational and service purposes in relation to the portfolio except:

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

14. FINANCIAL MATTERS

To approve capital expenditure in accordance with the Financial Regulations on schemes within the Cabinet Member for Built Environment terms of reference which form part of the approved capital programme.

15. CONTRACTS

Subject to the policies and procedures approved by the Cabinet Member for Finance and Corporate Services:

1. 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.
2. To award all contracts exceeding £1,500,000 and consultants agreements exceeding £300,000 within the terms of reference of the Cabinet Member and contracts of lesser values where referred to the Cabinet Member by the relevant Chief Officer, with the exception of contracts which have been referred to the Cabinet Member for Finance and Corporate Services on the basis that there are corporate or major implications which need to be considered.
3. 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.
4. 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).
5. To approve extensions of contracts or contract overspends where the total contract value is more than £1.5 million and the extension or overspend would account for an additional cost of 10 per cent or more of the contract value.

6. To approve claims in excess of £150,000 from contractors for contracts within the Cabinet Member's terms of reference.
7. 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).
8. To consider such other contractual matters as may be required by the Procurement Code.
9. To consider settlement of disputes which exceed £150,000.
10. To receive a briefing note advising of a contract award by an Executive Director or Senior Leadership Team Member where the contract is more than £500,000 in value (£50,000 for consultancies) for contracts within the Cabinet Member's terms of reference.

16. NEIGHBOURHOOD PLANNING

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

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

17. COMMUNITY INFRASTRUCTURE LEVY

To have responsibility for any matters relating to the administration of the Community Infrastructure Levy as a collecting authority on behalf of the Mayor of London, and development and implementation of a Westminster Community Infrastructure Levy as a charge setting authority, within the meaning of the Localism Act 2011. This includes administering the distribution of appropriate funds to parish councils/neighbourhood forums.

18. ETHICAL STANDARDS

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

CABINET MEMBER FOR HOUSING, REGENERATION, BUSINESS AND ECONOMIC DEVELOPMENT

1. GENERAL

To keep informed about and maintain a general oversight of major matters impacting on the enterprise of the City and its businesses including City for All projects which fall within these Terms of Reference.

2. BUSINESS

(c) To oversee the City Council's strategy for supporting businesses, including Small to Medium sized Enterprises, new start ups, business improvement districts (including exercising the Council's vote) and other business and enterprise development programmes.

To oversee the City Council's strategy for markets, civic streets and street trading.

3. ENTERPRISE

(a) To oversee the City Council's strategy for economic development in relation to promoting employment and enterprise and growth, including the Cross River Partnership.

(b) To oversee tourism development and West End promotion and Area Action Plans.

4. AREA ACTION PLANS

To oversee the Council's Area's Action Plans.

5. SKILLS AND EMPLOYMENT

To oversee the City Council's strategy for combating worklessness and removing barriers to employment.

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

As required by the Education Acts to have responsibility for the provision of lifelong learning services including the following:-

(a) To provide for the area of the City adequate facilities for further and adult education and in this context to be responsible for the Council's decisions relating to WAES.

- (b) To make awards to pupils and students and to provide financial assistance and clothing to pupils to enable them to take advantage of educational facilities;
- (c) All matters relating to Post Compulsory Education awards and awards for further and higher education; and
- (d) To fix charges for services provided by the Council in discharging the responsibilities.

(6) HOUSING (GENERAL)

- (a) Provision by the Council of new housing within the City by way of new construction and conversion of existing buildings, (including actions undertaken in accordance with the Housing Renewal Strategy, Community Build programme, and actions undertaken by the Westminster Community Homes charitable organisation);
- (e) The Council's Regeneration Programme;
- (f) Sale of Social housing;
- (g) 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;
- (h) Housing Advisory Service;
- (i) Acquisition of properties by Compulsory Purchase for housing purposes;
- (j) Accommodation for homeless facilities, including hostels and associated rough sleeping.

(7) SOCIAL HOUSING MANAGEMENT MATTERS

- (a) Management and maintenance of the Council's housing stock (including properties managed by the Westminster Community Homes Charity and Arms Length Management Organisation including any changes to current agreements with such bodies);
- (b) Energy conservation;
- (c) Rents of social housing dwellings (including charges for services) and housing benefits;
- (d) Allocation, transfer, exchange and inheritance of accommodation;

- (e) Provision of social and community facilities on housing estates;
- (f) Liaison with lessees' and tenants' associations;
- (g) Residential environmental health.

