

Cabinet Committee Report (Community Infrastructure Levy)

| | |
|---------------------------|---|
| Decision Maker: | Cabinet Community Infrastructure Levy (CIL) Committee |
| Date: | 25 th July 2018 |
| Classification: | For General Release |
| Title: | Westminster Community Infrastructure Levy (CIL) and Pooled Section 106 Funding – Project Allocations (Q1) |
| Wards Affected: | All |
| Financial Summary: | <p>This report seeks to allocate funding of £4.952m of CIL to infrastructure projects to support growth in Westminster following receipt of monies from development. CIL governance and spending procedures continue to be developed and implemented through the use of existing resources.</p> <p>Also, approval of £0.200m for one project to be funded from Section 106.</p> |
| Report of: | Director of Policy, Performance and Communications |

1. Executive Summary

- 1.1 Westminster's Community Infrastructure Levy (CIL) is a charge applied to development to help fund strategic and neighbourhood infrastructure that is required to support the development of Westminster. Westminster's CIL was formally introduced on 1st May 2016 and since then a total of £17.563m has been received to 31st March 2018.
- 1.2 The majority of this funding has been received since April 2017 and as the funds have built up, the availability of CIL has encouraged proposals to be put forward to deliver projects that, as well as dealing with demands placed on infrastructure to support new development, can also deliver wider benefits to the local community. The committee has previously agreed funding allocations of £8.962m for infrastructure projects.

- 1.3 The purpose of this report is for the Cabinet CIL Committee to consider and approve the next round of funding allocations from the Strategic CIL expenditure. For the avoidance of doubt none of these recommendations relate to the neighbourhood portion of CIL income. As section 8 of this report explains, this will be dealt with separately.

2. Recommendations

- 2.1 The Cabinet CIL Committee is asked to:

1. Approve the expenditure of £4.952m from Westminster's City CIL Strategic Portion as set out in Section 5.2 of this report. This includes the allocation of funding for the following projects set out in Appendix B.
 - (i) Bouchier Street Public Realm (Appendix B, Project 1)
 - (ii) Drainage Further Works Programme (Appendix B, Project 2)
 - (iii) Electric Vehicle Charging Infrastructure (Appendix B, Project 3)
 - (iv) CCTV and Lining Programme (Appendix B, Project 4)
 - (v) Hyde Park Ward Pedestrian Improvements (Appendix B, Project 5)
 - (vi) Neat Streets 2 (Appendix B, Project 6)
 - (vii) Riding House Street (Appendix B, Project 7)
 - (viii) Strand and Piccadilly Road – SCADA (Appendix B, Project 8)
 - (ix) Shaftesbury Avenue Carriageway Resurfacing (Appendix B, Project 9)
 - (x) Smart Lighting and Asset Condition Indices (Appendix B, Project 10)
 - (xi) St. George's Drive/ Warwick Way Junction (Appendix B, Project 11)
 - (xii) Parks and Gardens Lighting Upgrade (Appendix B, Project 12)
 - (xiii) Vehicle Activated Signs (VAS) (Appendix B, Project 13)
 - (xiv) Victoria Embankment (Lion Heads Moorings) (Appendix B, Project 14)
 - (xv) Paddington Recreation Ground (Appendix B, Project 15)
 - (xvi) ARK Atwood School Roof Garden (Appendix B, Project 16)
 - (xvii) Marylebone Low Emission Neighbourhood (LEN) (Appendix B, Project 17)
 - (xviii) Oxford Street Catenary Infrastructure (Appendix B, Project 18)
 - (xix) St. Vincent's Catholic Primary School (Appendix B, Project 19)
2. Approve the expenditure of £0.200m from Section 106 funds held for the purposes of the Paddington Social and Community Fund Account (PS&CFA) as set out in Section 6.2 of this report. This includes the allocation of funding for the following projects set out in Appendix B:
 - (i) Tollgate Gardens Community Centre (Appendix B, Project 20)
3. Consider the update on Councillor proposed priority projects, as set out in Section 7 of this report and Appendix C, and note progress.

4. Note the neighbourhood portion of CIL received to date as set out in Section 8 of this report and Appendix D.
5. Consider the governance proposals for the neighbourhood portion of CIL as set out in Section 8 of this report and Appendix E.

3. Reasons for Decision

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

4. Background

- 4.1 The Community Infrastructure Levy (CIL) is a charge that local authorities can impose on new development to help raise funds to deliver infrastructure that is required to support the development and growth of their area. Westminster's CIL came in to force on the 1st May 2016 and applies to liable developments that were granted planning permission on or after this date. CIL is payable when works to implement the development commence. As of the 31st March 2018 the council had received a total of £17.563m of Westminster CIL.
- 4.2 On the 20th February 2017 Cabinet approved the governance arrangements for administering the Westminster Community Infrastructure Levy (CIL) and some of the remaining 'pooled' resources secured through section 106 (s106) agreements, including the establishment of this committee.
- 4.3 The Cabinet CIL Committee held its inaugural meeting on the 2nd November 2017. The committee approved the CIL Policy Spending Statement and considered projects that were put forward for funding from the strategic CIL 'City Portion' and s106 resources.
- 4.4 To date the committee has agreed to allocate £8.962m of CIL funding to projects, as detailed in the council's decision statements of 3rd November 2017 and 28th March 2018, and summarised in Appendix A.
- 4.5 It will be recalled that the CIL Regulations require apportionment of CIL receipts between:
 - the City CIL Strategic Portion (70-80%) – spent by the Council according to its strategic infrastructure priorities;
 - a Neighbourhood Portion (currently 15%) of receipts from development in each neighbourhood – spent by the Council in agreement with the neighbourhood communities concerned (other than in Queen's Park, where the portion is paid to, and spent by, the Community Council);
 - a CIL Administrative Portion (5%) – spent by the Council on the administrative costs of CIL collection and administration.

- 4.6 The purpose of this report is therefore for the committee to consider and approve further allocations of funding for projects from the City CIL Strategic Portion and s106 resources. The committee will also be updated on the status of those projects submitted by Councillors for the previous round of CIL funding, and will be presented with a new list of Councillor projects that will be investigated for potential CIL funding by officers in due course.
- 4.7 This report does not deal with allocation of the Neighbourhood Portion. Section 8 sets out the approach being taken to administering the Neighbourhood Portion.

5. Proposals for funding from Westminster CIL – the City CIL Strategic Portion

5.1 Overview of Westminster CIL receipts

- 5.1.1 The following summary provides a breakdown of Westminster CIL receipts for the City CIL strategic portion and the neighbourhood portion for each financial year from 1st May 2016 to 31st March 2018:

| Period | City CIL Strategic Portion | Neighbourhood Portion |
|-------------------------|----------------------------|-----------------------|
| 01/05/2016 - 31/03/2017 | £2.060m | £0.376m |
| 01/04/2017 – 31/03/2018 | £12.340m | £1.909m |
| Total | £14.401m | £2.284m |

- 5.1.2 Between 1st May 2016 and 31st March 2018, liability notices for a potential value of £87.288m have been issued. These notices are raised following the grant of planning permission and set out what the liable charge would be should work on the development start. The realisation of these monies is therefore totally dependent on a developer implementing their planning permission. In Westminster it is common to have multiple planning permissions on a site or for a permission not to be implemented. This figure, while informative, should not therefore be treated as guaranteed future income.
- 5.1.3 The committee agreed to allocate funding of £4.742m to projects at the meeting of 2nd November 2017, and a further allocation of £4.220m at the meeting of 26th March 2018. Following these allocations, the remaining balance of CIL monies received to 31st March 2018 meant that funding of £5.439m was available for allocation to projects in this quarter, as outlined in Appendix A. The remaining balance from the total receipts outlined above will be allocated in future funding rounds, including any further CIL monies received.
- 5.1.4 Cabinet has agreed the indicative “funding pots” for the City CIL Strategic funding to be allocated against different infrastructure types shown in the table below. Against each is included the respective funding allocations from the available City CIL Strategic funding for this quarter, totalling £5.439m.

| Infrastructure Type | Indicative percentage allocation of Westminster's CIL - the 'City CIL Strategic Portion' | Available Funding |
|--------------------------------|--|-------------------|
| Public realm / Transport | 50% | £2.201m |
| Health / Community Services | 10% | £0.478m |
| Education | 5% | £0.220m |
| Parks / Sport and Leisure | 5% | £0.414m |
| Utilities / Waste | 10% | £1.245m |
| Other Priorities / Contingency | 20% | £0.879m |
| Total | - | £5.439m |

5.1.5 It is worth noting that Cabinet acknowledged that the above “pot” allocations are indicative, and that the council reserves its right to depart from them if that proves necessary (because there is a major project requiring funding in a particular year, for example). These are broad allocations and in practice there are likely to be overlaps between them.