8. CONTRACTS

Subject to the approved policies and procedures:

1. 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.
2. To award all contracts exceeding £1,500,000 and consultants agreements exceeding £300,000 within the terms of reference of the Cabinet Member and contracts of lesser values where referred to the Cabinet Member by the relevant Chief Officer, with the exception of contracts which have been referred to the Cabinet Member for Finance and Corporate Services on the basis that there are corporate or major implications which need to be considered.
3. 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.
4. 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).
5. To approve extensions of contracts or contract overspends where the total contract value is more than £1.5 million and the extension or overspend would account for an additional cost of 10 per cent or more of the contract value.
6. To approve claims in excess of £150,000 from contractors for contracts within the Cabinet Member's terms of reference.
7. 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).

8. To consider such other contractual matters as may be required by the Procurement Code.
9. To consider settlement of disputes which exceed £150,000.
10. To receive a briefing note advising of a contract award by a Executive Director or Corporate Leadership Team Member where the contract is more than £500,000 in value (£50,000 for consultancies) for contracts within the Cabinet Member's terms of reference.

9. FINANCIAL MATTERS

To approve capital expenditure in accordance with the Financial Regulations on schemes within these terms of reference which form part of the approved capital programme.

10. STAFFING MATTERS

- (a) Staffing matters in respect of matters within these Terms of Reference.
- (b) Subject also to the endorsement of the Cabinet Member for Finance and Corporate Services where proposals involve redundancy/”early retirement” payments.

11. ETHICAL STANDARDS

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

CABINET MEMBER FOR CHILDREN AND YOUNG PEOPLE

1. **CHILDREN'S SERVICES**

To be the Cabinet Member with political responsibility for Children's Services as designated under Section 19 (1) of the Children's Act 2004, including:

- (a) Social Services functions within the meaning of the Local Authorities Social Services Act 1970 in so far as they relate to children and the Council's Functions for children and young people leaving care.
- (b) Education functions in the Council's capacity as a Local Education Authority except those relating to higher and further education.
- (c) Health related functions exercised on behalf of an NHS body under Section 31 of the Health Act 1999 in so far as they relate to children.
- (d) Inter-agency co-operation functions as set out in the Children Act 2004.
- (e) To provide a Youth Service including the maintenance and provision of Youth Centres and training or educational courses for young people and the work of the Youth Offending Team including Serious Youth Violence.
- (f) Links with Tri-borough partners for the delivery of the service.
- (g) Better City, Better Lives projects which fall within these Terms of Reference.

To be responsible for the Council's Multi-Agency Protection Arrangements.

To work closely with the Cabinet Member for Business with respect to training and apprenticeships for young people, and the Cabinet Member for Adults and Public Health with respect to young carers.

The Cabinet Member must have direct responsibility and provide a clear line of accountability for local authority education and children's social services. They are also responsible for leading and facilitating the cooperation arrangements set out in section 10 that underpin Children's Trusts and also any section 75 arrangements relating to children's health. As a whole, these arrangements are the key to uniting partners and integrating services with the aim of achieving the best possible outcomes for all children within the local area.

To be responsible for the Council's Policy in respect of 14-19 year olds.

To be responsible for the Council's Play Services, advice information and guidance in relation to parenting and child poverty.
School travel plans.

2. FAMILY POLICY

To lead the Council's Family Recovery project and the co-ordination of relevant Cabinet Member departments to develop and implement the strategy.

3. PROPERTY MANAGEMENT

Policy matters in relation to all property assets of the Council allocated for use by the Children's Services Department for operational and service purposes within the scope of the Cabinet Member for Children and Young People except:

- (a) Those properties managed corporately; and
- (b) Those properties also used by another Council Department where the Children's Services Department is the minor user.

4. STAFFING MATTERS

- (a) Staffing matters in respect of the Children's Services Department which fall within the scope of these Terms of Reference.
- (b) Subject also to the endorsement of the Cabinet Member for Finance, Corporate Services where proposals involve redundancy/"early retirement" payments.