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

5.2.1 As agreed by Cabinet, a senior officer working group (chaired by the Director of Policy, Performance and Communications and comprising representatives across council departments) has worked to bring forward project recommendations from across all service areas. A full list of the project bids is included at Appendix A with information on how they meet the eligibility criteria set out in the CIL Policy Spending Statement agreed at the previous committee in November 2017. In summary the total funding from the City CIL Strategic Portion is illustrated below against each infrastructure type.

| Infrastructure Type | Indicative Allocated Funding from the City CIL Strategic Portion | Value of Bids | Balance |
|-------------------------------|--|---------------|-----------|
| Public Realm/ Transport | £2.201m | £2.200m | (£0.011m) |
| Health and Community Services | £0.478m | £0.462m | (£0.016m) |
| Education | £0.220m | £0.038m | (£0.182m) |
| Parks/ Sport and Leisure | £0.414m | £0.285m | (£0.129m) |
| Utilities/ Waste | £1.245m | £1.103m | (£0.143m) |
| Other Priorities/ Contingency | £0.879m | £0.825m | (£0.004m) |

| Infrastructure Type | Indicative Allocated Funding from the City CIL Strategic Portion | Value of Bids | Balance |
|---------------------|--|---------------|-----------|
| Total | £5.439m | £4.952m | (£0.487m) |

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

5.2.3 It is recommended that the Health and Community Services portion (10%) and the Parks/ Sport and Leisure portion (5%) are supplemented by the Other Priorities/ Contingencies portion (20%) to allow the Paddington Recreation Ground funding allocation. Similarly, it is recommended that Public Realm/ Transport portion (50%) and the Health and Community Services portion (10%) are supplemented by the Other Priorities/ Contingencies portion (20%) to allow the Marylebone LEN funding allocation. Further detail is provided below.

5.3 Commentary on Proposals for CIL Funding

5.3.1 *Bourchier Street Public Realm.* Bourchier Street has deteriorated over time due to anti-social behaviour and increased crime and requires a fundamental review to ensure public safety. The overall highway infrastructure is in a poor condition, with drainage a particular issue. The focus of the improvements is to take a holistic approach to the overall streetscape and bring all highway infrastructure assets up to acceptable standards (carriageway; footways; lighting; drainage, etc.). A CIL contribution of £0.250m is sought from the Public Realm/ Transport portion (£0.100m) and the Utilities/ Waste portion (£0.150m) to enable these works to proceed.

5.3.2 *Drainage Further Works Programme.* The City Council faces enormous challenges in improving and maintaining drainage infrastructure across the City. This programme mainly covers work to reconstruct gullies because either they are damaged and in need of repair or the pipe connections between a gully and the main sewer has collapsed and needs replacing. This allocation would clear the current backlog of gullies and also attend to any further works raised from further attendance by our crews via the routine programme and reactive visits. A CIL contribution of £0.125m is sought from the Utilities/ Waste portion to enable these works. This allocation has been proposed following the repurposing of Utilities/ Waste monies from the deferred Hanover Square Public Realm project (see Cabinet CIL Committee decision of 28th March 2018), as briefed to Councillor Chalkley on 18th April 2018.

5.3.3 *Electric Vehicle Charging Infrastructure.* Funding is sought to support the implementation of Electric Vehicle (EV) charging infrastructure via trials of retractable charging units, communications/ engagement works and project

resource to support accelerated delivery of charging units in line with the EV Strategy and the Clean Air Manifesto. The long-term costs of the maintenance, electrical testing and upkeep of the charging units would be covered by the income gained from the concession contracts or concessionaire responsibilities. A CIL contribution of £0.125m is sought from the Utilities/ Waste portion to enable these works. This allocation has been proposed following the repurposing of Utilities/ Waste monies from the deferred Hanover Square Public Realm project (see Cabinet CIL Committee decision of 28th March 2018), as briefed to Councillor Chalkley on 18th April 2018.

- 5.3.4 *CCTV and Lining Programme.* The City Council has very little knowledge of the lateral pipe connections between the gullies and the main sewer connection. A programme of CCTV surveys will address that issue and allow decision on a programme of lateral pipe improvements in the future. When the CCTV survey identifies a problem with the lateral pipework, a repair can often be made using a re-lining method, which do not require excavation of the carriageway. A CIL contribution of £0.210m is sought from the Utilities/ Waste portion to support this programme. This allocation has been proposed following the repurposing of Utilities/ Waste monies from the deferred Hanover Square Public Realm project (see Cabinet CIL Committee decision of 28th March 2018), as briefed to Councillor Chalkley on 18th April 2018.
- 5.3.5 *Hyde Park Ward Pedestrian Improvements.* The neighbourhood areas of Hyde Park Square and Hyde Park Crescent have seen increased vehicular traffic in recent years. At some junctions there is a lack of suitable crossing facilities, compounded by evidence of poor vehicle manoeuvres, including cutting corners, failure to give way etc. This project will introduce improved pedestrian crossing facilities, designed to provide better and safer crossing facilities for pedestrians and vulnerable road users, to improve motorists' lane discipline, to stop the cutting of junctions, and traffic calming on approaches to junctions. A CIL contribution of £0.378m is sought from the Public Realm/ Transport portion to enable these works.
- 5.3.6 *Neat Streets 2.* Neat Streets originated from the Action Plan in Westminster's Walking Strategy. The project aims to: reduce street furniture, where possible, to declutter streets; improve walking by reducing street furniture to create wider footways; reduce highway maintenance work; improve the look, feel, and possibly safety of streets; and, to create a more accessible street environment. Neat Streets 2 aims to survey and then declutter streets and address any simple accessibility problems outside the West End, which was covered by Neat Streets 1. A CIL contribution of £0.150m from the Utilities/ Waste portion is sought to enable these works. This allocation has been proposed following the repurposing of Utilities/ Waste monies from the deferred Hanover Square Public Realm project (see Cabinet CIL Committee decision of 28th March 2018), as briefed to Councillor Chalkley on 18th April 2018.

- 5.3.7 *Riding House Street.* The Riding House Street project incorporates improvements to the pedestrian environment and road safety through: removal of vehicular traffic from a section of Riding House Street and creation of a pedestrian zone outside All Souls Primary School; improving air quality in the vicinity of the school, including provision of street trees; providing a safe environment for parents to pick-up and drop-off their children; and, improving the visual appeal, amenity, accessibility and functionality of the area. A CIL contribution of £0.412m from the Public Realm/ Transport portion (£0.350m) and the Health and Community Services portion (£0.062m) to enable these works.
- 5.3.8 *Strand and Piccadilly Road – SCADA.* Supervisory Control And Data Acquisition (SCADA) is a computer system that monitors and controls the various tunnel control systems (lighting, ventilation, pollution monitoring, pumps, etc.) operating in the Strand and Piccadilly Road underpasses. Whilst this system is in situ, it is not operating to its full potential at present. This project will enable the SCADA system to improve the current tunnel operations through obtaining regular diagnostic reports, which allows problems to be detected early and before they potentially develop into more serious (and costly) problems. For this functionality to work as desired, there will be a need to install cabling and ducting for power and communication supplies. A CIL contribution of £0.066m is sought from the Utilities/ Waste portion to enable these works. This allocation has been proposed following the repurposing of Utilities/ Waste monies from the deferred Hanover Square Public Realm project (see Cabinet CIL Committee decision of 28th March 2018), as briefed to Councillor Chalkley on 18th April 2018.
- 5.3.9 *Shaftesbury Avenue Carriageway Resurfacing.* The existing carriageway surface is in a very poor condition with significant defects resulting in extensive revenue repairs undertaken over time and this approach does not represent value for money in the long term. Revenue costs increase over time and non-repairs lead to increased accident claims and costs. The existing carriageway surface has reached the end of its useful life and therefore a carriageway resurfacing improvement scheme would improve the asset condition and its structural integrity as this measure would directly improve road safety, environmental and traffic movements, including cyclist safety. A CIL contribution of £0.262m is sought from the Public Realm/ Transport portion to enable these works.
- 5.3.10 *Smart Lighting and Asset Condition Indices.* The Council is currently replacing 3% of its lighting stock on an annual basis. Additional funding would accelerate the replacement of lamps to LED and support the trial of new LED technology, which will improve lighting efficiency and help reduce the maintenance requirements within the deployment area. The scheme would also support the Clean Air agenda by providing operational energy reduction from direct energy reduction by the LED; and lighting unit and maintenance activity reduction through a reduced maintenance requirement. A CIL contribution of £0.200m is sought from the Utilities/ Waste portion to enable these works. This allocation has been proposed following the repurposing of Utilities/ Waste monies from the deferred

Hanover Square Public Realm project (see Cabinet CIL Committee decision of 28th March 2018), as briefed to Councillor Chalkley on 18th April 2018.