5. GRANTS

Decisions in relation to grants which fall within the scope of the Cabinet Member for Children and Young People.

6. CONTRACTS

Subject to the policies and procedures approved by the Cabinet Member for Finance and Corporate Services:

- 1. 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.
- 2. To award all contracts exceeding £1,500,000 and consultants agreements exceeding £300,000 within the terms of reference of the Cabinet Member and contracts of lesser values where referred to the Cabinet Member by the relevant Chief Officer, with the exception of contracts which have been referred to the Cabinet Member for Finance and Corporate Services

and on the basis that there are corporate or major implications which need to be considered.

3. 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.
4. 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).
5. To approve extensions of contracts or contract overspends where the total contract value is more than £1.5 million and the extension or overspend would account for an additional cost of 10 per cent or more of the contract value.
6. To approve claims in excess of £150,000 from contractors for contracts within the Cabinet Member's terms of reference.
7. 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).
8. To consider such other contractual matters as may be required by the Procurement Code.
9. To consider settlement of disputes which exceed £150,000.
10. To receive a briefing note advising of a contract award by a Executive Director or Corporate Leadership Team Member where the contract is more than £500,000 in value (£50,000 for consultancies) for contracts within the Cabinet Member's terms of reference.

7. FINANCIAL MATTERS

To approve capital expenditure in accordance with the Financial Regulations on schemes within these terms of reference which form part of the approved capital programme.

8. ETHICAL STANDARDS

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

9. 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.

CABINET MEMBER FOR CITY MANAGEMENT

1. **GENERAL**

To be responsible for the City Council's city management functions, including transportation commissioning, the transportation works budget, highway maintenance, Waste Management and Public Conveniences.

2. **WASTE MANAGEMENT**

To be responsible for the Council's waste management services, including domestic and commercial recycling, street cleaning, and the collection of bulky waste.

3. **CITY MANAGEMENT SERVICES**

To take responsibility for the Council's work in delivering a clean, safe and welcoming street environment through the exercise of the following functions:

- Street based enforcement in relation to waste, utilities works and other matters falling within the City Management portfolio but excluding those public protection and licensing functions which are within the remit of the Cabinet Member for Public Protection.
- Planned roads and highway maintenance including bridges and other structures.

4. **TRANSPORT**

Lead on transport strategy and the management of major transport policies, including:

- Major transport policies, including 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;
- Public Transport functions;
- Other matters included in the Road Traffic Acts not specifically related to parking.

5. UTILITIES

To be responsible for the Council's utilities provider service.

6. PROPERTY MANAGEMENT

Policy matters in relation to all property assets of the Council allocated for use for operational and service purposes in relation to these terms of reference except:

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

7. STAFFING MATTERS

- (a) Staffing matters in respect of the services included within these terms of reference, including the Public Realm Programme Management and Highways Infrastructure teams, and also the Road Management team, all within the Executive Directorate of City Management & Communities.
- (b) Subject also to the endorsement of the Cabinet Member for Finance and Corporate Services where proposals involve redundancy/"early retirement" payments.

8. PROJECTS

To take responsibility for City for All commitments which fall within these terms of reference.

9. CONTRACTS

Subject to the policies and procedures approved by the Cabinet Member for Finance and Corporate Services:

- 1. 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 Strategic Director, there are significant changes to these since the last contract award.
- 2. To award all contracts exceeding £1,500,000 and consultants agreements exceeding £300,000 within the terms of reference of the Cabinet Member and contracts of lesser values where referred to the Cabinet Member by the relevant Chief Officer, with the exception of contracts which have been

referred to the Cabinet Member for Finance and Corporate Services on the basis that there are corporate implications which need to be considered.

3. 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.
4. 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).
5. To approve extensions of contracts or contract overspends where the total contract value is more than £1.5 million or where the extension would account for an additional cost of 10 per cent or more of the contract value.
6. To approve claims in excess of £150,000 from contractors for contracts within the Cabinet Member's terms of reference.
7. To make decisions on requests for waiver of the Procurement and Contracts 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).
8. To consider such other contractual matters as may be required by the Procurement and Contracts Code.
9. To consider settlement of disputes which exceed £150,000.
10. To receive a briefing note advising of a contract award by a Chief Officer or Corporate Leadership team member where the contract is more than £500,000 in value (£50,000 for consultancies) for contracts within the Cabinet Member's terms of reference.

10. FINANCIAL MATTERS

To approve capital expenditure in accordance with the Financial Regulations on schemes within these terms of reference which form part of the approved capital programme.

11. ETHICAL STANDARDS

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

12. CONSULTATION

To consult with the Cabinet Member for Built Environment on major matters affecting this portfolio, as appropriate, to enable him to maintain a general oversight across portfolios as described in his terms of reference.

CABINET MEMBER FOR PUBLIC PROTECTION

1. COMMUNITY SAFETY

To oversee the City Council's strategy in relation to reducing crime and disorder and statutory duties including:-

- (a) The "Your Choice" Programme.
- (b) Crime and Disorder Reduction Strategy.
- (c) To represent the Council on the Safer Westminster Partnership.
- (d) All Police relationships including Safer Neighbourhoods Teams and consultative forums.
- (e) Domestic abuse, including the MARAC process.
- (f) Enforcement activities in relation to antisocial behaviour, nuisance and other beaches of relevant legislation falling within the Terms of Reference of the Cabinet Member

2. LICENSING

To be responsible for the City Council's Licensing policy and functions including Licensing Enforcement and, in particular, all matters in connection with the Licensing Act 2003 and the Gambling Act 2005, in consultation with the Chairman of the Licensing Committee.

3. ENVIRONMENTAL HEALTH

To be responsible for the City Council's Trading Standards, Noise and Environmental Services Team, including Pest Control and Commercial and Private Residential and Environmental Health policy, functions and enforcement.

4. ROUGH SLEEPING

To be responsible for the Council's activities associated with rough sleeping associated with foreign nationals.

5. EMERGENCY PLANNING

To be responsible for Emergency Planning including relationship with the Local Fire Authority including 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).

6. CCTV

To act as lead member for the policy and management of CCTV across Westminster, including parking CCTV in consultation with the Cabinet Member with responsibility for Business.

7. STAFFING MATTERS

- (a) Staffing matters in respect which fall within the scope of these Terms of Reference, including all staff working within the Public Protection & Licensing Directorate save for the Road Management Team.
- (b) Subject also to the endorsement of the Cabinet Member for Finance and Corporate Services where proposals involve redundancy/”early retirement” payments.

8. CONTRACTS

Subject to the policies and procedures approved by the Cabinet Member for Finance and Corporate Services.

- 1. 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.
- 2. To award all contracts exceeding £1,500,000 and consultants agreements exceeding £300,000 within the terms of reference of the Cabinet Member and contracts of lesser values where referred to the Cabinet Member by the relevant Chief Officer, with the exception of contracts which have been referred to the Cabinet Member for Finance and Corporate Services on the basis that there are corporate implications which need to be considered.
- 3. 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.
- 4. 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).

5. To approve extensions of contracts or contract overspends where the total contract value is more than £1.5 million or where the extension or overspend would account for an additional cost of 10 per cent or more of the contract value.
6. To approve claims in excess of £150,000 from contractors for contracts within the Cabinet Member's terms of reference.
8. 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).
8. To consider such other contractual matters as may be required by the Procurement and Contracts Code.
9. To consider settlement of disputes which exceed £150,000.
10. To receive a briefing note advising of a contract award by an Executive Director or Corporate Leadership team member where the contract is more than £500,000 in value (£50,000 for consultancies) for contracts within the Cabinet Member's terms of reference.

9. ETHICAL STANDARDS

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

10. 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.