- 5.3.11 *St. George's Drive/ Warwick Way Junction*. The St. George's Drive/ Warwick Way junction is currently under signalised traffic control for vehicles but does not have pedestrian 'Greenman' facilities. This scheme seeks to add 'Greenman' pushbutton crossings on all four arms. In addition to improved pedestrian facilities, the revised signals modelling will have a positive impact on road safety with reduction in accidents. Works would also seek to reduce clutter and rationalise the streetscape, making the location a more aesthetically appealing and enjoyable road space for all road users. A CIL contribution of £0.400m is sought from the Public Realm/ Transport portion to enable these works.
- 5.3.12 *Parks and Gardens Lighting Upgrade*. This project seeks to upgrade lighting asset in public parks and gardens across the city to ensure they are in line with modern standards, safe and operate efficiently. The project will improve the lighting efficiency and help reduce the maintenance requirements for lighting assets in parks and gardens. A CIL contribution of £0.020m from the Utilities/ Waste portion is sought to enable these works. This allocation has been proposed following the repurposing of Utilities/ Waste monies from the deferred Hanover Square Public Realm project (see Cabinet CIL Committee decision of 28th March 2018), as briefed to Councillor Chalkley on 18th April 2018.
- 5.3.13 *Vehicle Activated Signs (VAS)*. This project will procure and install 50 Vehicle Activated Signs (VAS) for use at various locations throughout Westminster. These signs are mounted on existing lamp columns and flash the prescribed speed limit (20mph or 30mph) if the approaching vehicle is travelling faster than a set limit. These signs also record all approaching vehicle speeds, which can be accessed remotely for analysis. This will improve road safety, particularly at those locations frequented by more vulnerable road users. The scheme also offers flexibility to relocate to other locations of concern through the timely transfer of onsite data. Should a site indicate low vehicle speeds it can then be relocated to another location determined by residents, members and officers. A CIL contribution of £0.250m is sought to enable these works. It is proposed that this project is funded through a combination of the Public Realm/ Transport portion (£0.150m) and the Health and Community Services portion (£0.100m), due to its health and community outcomes in terms of improving road safety, preventing accidents and protecting vulnerable road users.
- 5.3.14 *Victoria Embankment (Lion Heads Moorings)*. The bronze lion heads holding mooring rings are integral to the Grade II listed River Wall along the Victoria Embankment. There are 46 lion heads on the Westminster section of the Victoria Embankment river wall. From regular inspections, it is known that 4 of the lion heads are missing having presumably become detached resulting from wear and tear combined with wave action from tidal flows and river craft. The vast majority of the other lion heads are known to be in poor condition and some are showing signs of detaching themselves from the

river wall and need to be repaired and re-fixed before they are also lost and have to be replaced. A CIL contribution of £0.400m from the Public Realm/ Transport portion (£0.350m) and the Other Priorities/ Contingencies portion (£0.050m) is sought to enable these works, given the need to act quickly to preserve the original historic fabric as far as possible.

- 5.3.15 *Paddington Recreation Ground*. This project contains three distinct elements, which are: the refurbishment of the 'environmental area', which provides an outdoor classroom, open to the public outside of school term time; the refurbishment of the playground area with a unique design reflecting the existing topography and tree lines; and, the provision of a new community hall facility, for use by local groups, clubs and amenity societies. A CIL contribution of £1.060m is sought to complement committed capital funding. It is proposed that the Health and Community Services portion (£0.200m), the Parks/ Sport and Leisure portion (£0.285m), and the Other Priorities/ Contingencies portion (£0.575m) are used to fund this project, given its status within the Council's Capital Programme.
- 5.3.16 *ARK Atwood School Roof Garden*. This project seeks to install a roof garden at the ARK Atwood School, as part of a wider programme involving the creation of seven new horticulture hubs, bringing people together in schools and community spaces to grow their own food. Community gardening and education will be offered at eleven additional sites, demonstrating the clear link between nature and a healthy life as part of a programme to tackle the high levels of childhood obesity in the city. A range of sources have been used by the school to obtain funding for this project, and a CIL contribution would represent match funding to be used for the construction phase. A CIL contribution of £0.038m is sought from the Education portion to enable the delivery of this project.
- 5.3.17 *Marylebone Low Emission Neighbourhood (LEN)*. This project comprises various public realm interventions in order to reduce traffic dominance, introduce and encourage greening, and improving the pedestrian environment to improve air quality, safety, connectivity and accessibility. Five locations have been shortlisted for the introduction of improved pedestrian crossing facilities, upgraded footways and road markings, and the introduction or enhancement of green infrastructure, including street trees. CIL funding will be key to delivering the full scale and range of interventions proposed, and will serve to leverage funding from the Mayor's Air Quality Fund (MAQF) to deliver the project. The project must commence by March 2019 in order to access MAQF funding. A CIL contribution of £0.500m is sought from the Public Realm/ Transport portion (£0.150m), the Health and Community Services portion (£0.100m) and the Other Contingencies/ Priorities portion (£0.250m) to enable the delivery of this project.
- 5.3.18 *Oxford Street Catenary Infrastructure*. This project seeks to upgrade the catenary infrastructure on Oxford Street used to provide Christmas and other seasonal illuminations. This will help to bolster the retail trading environment and complement the council's place-shaping ambitions for Oxford Street. Specifically, funding is sought to upgrade the existing electrical infrastructure

in order to improve and future-proof its design. The eyebolt fixtures that attach the lights to buildings along Oxford Street also require testing and upgrading where necessary in order to be fit for purpose. The New West End Company will deliver the project and has secured funding of £0.565m from their own budget and through sponsorship. A CIL contribution of £0.042m is sought from the Public Realm/ Transport portion (£0.010m) and the Utilities/ Waste portion (£0.032m) in order to fully deliver this project.

5.3.19 *St. Vincent's Catholic Primary School.* This project will install a glass walkway, new fencing and gates at the school, leaving space for the installation of scooter storage facilities. It was originally proposed by Councillor Scarborough in November 2017 and has now been fully costed. A CIL contribution of £0.040m is sought from the Public Realm/ Transport portion to enable these works.

6. Proposals for Funding from Pooled Section 106 Funds

6.1 Overview of Section 106 Pooled Funds

6.1.1 A further project was submitted for this round of funding. Following a meeting of the senior officer group, it was agreed that this project could be funded through the use of section 106 (s106) funds, rather than via CIL.

6.1.2 It is beneficial to utilise s106 monies where possible, as they are tied to specific planning permissions and are often explicit and/or time limited in terms of their use. Furthermore, there are legal restrictions limiting the pooling of separate s106 monies from different planning permissions. For each allocation of funding using s106, officers must therefore ensure that the terms of the individual s106 agreement from which the funds have been received are complied with. In this respect the application of s106 funding is much less flexible than CIL.

6.2 Section 106 Paddington Social and Community Fund Account (PS&CFA)

6.2.1 S106 monies totalling £0.200m are held in relation to the Paddington Social and Community Fund Account (PS&CFA). The PS&CFA is a s106 fund which comprises contributions from the major development sites within the Paddington Opportunity Area (POA). The money from the PS&CFA has been used for multiple social and community projects which aim to mitigate the impacts of the developments within the area or for projects which aim to integrate the developments into the local community. As with all s106 funding it is linked to planning obligations which restrict how the monies can be spent. This includes a restriction on the area of Westminster that should benefit from the funding.

6.2.2 The current balance of the PS&CFA is £0.200m. The proposed allocation set out below would utilise the full available balance of the account. The value of the PS&CFA is fund is not likely to increase further as with the introduction of CIL the council is limited in its ability to negotiate funding of this sort through s106.

6.2.3 *Tollgate Gardens Community Centre (2nd allocation)*. This project comprises a newly built community centre that is being delivered as part of the renewal of Tollgate Gardens. The wider scheme provides new social, intermediate and private homes and there is a net gain in the number of social homes being provided on site. This project was allocated s106 funding of £0.200m in November 2017. It now requires a second allocation of funding of £0.200m, following revised cost estimates for the fit-out of the centre. This additional allocation will ensure delivery of the project and will include the installation of semi-sprung flooring, ventilation systems, sound dampening wall finishes, and new windows to accommodate installation of internal walls for workspaces and meeting rooms.

7. Update on Proposals for Funding - Councillor Priorities

7.1 Westminster Councillors were previously invited to put forward projects to the committee that could potentially benefit from CIL or s106 funding. The report of the 26th March 2018 set out a full list of the projects that Westminster Councillors put forward for funding for both rounds. Included in Appendix B to this report is a table setting out progress on these identified projects, including decisions on eligibility for CIL. The table is split into delivered projects, pending projects and ineligible projects. Each includes commentary on the required next steps where eligible projects can be brought forward for delivery. Where projects have been deemed ineligible for CIL funding, it may be that projects can be delivered through other funding sources rather than CIL. The committee are asked to note the progress of these projects.

8. Westminster's CIL - the neighbourhood portion

8.1 Cabinet agreed that the Senior Officer Working Group should oversee the engagement and allocation processes for the Neighbourhood CIL and make recommendations to the Cabinet CIL Committee about the allocation of Neighbourhood CIL.

8.2 There are 21 neighbourhood areas designated throughout Westminster and a small area that does not yet have a designated neighbourhood area. A full list of the ring fenced neighbourhood portion of CIL is included at Appendix D and is broken down by neighbourhood area. As set out in legislation this is set at 15% of CIL receipts in a neighbourhood area capped at £100 per council tax paying dwelling, per annum. The total monies assigned to the neighbourhood portion of CIL is £2.284m to 31st March 2018.

8.3 Proposed governance arrangements for the neighbourhood portion of Westminster's CIL

8.3.1 Now that sufficient monies have accrued in the neighbourhood portion of CIL, it is appropriate for the council to engage with neighbourhood areas and local communities in order to consider proposals for allocation of these funds. A summary of the proposed process for allocation of neighbourhood CIL monies is set out below and in Appendix E.

- 8.3.2 The CIL regulations require that the neighbourhood portion of CIL is used to support the development of the neighbourhood area, or any part of that area, by funding:
- i. the provision, improvement, replacement, operation or maintenance of infrastructure; or
 - ii. anything else that is concerned with addressing the demands that development places on an area.
- 8.3.3 Furthermore, the Cabinet CIL Committee previously agreed a CIL Spending Policy Statement in November 2017. This statement set out the criteria for allocation of both strategic and neighbourhood CIL. It is recommended that the criteria for neighbourhood CIL in this statement are incorporated into the process for determining neighbourhood CIL allocations, in line with the process for allocations from the strategic CIL portion.
- 8.3.4 It is proposed that officers will contact the neighbourhood forums and Ward Councillors and invite proposals for consideration. The forums will be advised of the amount available for their area and the spending criteria as per the CIL Spending Policy Statement. Proposals will be submitted to officers on a simple standardised application form.
- 8.3.5 Where there is no designated neighbourhood forum, the various amenity societies in the area will be contacted, and advised that proposals will be required to be drawn up in consultation with Ward Councillors and any relevant Business Improvement District (BID) operating in the area.
- 8.3.6 Once received, funding proposals will be evaluated by the relevant service area of the council against the criteria in the CIL Spending Policy Statement and assessed for feasibility in terms of delivery. Officers will then report their findings to the Senior Officer Working Group, which will then make recommendations to the Cabinet CIL Committee. Once the committee has made a decision, the various forums and community groups will then be informed as to the success of their proposals, and will be advised of deadlines for the next funding round.
- 8.3.7 The committee is asked to approve the proposed governance arrangements for the neighbourhood portion of Westminster's CIL as set out in Appendix E.

9. Financial Implications

- 9.1 CIL is intended to support the strategic infrastructure that is required to support the development of the local area and there is greater flexibility in how it might be applied than there is with s106 funding. Decisions about CIL are transparent and linked with the council's strategic priorities including those on the Council's Capital Programme.

- 9.2 The council is in receipt of £17.563m from CIL since it was launched in May 2016 of which, £14.401m is allocated to City CIL Strategic Portion, £2.284m to Neighbourhood Portion and £0.878m to offset the cost of CIL administration.
- 9.3 From the City CIL Strategic Portion, £4.952m is requested for approval in this report. If approved, then the total allocation of CIL monies to projects will be £13.914m.

10. Legal Implications

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

11. Equalities

- 11.1 Under the Equalities Act 2010 the council has a “public sector equality duty”. This means that in taking decisions and carrying out its functions it must have due regard to the need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the 2010 Act; to advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and those who do not share it; and to foster good relations between persons who share a relevant protected characteristic and those who do not share it.
- 11.2 The council is also required to have due regard to the need to take steps to take account of disabled persons’ disabilities even where that involves more favourable treatment; to promote more positive attitudes toward disabled persons; and to encourage participation by disabled persons in public life.

- 11.3 The 2010 Act states that “having due regard” to the need to promote equality of opportunity involves in particular having regard to: the need to remove or minimise disadvantages suffered by persons sharing a protected characteristic; take steps to meet the needs of persons sharing a protected characteristic that are connected with it; take steps to meet the needs of persons who share a protected characteristic that are different from those who do not; and encourage persons with a protected characteristic to participate in public life or any other activity in which participation by such persons is disproportionately low.
- 11.4 The courts have held that “due regard” in this context requires an analysis of the issue under consideration with the specific requirements set out above in mind. It does not require that considerations raised in the analysis should be decisive; it is for the decision-maker to decide what weight should be given to the equalities implications of the decision.
- 11.5 All decisions on spending CIL will themselves be subject to assessment to ensure the 2010 Act duties are complied with. The council will review its CIL charging schedule on a biennial basis.

Appendices

Appendix A CIL Balance and Allocations, 31st March 2018

Appendix B Projects put forward for funding from Westminster's Community Infrastructure Levy (CIL) 'City Portion' and Section 106 (s106) Pooled Funds

Appendix C Update on previous project proposals by Westminster Councillors

Appendix D The neighbourhood CIL portion, 31st March 2018

Appendix E Proposed governance arrangements for the 'neighbourhood portion' of Westminster CIL

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

Michael Clarkson, Principal Policy Officer,

Tel: 020 7461 4690

Email: mclarkson@westminster.gov.uk

BACKGROUND PAPERS

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

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

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

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

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

Appendix A: CIL Balance and Allocations, 31st March 2018Total CIL Collected to 31st March 2018: **£17,562,998.43**Total Strategic CIL: **£14,400,524.41**

| Infrastructure Type | Total Collected | Allocations Nov 17 | Allocations Mar 18 | Remaining Balance for Allocation |
|-----------------------------------|------------------------|---------------------------|---------------------------|---|
| Public Realm/ Transport (50%) | £7,200,262.21 | £3,056,894.82 | £1,941,941.78 | £2,201,425.61 |
| Health & Community Services (10%) | £1,440,052.44 | £142,000.00 | £820,000.00 | £478,052.44 |
| Education (5%) | £720,026.22 | £0.00 | £500,000.00 | £220,026.22 |
| Parks/ Open Space (5%) | £720,026.22 | £305,689.48 | £0.00 | £414,336.74 |
| Utilities/ Waste (10%) | £1,440,052.44 | £14,657.76 | £180,000.00 | £1,245,394.68 |
| Other (20%) | £2,880,104.88 | £1,222,757.94 | £778,058.22 | £879,288.72 |
| TOTAL | £14,400,524.41 | £4,742,000.00 | £4,220,000.00 | £5,438,524.41 |

Appendix B: Projects put forward for funding from Westminster’s Community Infrastructure Levy (CIL) ‘City Portion’ and Section 106 (s106) Pooled Funds