CABINET MEMBER FOR ADULTS AND PUBLIC HEALTH

1. ADULT SOCIAL SERVICES AND HEALTH

Social Services functions within the meaning of the Local Authorities Social Services Act 1970 and any other enactment in so far as they relate to Adults, including care and support for:

- (a) Older people, through residential care homes, nursing homes, home carers, meals on wheels, day centres, lunch clubs.
- (b) Adults with physical disabilities or learning disabilities.
- (c) Adults with mental health problems, ranging from support for those with mild mental illness, up to exercising legal powers for compulsory admission to psychiatric hospitals of potentially dangerous people.
- (d) Adults with drug or alcohol abuse problems, and ex-offenders who need help with re-settlement.
- (e) Asylum seekers.
- (f) The provision of care services to adults and ensuring adequate standards and safeguards for users.
- (g) Carers, including young carers.
- (h) Health related functions exercised on behalf of an NHS body under Section 31 of the Health Act 1999 in so far as they relate to Adults.
- (i) Leading the Council's relationships with local health services.
- (j) Links with Tri-borough partners for the delivery of the service.
- (k) City for All projects which fall within these Terms of Reference.

2. PROPERTY MANAGEMENT

Policy matters in relation to all property assets of the Council allocated for use for operational and service purposes in relation to Adult Services except:

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

3. NHS

To be responsible for the Council's relations with the NHS and clinical commissioning groups.

4. PUBLIC HEALTH

To be responsible for the Council's Public Health Service and to act as Chairman of the Health and Wellbeing Board.

5. STAFFING MATTERS

(c) Staffing matters in respect of Adults and Public Health Services.

(d) Subject also to the endorsement of the Cabinet Member for Finance, Corporate and Customer Services where proposals involve redundancy/"early retirement" payments.

6. CONTRACTS

Subject to the policies and procedures approved by the Cabinet Member for Finance and Corporate Services:

1. 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.
2. To award all contracts exceeding £1,500,000 and consultants agreements exceeding £300,000 within the terms of reference of the Cabinet Member and contracts of lesser values where referred to the Cabinet Member by the relevant Chief Officer, with the exception of contracts which have been referred to the Cabinet Member for Finance and Corporate Services on the basis that there are corporate implications which need to be considered.
3. 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.
4. 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).

5. To approve extensions of contracts or contract overspends where the total contract value is more than £1.5 million and the extension or overspend would account for an additional cost of 10 per cent or more of the contract value.
6. To approve claims in excess of £150,000 from contractors for contracts within the Cabinet Member's terms of reference.
7. 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).
8. To consider such other contractual matters as may be required by the Procurement Code.
9. To consider settlement of disputes which exceed £150,000.
10. To receive a briefing note advising of a contract award by an Executive Director or Corporate Leadership Team Member where the contract is more than £500,000 in value (£50,000 for consultancies) for contracts within the Cabinet Member's terms of reference.

8. FINANCIAL MATTERS

To approve capital expenditure in accordance with the Financial Regulations on schemes within these terms of reference which form part of the approved capital programme.

9. ETHICAL STANDARDS

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

CABINET MEMBER FOR SPORTS, LEISURE AND CUSTOMER SERVICES

1. SPORTS AND LEISURE

- (a) The planning, provision, management and maintenance of indoor leisure facilities , swimming pools, sports centres, Sayers Croft Field Centre, the Westminster Sports Unit (including sports development, PE and school sport) and also including sports provision and associated contracts within the Paddington Recreation Ground.
- (b) To be responsible for environment functions relating to Paddington Recreation Ground and Westminster Academy Sports Centre.
- (c) The encouragement of the provision of all leisure facilities and activities.
- (d) The fixing of charges for services and facilities provided by or on behalf of the Council in respect of leisure functions.
- (e) To be responsible for overseeing the Council's work in delivering the Olympics legacy.

2. PARKS AND OPEN SPACES

To take responsibility for public parks and open spaces, including hanging baskets, managed by Westminster, including Parks, Cemeteries and Mortuaries.

3. VOLUNTEERING AND ADVICE STRATEGY

To be responsible for the City Council's volunteering and community strategy.

4. LIBRARY AND REGISTRATION SERVICES

To have responsibility for the provision of library services including the following functions:

- (a) The discharge of the City Council's functions under the Public Libraries and Museums Act 1964, the Public Records Act 1958, the Local Government (Records) Act 1962, the Local Government Act 1972 and any enactment amending or replacing the same and the Parochial Registers and Records Measure 1978;
- (b) The fixing of charges for services and facilities provided by or on behalf of the Council in respect of its library functions; and
- (c) Preparation of the Annual Libraries and Archives Business Plan.

To have responsibility for all matters relating to the Council's Registration Service.