CIL

| Project Name | Project Description | Governance Group Sponsor | Public Realm/ Transport CIL (50%) | Health & Community Services CIL (10%) | Education CIL (5%) | Parks/ Open Space CIL (5%) | Utilities/ Waste CIL (10%) | Other CIL (20%) | Total CIL Allocation Proposed |
|---|--|--|--|--|---------------------------|-----------------------------------|-----------------------------------|------------------------|--------------------------------------|
| - | - | - | £2,201,425.61 | £478,052.44 | £220,026.22 | £414,336.74 | £1,245,394.68 | £879,288.72 | - |
| Bourchier Street Public Realm | Holistic project considering overall streetscape and bringing highway infrastructure assets up to acceptable standards (carriageway; footways; lighting; drainage, etc.). | City Management & Communities (Kevin Goad) | £100,000.00 | | | | £150,000.00 | | £250,000.00 |
| Drainage Further Works Programme | This programme covers work to reconstruct gullies that are either damaged and in need of repair, or the pipe connections between a gully and the main sewer has collapsed and needs replacing. | City Management & Communities (Kevin Goad) | | | | | £125,000.00 | | £125,000.00 |
| Electric Vehicle Charging | This project supports the | City Management | | | | | £150,000.00 | | £150,000.00 |

| Project Name | Project Description | Governance Group Sponsor | Public Realm/ Transport CIL (50%) | Health & Community Services CIL (10%) | Education CIL (5%) | Parks/ Open Space CIL (5%) | Utilities/ Waste CIL (10%) | Other CIL (20%) | Total CIL Allocation Proposed |
|----------------------------------|---|--|-----------------------------------|---------------------------------------|--------------------|----------------------------|----------------------------|-----------------|-------------------------------|
| - | - | - | £2,201,425.61 | £478,052.44 | £220,026.22 | £414,336.74 | £1,245,394.68 | £879,288.72 | - |
| Infrastructure | implementation of Electric Vehicle (EV) charging infrastructure via trials of retractable charging units, communications/ engagement works and project resource to support accelerated delivery of charging units in line with the EV Strategy and the Clean Air Manifesto. | & Communities (Kevin Goad) | | | | | | | |
| CCTV and Lining Programme | CCTV surveying of the lateral pipe connections between gullies and the main sewer connection. This will allow for decisions on a programme of lateral pipe improvements in the future, enabling future | City Management & Communities (Kevin Goad) | | | | | £210,000.00 | | £210,000.00 |

| Project Name | Project Description | Governance Group Sponsor | Public Realm/ Transport CIL (50%) | Health & Community Services CIL (10%) | Education CIL (5%) | Parks/ Open Space CIL (5%) | Utilities/ Waste CIL (10%) | Other CIL (20%) | Total CIL Allocation Proposed |
|---|--|--|-----------------------------------|---------------------------------------|--------------------|----------------------------|----------------------------|-----------------|-------------------------------|
| - | - | - | £2,201,425.61 | £478,052.44 | £220,026.22 | £414,336.74 | £1,245,394.68 | £879,288.72 | - |
| | cost savings. | | | | | | | | |
| Hyde Park Ward Pedestrian Improvements | This project will introduce improved pedestrian crossing facilities at junctions in the Hyde Park Square and Hyde Park Crescent neighbourhoods, designed to provide better and safer crossing facilities for pedestrians and vulnerable road users, to improve motorists' lane discipline, to stop the cutting of junctions, and traffic calming on approaches to junctions. | City Management & Communities (Kevin Goad) | £378,000.00 | | | | | | £378,000.00 |
| Neat Streets 2 | The project aims to: reduce street furniture, where possible, to declutter | City Management & Communities (Kevin | | | | | £150,000.00 | | £150,000.00 |

| Project Name | Project Description | Governance Group Sponsor | Public Realm/ Transport CIL (50%) | Health & Community Services CIL (10%) | Education CIL (5%) | Parks/ Open Space CIL (5%) | Utilities/ Waste CIL (10%) | Other CIL (20%) | Total CIL Allocation Proposed |
|----------------------------|---|--|-----------------------------------|---------------------------------------|--------------------|----------------------------|----------------------------|-----------------|-------------------------------|
| - | - | - | £2,201,425.61 | £478,052.44 | £220,026.22 | £414,336.74 | £1,245,394.68 | £879,288.72 | - |
| | streets; improve walking by reducing street furniture to create wider footways; reduce highway maintenance work; improve the look, feel, and possibly safety of streets; and, to create a more accessible street environment across the city. | Goad) | | | | | | | |
| Riding House Street | This project incorporates improvements to the pedestrian environment and road safety through: removal of vehicular traffic from a section of Riding House Street and creation of a pedestrian zone outside All Souls Primary School; improving air quality in the | City Management & Communities (Kevin Goad) | £350,000.00 | £61,589.00 | | | | | £411,589.00 |

| Project Name | Project Description | Governance Group Sponsor | Public Realm/ Transport CIL (50%) | Health & Community Services CIL (10%) | Education CIL (5%) | Parks/ Open Space CIL (5%) | Utilities/ Waste CIL (10%) | Other CIL (20%) | Total CIL Allocation Proposed |
|---|--|--|-----------------------------------|---------------------------------------|--------------------|----------------------------|----------------------------|-----------------|-------------------------------|
| - | - | - | £2,201,425.61 | £478,052.44 | £220,026.22 | £414,336.74 | £1,245,394.68 | £879,288.72 | - |
| | vicinity of the school, including provision of street trees; providing a safe environment for parents to pick-up and drop-off their children; and, improving the visual appeal, amenity, accessibility and functionality of the area. | | | | | | | | |
| Strand and Piccadilly Road – SCADA | This project will enable the SCADA system operating in the Strand and Piccadilly Road underpasses to improve the current tunnel operations by allowing for early detection of problems. For this functionality to work as desired, there will be a need to install cabling and ducting for | City Management & Communities (Kevin Goad) | | | | | £66,000.00 | | £66,000.00 |

| Project Name | Project Description | Governance Group Sponsor | Public Realm/ Transport CIL (50%) | Health & Community Services CIL (10%) | Education CIL (5%) | Parks/ Open Space CIL (5%) | Utilities/ Waste CIL (10%) | Other CIL (20%) | Total CIL Allocation Proposed |
|---|--|--|-----------------------------------|---------------------------------------|--------------------|----------------------------|----------------------------|-----------------|-------------------------------|
| - | - | - | £2,201,425.61 | £478,052.44 | £220,026.22 | £414,336.74 | £1,245,394.68 | £879,288.72 | - |
| | power and communication supplies. | | | | | | | | |
| Shaftesbury Avenue Carriageway Resurfacing | The existing carriageway surface has reached the end of its useful life and resurfacing would improve the condition and structural integrity of the carriageway. This would directly improve road safety, environmental and traffic movements, including cyclist safety. | City Management & Communities (Kevin Goad) | £262,000.00 | | | | | | £262,000.00 |
| Smart Lighting and Asset Condition Indices | This allocation would accelerate the replacement of lamps to LED and support the trial of new LED technology, which will improve lighting efficiency and help reduce the maintenance | City Management & Communities (Kevin Goad) | | | | | £200,000.00 | | £200,000.00 |

| Project Name | Project Description | Governance Group Sponsor | Public Realm/ Transport CIL (50%) | Health & Community Services CIL (10%) | Education CIL (5%) | Parks/ Open Space CIL (5%) | Utilities/ Waste CIL (10%) | Other CIL (20%) | Total CIL Allocation Proposed |
|---|--|--|-----------------------------------|---------------------------------------|--------------------|----------------------------|----------------------------|-----------------|-------------------------------|
| - | - | - | £2,201,425.61 | £478,052.44 | £220,026.22 | £414,336.74 | £1,245,394.68 | £879,288.72 | - |
| | requirements within the deployment area. | | | | | | | | |
| St. George's Drive/ Warwick Way Junction | This scheme seeks to add 'Greenman' pushbutton crossings on all four arms of the junction. In addition to improved pedestrian facilities, the revised signals modelling will have a positive impact on road safety with reduction in accidents. Works would also seek to reduce clutter and rationalise the streetscape, making the location a more aesthetically appealing and enjoyable road space for all road users. | City Management & Communities (Kevin Goad) | £400,000.00 | | | | | | £400,000.00 |

| Project Name | Project Description | Governance Group Sponsor | Public Realm/ Transport CIL (50%) | Health & Community Services CIL (10%) | Education CIL (5%) | Parks/ Open Space CIL (5%) | Utilities/ Waste CIL (10%) | Other CIL (20%) | Total CIL Allocation Proposed |
|---|--|--|-----------------------------------|---------------------------------------|--------------------|----------------------------|----------------------------|-----------------|-------------------------------|
| - | - | - | £2,201,425.61 | £478,052.44 | £220,026.22 | £414,336.74 | £1,245,394.68 | £879,288.72 | - |
| Parks and Gardens Lighting Upgrade | This project seeks to upgrade lighting asset in public parks and gardens across the city to ensure they are in line with modern standards, safe and operate efficiently. The project will improve the lighting efficiency and help reduce the maintenance requirements for lighting assets in parks and gardens. | City Management & Communities (Kevin Goad) | | | | | £20,000.00 | | £20,000.00 |
| Vehicle Activated Signs (VAS) | This project will procure and install 50 Vehicle Activated Signs (VAS) for use at various locations throughout Westminster. These signs are mounted on existing lamp | City Management & Communities (Kevin Goad) | £150,000.00 | £100,000.00 | | | | | £250,000.00 |

| Project Name | Project Description | Governance Group Sponsor | Public Realm/ Transport CIL (50%) | Health & Community Services CIL (10%) | Education CIL (5%) | Parks/ Open Space CIL (5%) | Utilities/ Waste CIL (10%) | Other CIL (20%) | Total CIL Allocation Proposed |
|--|---|--|-----------------------------------|---------------------------------------|--------------------|----------------------------|----------------------------|-----------------|-------------------------------|
| - | - | - | £2,201,425.61 | £478,052.44 | £220,026.22 | £414,336.74 | £1,245,394.68 | £879,288.72 | - |
| | columns and flash the prescribed speed limit if the approaching vehicle is travelling faster than this. These signs also record all approaching vehicle speeds, which can be accessed remotely for analysis. This will improve road safety, particularly at those locations frequented by more vulnerable road users. | | | | | | | | |
| Victoria Embankment (Lion Heads Moorings) | Repair and replacement of bronze lion heads holding mooring rings integral to the Grade II listed River Wall along the Victoria Embankment. | City Management & Communities (Kevin Goad) | £350,000.00 | | | | | £50,000.00 | £400,000.00 |

| Project Name | Project Description | Governance Group Sponsor | Public Realm/ Transport CIL (50%) | Health & Community Services CIL (10%) | Education CIL (5%) | Parks/ Open Space CIL (5%) | Utilities/ Waste CIL (10%) | Other CIL (20%) | Total CIL Allocation Proposed |
|-------------------------------------|---|--|-----------------------------------|---------------------------------------|--------------------|----------------------------|----------------------------|-----------------|-------------------------------|
| - | - | - | £2,201,425.61 | £478,052.44 | £220,026.22 | £414,336.74 | £1,245,394.68 | £879,288.72 | - |
| Paddington Recreation Ground | Refurbishment of the 'environmental area', which provides an outdoor classroom, open to the public outside of school term time; the refurbishment of the playground area with a unique design reflecting the existing topography and tree lines; and, the provision of a new community hall facility, for use by local groups, clubs and amenity societies. This is a priority project within the Council's approved capital funding programme. | City Management & Communities (Kevin Goad) | | £200,000.00 | | £285,000.00 | | £575,000.00 | £1,060,000.00 |

| Project Name | Project Description | Governance Group Sponsor | Public Realm/ Transport CIL (50%) | Health & Community Services CIL (10%) | Education CIL (5%) | Parks/ Open Space CIL (5%) | Utilities/ Waste CIL (10%) | Other CIL (20%) | Total CIL Allocation Proposed |
|--|--|--|-----------------------------------|---------------------------------------|--------------------|----------------------------|----------------------------|-----------------|-------------------------------|
| - | - | - | £2,201,425.61 | £478,052.44 | £220,026.22 | £414,336.74 | £1,245,394.68 | £879,288.72 | - |
| ARK Atwood School Roof Garden | This project seeks to install a roof garden at the ARK Atwood School, as part of a wider programme involving the creation of seven new horticulture hubs, bringing people together in schools and community spaces to grow their own food. Match funding has been obtained from various other sources. | Children's Services (Alan Wharton) | | | £37,500.00 | | | | £37,500.00 |
| Marylebone Low Emission Neighbourhood (LEN) | This project comprises various public realm interventions in order to reduce traffic dominance, introduce and encourage greening, and improving the | City Management & Communities (Kevin Goad) | £150,000.00 | £100,000.00 | | | | £250,000.00 | £500,000.00 |

| Project Name | Project Description | Governance Group Sponsor | Public Realm/ Transport CIL (50%) | Health & Community Services CIL (10%) | Education CIL (5%) | Parks/ Open Space CIL (5%) | Utilities/ Waste CIL (10%) | Other CIL (20%) | Total CIL Allocation Proposed |
|--|--|---|-----------------------------------|---------------------------------------|--------------------|----------------------------|----------------------------|-----------------|-------------------------------|
| - | - | - | £2,201,425.61 | £478,052.44 | £220,026.22 | £414,336.74 | £1,245,394.68 | £879,288.72 | - |
| | pedestrian environment to improve air quality, safety, connectivity and accessibility. CIL will help deliver the project and leverage MAQF funding. | | | | | | | | |
| Oxford Street Catenary Infrastructure | This project will upgrade existing electrical infrastructure and eyebolt fixtures to allow for the redesign and future-proofing of illuminations along Oxford Street. Funding for other aspects of the scheme has been provided through various sources. | Growth, Planning & Housing (Deirdra Armsby) | £10,000.00 | | | | £31,500.00 | | £41,500.00 |
| St. Vincent's Catholic Primary School | This project will install a glass walkway, new fencing and gates at the school, leaving space for the | City Management & Communities (Kevin Goad) | £40,000.00 | | | | | | £40,000.00 |

| Project Name | Project Description | Governance Group Sponsor | Public Realm/ Transport CIL (50%) | Health & Community Services CIL (10%) | Education CIL (5%) | Parks/ Open Space CIL (5%) | Utilities/ Waste CIL (10%) | Other CIL (20%) | Total CIL Allocation Proposed |
|------------------------------|---|--------------------------|-----------------------------------|---------------------------------------|--------------------|----------------------------|----------------------------|-----------------|-------------------------------|
| - | - | - | £2,201,425.61 | £478,052.44 | £220,026.22 | £414,336.74 | £1,245,394.68 | £879,288.72 | - |
| | installation of scooter storage facilities. | | | | | | | | |
| Total CIL Allocations | - | - | £2,190,000.00 | £461,589.00 | £37,500.00 | £285,000.00 | £1,102,500.00 | £875,000.00 | £4,951,589.00 |
| CIL Balances | - | - | £10,425.61 | £16,463.44 | £182,526.22 | £129,336.74 | £142,894.68 | £4,288.72 | £486,935.41 |

S106

| Project Name | Project Description | Governance Group Sponsor | S106 PSCF Allocation Proposed |
|--|---|---|--------------------------------------|
| - | - | - | £199,700.30 available |
| Tollgate Gardens Community Centre (2nd allocation) | This project is for the fit-out of a newly built community centre as part of the renewal of Tollgate Gardens. A £0.200m allocation from the PCSF was previously approved by the committee in November 2017. Since that decision, updated cost estimates have been received which indicate an overall cost of around £0.400m. An additional allocation is therefore sought, which will cover the installation of semi-sprung flooring, ventilation systems, sound dampening wall finishes, and new windows to accommodate installation of internal walls for workspaces and meeting rooms. | Growth, Planning & Housing (Deirdra Armsby) | £199,700.30 |
| S106 Total Allocation | - | - | £199,700.30 |
| S106 PSCF Balance | - | - | £0.00 |

Appendix C: Update on previous project proposals by current and former Westminster Councillors