5. PROJECTS

To have responsibility for City for All projects which fall within these Terms of Reference.

6. ARTS

All matters in relation to Arts including:-

- (a) Administering the funds made available by the Council for assistance to organisations involved with the provision and promotion of the arts; and
- (b) Exercising the management functions of the Council in relation to arts and cultural facilities;
- (c) All matters in relation to the Arts and Culture strategy including approval of the strategy;

7. NEIGHBOURHOODS AND CIVIC ENGAGEMENT

- (a) To lead and develop the Council's approach to Neighbourhoods Strategy including Civic Engagement and to be responsible for the development of such proposals and the subsequent implementation of the agreed strategy.
- (b) To be responsible for determining ward budget spending proposals developed by Ward Members under the terms outlined in the Council's Neighbourhoods Programme.
- (c) To be responsible for the coordination and development of Area Forums or similar engagement events.
- (d) To be responsible for the Council's advice services.
- (e) To be responsible for the Community Rights programme set out in the Localism Act, once established.
- (f) To be responsible for matters relating to the Queen's Park Community Council.

8. CUSTOMER SERVICES

- (a) To consider and decide on issues relating to the development of customer service initiatives across the Council, the customer service centre project, the Council's website, City Save and the operational use of Council buildings where they serve the public directly.
- (b) Co-ordination of the Council's consultation process undertaken by departments as part of their statutory responsibilities.

- (c) The corporate complaints policy and monitoring of complaints.
- (d) To consider and decide on the Council's approach and response to Freedom of Information legislation.
- (e) To ensure that a "Westminster Standard" of customer service is defined and implemented across the Council.

9. CONTRACTS

Subject to the policies and procedures approved by the Cabinet Member for Finance and Corporate Services:

1. 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.
2. To award all contracts exceeding £1,500,000 and consultants agreements exceeding £300,000 within the terms of reference of the Cabinet Member and contracts of lesser values where referred to the Cabinet Member by the relevant Chief Officer, with the exception of contracts which have been referred to the Cabinet Member for Finance and Corporate Services on the basis that there are corporate or major implications which need to be considered.
3. 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.
4. 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).
5. To approve extensions of contracts or contract overspends where the total contract value is more than £1.5 million and the extension or overspend would account for an additional cost of 10 per cent or more of the contract value.
6. To approve claims in excess of £150,000 from contractors for contracts within the Cabinet Member's terms of reference.
7. 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).

8. To consider such other contractual matters as may be required by the Procurement Code.
9. To consider settlement of disputes which exceed £150,000.
10. To receive a briefing note advising of a contract award by an Executive Director or Corporate Leadership Team Member where the contract is more than £500,000 in value (£50,000 for consultancies) for contracts within the Cabinet Member's terms of reference.

10. STAFFING MATTERS

- (a) Staffing matters in respect of matters which fall within the scope of these Terms of Reference.
- (b) Subject also to the endorsement of the Cabinet Member for Finance and Corporate Services where proposals involve redundancy/"early retirement" payments.

11. FINANCIAL MATTERS

To approve capital expenditure in accordance with the Financial Regulations on schemes within the terms of reference for the Cabinet Member which form part of the approved capital programme.

12. ETHICAL STANDARDS

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

13. 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.

CABINET MEMBER FOR SUSTAINABILITY AND PARKING

1. BIO-DIVERSITY

To be responsible for the City Council's functions in relation to bio-diversity.

2. ENVIRONMENTAL MATTERS

To be responsible for the implementation of the Council's Go Green policies and Air Pollution and Air Quality.

3. PARKING ENFORCEMENT AND PARKING POLICY

To be responsible for the Council's Parking Policy, Parking Service, Parking Enforcement and safe streets.

4. SUSTAINABILITY

To co-ordinate the Council's role and response to cross-cutting sustainability issues such as reducing carbon emissions, projections of a changing climate locally, improving resource efficiency and developing sustainable energy. This shall include responsibility for cycling and walking strategies and policy.

5. ROAD SAFETY

To be responsible for Road Safety functions.