Delivered Projects

| Ward Member Project Description | Councillor Sponsor | Responsibility | Amount Sought | Latest Status | Recommendation |
|--|--|---|---------------|---|----------------|
| Queensborough Terrace To prevent illegal dumping and help to bring the street alive. | Councillor Burbridge | City Management & Communities (Kevin Goad) | £155,000.00 | This scheme is being delivered as a standalone approved capital scheme. | N/A |
| Inverness Terrace Improvements to the pavement area next to the Hallfield School | Councillor Burbridge | City Management & Communities (Kevin Goad) | Unknown | This scheme is being delivered as a maintenance proposal from annual highway budgets. | N/A |
| Hall Park Estate CCTV | Councillor Caplan | Growth, Planning & Housing (Barbara Brownlee) | £12,000.00 | Project was approved for CIL funding in November 2017 and is now being delivered. | N/A |
| Little Venice Ward Tree Pits - ronacrete rubber filling | Councillor Caplan | City Management & Communities (Kevin Goad) | £200,000.00 | This scheme is being delivered through Ward budgets. | N/A |
| Strutton Ground Upgrade of Strutton Ground | Councillors Mitchell, Hyams & Thomson | City Management & Communities (Kevin Goad) | £500,000.00 | Project has been approved for CIL funding in November 2017 and is now being delivered. | N/A |
| Westminster Employment Service Confirmed the support of this BID by Ward Councillors in Queen's park, Harrow Road and Westbourne | Ward councillors in Queen's Park, Harrow Road & Westbourne | Growth Planning & Housing (Greg Ward) | £1,820,664.00 | This project was approved for S106 funding in November 2017 and is now being delivered. | N/A |
| Cycle Parking Cycle Hanger Scheme within Westbourne (and | Councillor Hug | City Management & Communities | Unknown | This project has been funded through the Local Implementation Programme (LIP) and no longer requires CIL funding. | N/A |

| Ward Member Project Description | Councillor Sponsor | Responsibility | Amount Sought | Latest Status | Recommendation |
|---------------------------------|--------------------|----------------|---------------|---------------|----------------|
| elsewhere) | | (Kevin Goad) | | | |

Pending Projects

| Ward Member Project Description | Councillor Sponsor | Responsibility | Amount Sought | Latest Status | Recommendation |
|---|----------------------|--|---------------|---|--|
| Hallfield Estate Improvements to Hallfield Estate Playground - equipment for children and adults | Councillor Burbridge | Growth, Planning & Housing (Barbara Brownlee) | Unknown | Councillor Smith is also supportive of this idea. The idea is supported in principle although there are some limitations on what could be achieved without limiting the Open Space. Service area representatives will take this forward with engagement with City West Homes and will identify the most appropriate funding source. | Project being progressed with City West Homes to devise full costings. |
| Queensway Improvements to public toilets | Councillor Burbridge | City Management & Communities (Kevin Goad) | Unknown | This project forms part of a wider review of public conveniences across the city. | Project on hold until review complete. |
| Queensway WCC Notice Board | Councillor Burbridge | City Management & Communities (Kevin Goad) | Unknown | This project is being considered via another funding source as part of the wider Queensway public realm scheme. | Project no longer requires CIL funding. |
| Paddington War Memorial Repairs and restoration - to be made good by a stone mason and found a spot around Paddington | Councillor Burbridge | Growth Planning & Housing (Deirdra Armsby) | Unknown | This project is being developed alongside the Paddington Opportunity Area Strategy. Opportunity for restoring and repositioning the memorial will be considered as part of this work. | Project is being developed alongside the Paddington Opportunity Area Strategy. |
| Lady Samuels Garden Public realm improvements including improvements to pavement area and provision of low level | Councillor Burbridge | City Management & Communities (Kevin Goad) | Unknown | This project is being investigated for funding through the Parks Infrastructure Maintenance budget. | Project no longer requires CIL funding. |

| Ward Member Project Description | Councillor Sponsor | Responsibility | Amount Sought | Latest Status | Recommendation |
|--|--|---|---------------|--|--|
| fence | | | | | |
| Paddington Health Centre Extension to Paddington Health Centre to meet demand of new residents | Former Councillor Grahame | Public Health (Andy Liggins) | Unknown | CCG are currently undertaking feasibility and design work. CIL bid expected if project progresses and costings are known. | CIL bid expected in forthcoming round once costings are known. |
| St. Vincent's Catholic Primary School A glass walkway to be installed, new fencing and gates fitted leaving a space to be used for scooter storage | Councillor Scarborough | City Management & Communities (Kevin Goad) | £40,000.00 | Project is eligible for 'strategic' CIL. A CIL bid has been submitted for this funding round (see Appendix B, Project 19). | CIL bid submitted for this round (see Appendix B, Project 19). |
| Fleming Court Designing out crime outside Fleming Court | Councillor Caplan | Growth, Planning & Housing (Barbara Brownlee) | Unknown | There is a design brief for these works and if the committee agree this project could be recommended for funding from the next round of CIL receipts when the full costs are known. | Project to be progressed with City West Homes to devise full costings. |
| Hall Park Estate Play Facilities Developing roof of car park to create a Multi-Use Games Area | Councillor Caplan | Growth, Planning & Housing (Barbara Brownlee) | £450,000.00 | There is a project proposal in place which is costed. This is a project already supported by officers in City Management and Communities as the new facility would promote new opportunities for physical activity, particularly in an area of relatively high inactivity. It is recommended that this project is brought forward for funding from the City CIL Strategic portion subject to further engagement with City West Homes and the grant of planning permission. | Project to be progressed with City West Homes. |
| Harrow Road Public realm improvements | Ward councillors in Queen's Park, Harrow Road & Westbourne | Growth Planning & Housing (Deirdra Armsby) | Unknown | Project on hold pending development strategy for Harrow Road. Appropriate CIL bids will be brought forward in future for individual public realm projects. | Individual projects will be progressed once strategy for Harrow Road is finalised. |
| Greening along Harrow Road The Westminster Tree Trust is exploring tree | Councillor Bush | Growth Planning & Housing (Deirdra Armsby) | Unknown | Project on hold pending development strategy for Harrow Road. Discussions with Westminster Tree Trust are ongoing. | Project will be progressed once strategy for Harrow Road is finalised. |

| Ward Member Project Description | Councillor Sponsor | Responsibility | Amount Sought | Latest Status | Recommendation |
|--|-----------------------------------|--|---------------|--|---|
| planting along the Westbourne Ward part of the Harrow Road | | | | | |
| Cycle Hire Introduction of a cycle hire station to the rear of Westbourne Park tube | Councillor Hug | City Management & Communities (Kevin Goad) | Unknown | This project is eligible for either the 'strategic' or 'neighbourhood' CIL portion. | CIL bid to be taken forward to next round of funding. |
| Hyde Park Estate Traffic calming measures | Councillor Acton & Councillor Cox | City Management & Communities (Kevin Goad) | c. £250,000 | Project is eligible for 'strategic' CIL. A CIL bid has been submitted for this funding round (see Appendix B, Project 6). | CIL bid submitted for this funding round (see Appendix B, Project 6). |
| Hallfield Estate Repair wall at Inverness Terrace entrance | Councillor Burbridge | City Management & Communities (Kevin Goad) | Unknown | Ownership information being sought. Project can be progressed once ownership and costings are known. | Project can be progressed once ownership and costings are known. |
| Bishops Bridge Road Tree planter provision and wall repair | Councillor Burbridge | City Management & Communities (Kevin Goad) | Unknown | Ownership information being sought. Project can be progressed once ownership and costings are known. | Project can be progressed once ownership and costings are known. |
| Rutland Gate and Prince of Wales Gate Restoration of four heritage lampposts | Councillor Robathan | City Management & Communities (Kevin Goad) | Unknown | Costing being investigated. Project can be taken forward when costings are known. | Project can be taken forward when costings are known. |
| 26 - 31 Princes Gate Restoration of walls & pillars and reinstatement of railings fronting the slip road | Councillor Robathan | City Management & Communities (Kevin Goad) | Unknown | Costing being investigated. Project can be taken forward when costings are known. | Project can be taken forward when costings are known. |
| Elizabeth Street Traffic calming investigation/ works | Councillor Robathan | City Management & Communities (Kevin Goad) | Unknown | Project is not currently eligible for CIL as investigative/ feasibility work needs to be carried out. | Project on hold pending outcome of feasibility work. |
| Blandford Street/ Manchester Street Junction New zebra crossing | Councillor Scarborough | City Management & Communities (Kevin Goad) | £100,000+ | This project is eligible for either the 'strategic' or 'neighbourhood' CIL portion and will be progressed once costings are known. | Project to be taken forward when costings are known. |