6. CONTRACTS

Subject to the approved policies and procedures:

1. 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.
2. To award all contracts exceeding £1,500,000 and consultants agreements exceeding £300,000 within the terms of reference of the Cabinet Member and contracts of lesser values where referred to the Cabinet Member by the relevant Chief Officer, with the exception of contracts which have been referred to the Cabinet Member for Finance and Corporate Services on the basis that there are corporate or major implications which need to be considered.
3. 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.

4. 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).
5. To approve extensions of contracts or contract overspends where the total contract value is more than £1.5 million and the extension or overspend would account for an additional cost of 10 per cent or more of the contract value.
6. To approve claims in excess of £150,000 from contractors for contracts within the Cabinet Member's terms of reference.
7. 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).
8. To consider such other contractual matters as may be required by the Procurement Code.
9. To consider settlement of disputes which exceed £150,000.
10. To receive a briefing note advising of a contract award by an Executive Director or Corporate Leadership Team Member where the contract is more than £500,000 in value (£50,000 for consultancies) for contracts within the Cabinet Member's terms of reference.

7. FINANCIAL MATTERS

To approve capital expenditure in accordance with the Financial Regulations on schemes within these terms of reference which form part of the approved capital programme.

8. STAFFING MATTERS

- (a) Staffing matters in respect of matters within these Terms of Reference, including for the avoidance of doubt, staff employed for the purpose of school crossing patrols.
- (b) Subject also to the endorsement of the Cabinet Member for Finance and Corporate Services where proposals involve redundancy/"early retirement" payments.

9. ETHICAL STANDARDS

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

WESTMINSTER SCRUTINY COMMISSION

CONSTITUTION

6 Members of the Council (4 nominated by the Majority Party and 2 by the Minority Party), but shall not include a member of the Cabinet.

TERMS OF REFERENCE

- (a) To carry out those duties assigned to the Westminster Scrutiny Commission as set out in the Constitution.
- (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 paragraph 13 (a) of the Policy and Scrutiny procedure rules.
- (c) To be responsible for the management and co-ordination of the Policy and Scrutiny function.
- (d) 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.
- (e) To scrutinise the work of the Leader of the Council including twice yearly at a public Question and Answer session.
- (f) To approve the Annual Report of Policy and Scrutiny activity, as required under the Constitution.

ADULTS, HEALTH AND PUBLIC PROTECTION POLICY AND SCRUTINY COMMITTEE

CONSTITUTION

8 Members of the Council (6 Majority Party Members and 2 Minority Party Member), 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 Article 6 of the Constitution in respect of matters relating to all those duties within the terms of reference of the Cabinet Member for Adults and Public Health and the Cabinet Member for Public Protection.
- (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 paragraph 13 (a) of the Policy and Scrutiny procedure rules.
- (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 Tri-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.

CHILDREN, SPORT AND CUSTOMER SERVICES POLICY AND SCRUTINY COMMITTEE

CONSTITUTION

8 Members of the Council (6 Majority Party Members and 2 Minority Party Members, but shall not include a Member of the Cabinet.

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 Article 6 of the Constitution, in respect of matters relating to all those duties within the terms of reference of the Cabinet Member for Children and Young People and the Cabinet Member for Sport, Leisure and Customer Services.
- (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 paragraph 13 (a) of the Policy and Scrutiny procedure rules.
- (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 Tri-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.

ENVIRONMENT POLICY AND SCRUTINY COMMITTEE

CONSTITUTION

8 Members of the Council (6 Majority Party Members and 2 Minority Party Members).

TERMS OF REFERENCE

- (a) To carry out the Policy and Scrutiny functions, as set out in Article 6 of the Constitution in respect of matters relating to all those duties within the terms of reference of the Cabinet Members for Built Environment, City Management, Sustainability and Parking.
- (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 paragraph 13 (a) of the Policy and Scrutiny procedure rules.
- (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 Tri-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.

HOUSING, FINANCE AND CORPORATE SERVICES POLICY AND SCRUTINY COMMITTEE

CONSTITUTION

8 Members of the Council (6 Majority Party Members and 2 Minority Party Members), 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 Article 6 of the Constitution in respect of matters relating to all those duties within the terms of reference of the Cabinet Members for Housing, Regeneration, Business and Economic Development and Finance and Corporate Services.
- (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 paragraph 13 (a) of the Policy and Scrutiny procedure rules.
- (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 Tri-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.