Ineligible Projects

| Ward Member Project Description | Councillor Sponsor | Responsibility | Amount Sought | Latest Status | Recommendation |
|---|----------------------------|--|---------------|---|--|
| Hallfield Estate Double Yellow Lines | Councillor Burbridge | City Management & Communities (Kevin Goad) | Unknown | Yellow lines do not constitute infrastructure, but parking team is looking at options for alterations to kerbside controls to deliver this project. | Project is ineligible for CIL, but parking team considering other funding options. |
| Cleveland Square Funding for the children's area | Councillor Burbridge | City Management & Communities (Kevin Goad) | £8,000.00 | This is a private square and is therefore ineligible for strategic CIL. | Project is ineligible for CIL. |
| Warwick Avenue Paying to remove or reduce height of the stack in Warwick Avenue | Councillor Caplan | City Management & Communities (Kevin Goad) | £100,000.00 | This project does not meet the legislative definition of infrastructure, or the agreed WCC CIL Spending Policy Statement. Furthermore the stack is not in the Council's ownership, nor is it within its power to alter. | Project is ineligible for CIL. |
| Lord Hills Bridge Improvements to the bridge | Former Councillor Holloway | City Management & Communities (Kevin Goad) | Unknown | Lords Hill is a structure owned by Network Rail and the council only has responsibility for maintaining the Highway. Discussions have been had with NR but to date they are reluctant to invest any money on the bridges outside of their current 5-year investment plans. The project is therefore ineligible for CIL due to land ownership issues and it is unlikely to be delivered. | Project is ineligible for CIL. |
| Retrofitting Buildings Greening Buildings | Councillor D Harvey | Growth Planning & Housing (Deirdra Armsby) | Unknown | This proposal is currently ineligible for CIL as it is not related to a particular location/ building and consequently costings are unknown. In principle such works could be funded through CIL, but individual proposals will need to be put forward to the committee via the senior officer group. | Project is ineligible for CIL. |
| Elmfield Way To upgrade highway currently in NHS ownership to enable adoption by the council. | Councillor Boothroyd | City Management & Communities (Kevin Goad) | Unknown | As this land is not currently public highway, it cannot be upgraded by the Council and is currently ineligible for CIL funding. | Project is ineligible for CIL. |
| Schools Projects St. James and St. John | Councillor Burbridge | Children's Services | Unknown | These projects do not meet the legislative definition of infrastructure and are therefore | Project is ineligible for CIL. |

| Ward Member Project Description | Councillor Sponsor | Responsibility | Amount Sought | Latest Status | Recommendation |
|--|---------------------------|-----------------------|----------------------|----------------------|-----------------------|
| School, Craven Terrace, and Halffield School | | (Alan Wharton) | | ineligible for CIL. | |

Appendix D: The neighbourhood CIL portion, 31st March 2018

| Zone | Neighbourhood CIL | |
|------------------------------|-------------------|----------------------|
| | May 16 - Mar 17 | Apr 17 - Mar 18 |
| Queens Park | £0.00 | £0.00 |
| Notting Hill East | £0.00 | £0.00 |
| Bayswater | £0.00 | £14,160.00 |
| Little Venice and Maida Vale | £0.00 | £80,980.07 |
| Belgravia | £5,539.88 | £144,652.27 |
| Church Street | £0.00 | £6,600.00 |
| Churchill Gardens Estate | £0.00 | £0.00 |
| Ebury Bridge | £0.00 | £0.00 |
| Fitzrovia West | £13,500.00 | £61,760.30 |
| Hyde Park and Paddington | £0.00 | £0.00 |
| Knightsbridge | £0.00 | £0.00 |
| Maida Hill | £0.00 | £420.00 |
| Marylebone | £312,184.50 | £360,061.46 |
| Mayfair | £9,420.00 | £62,833.60 |
| Pimlico | £0.00 | £0.00 |
| Soho | £9,582.00 | £168,000.00 |
| South East Bayswater | £3,910.50 | £27,720.00 |
| St James's | £0.00 | £4,311.00 |
| St John's Wood | £0.00 | £290,677.04 |
| Victoria | £21,150.00 | £88,740.21 |
| Vincent Square | £0.00 | £7,800.00 |
| Westbourne | £0.00 | £180,779.25 |
| Outside Neighbourhood areas | £342.00 | £409,200.00 |
| | £375,628.87 | £1,908,695.13 |
| Total | | £2,284,324.00 |

Appendix E Proposed governance arrangements for the ‘neighbourhood portion’ of Westminster CIL

Introduction

1. This paper sets out proposals to govern the ‘neighbourhood portion’ of Westminster’s Community Infrastructure Levy (CIL).
2. The ‘neighbourhood portion’ is set at 15% of CIL receipts in each neighbourhood area, capped at £100 per council tax dwelling. This will rise to 25% of receipts (uncapped) where a neighbourhood plan is in place.
3. The ‘neighbourhood portion’ will be used to support the development of the neighbourhood area, or any part of that area, by funding:
 - i. the provision, improvement, replacement, operation or maintenance of infrastructure; or
 - ii. anything else that is concerned with addressing the demands that development places on an area.
4. Proposals for funding for the ‘neighbourhood portion’ of CIL will be made within the parameters of the council’s CIL Spending Policy Statement, as agreed by the committee in November 2017.
5. Table 1 indicates the council’s designated neighbourhood areas.

Table 1: Designated neighbourhood areas in Westminster

| Neighbourhood Area | Neighbourhood Forum | Wards |
|----------------------------|------------------------|---|
| Bayswater | - | Lancaster Gate; Bayswater Road |
| Belgravia | Belgravia | Knightsbridge & Belgravia; Warwick; Churchill; West End |
| Church Street | Church Street Ward | Church Street |
| Churchill Gardens Estate | Churchill Gardens | Churchill; Tachbrook |
| Ebury Bridge | - | Churchill |
| Fitzrovia West | Fitzrovia West | West End; Marylebone High Street |
| Hyde Park & Paddington | Hyde Park & Paddington | Hyde Park |
| Knightsbridge | Knightsbridge | Knightsbridge & Belgravia |
| Little Venice & Maida Vale | - | Maida Vale; Little Venice; Westbourne |
| Maida Hill | Maida Hill | Harrow Road |
| Marylebone | Marylebone | Marylebone High Street; Bryanston & Dorset Square; Regent’s Park; Knightsbridge & Belgravia |
| Mayfair | Mayfair | West End; Knightsbridge & Belgravia |
| Notting Hill East | Notting Hill East | Bayswater Road; Westbourne |

| | | |
|----------------------|---------------------------------|---|
| Pimlico | Pimlico | Tachbrook; Warwick; Churchill |
| Queen's Park* | Queen's Park Community Council* | Queen's Park |
| St. James's | St. James's | St. James's |
| St. John's Wood | St. John's Wood | Abbey Road; Regent's Park |
| Soho | Soho | West End |
| South East Bayswater | - | Lancaster Gate; Bayswater Road; Hyde Park |
| Victoria | Victoria | St. James's; Warwick; Vincent Square |
| Westbourne | Westbourne | Westbourne; Bayswater Road |

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

- There are further areas of the city where there is no designated neighbourhood area, namely around the Strand/ Aldwych (St. James's ward) and part of Vincent Square ward. In these areas the CIL 'neighbourhood portion' will still be ring-fenced for spend in consultation with local communities.

Proposed governance arrangements

- It is proposed that the Cabinet CIL Committee meet twice per year in April and October to consider bids put forward for the 'neighbourhood portion' of CIL. Such bids will be decided alongside those for the 'strategic portion' of CIL.
- In advance of each committee, the relevant neighbourhood forums and Ward Councillors will be contacted by council officers, informed of CIL monies available within their neighbourhood and the criteria for CIL funding, and invited to submit bids for CIL funds on a simple standardised application form.
- Where there is no designated neighbourhood forum, other community groups will be contacted and invited to submit proposals. This will be the various amenity societies, who will be required to consult with any relevant Business Improvement Districts (BIDs) and Ward Councillors for the area.
- Applications for neighbourhood CIL funding will then be evaluated by the relevant service area in the council to assess their feasibility. In order to be successful, bids will need to fall within the parameters set out in legislation and in the council's CIL Spending Policy Statement. If the project is feasible and the criteria are met, proposals will be put to the CIL Governance Group of senior officers before being presented to the Cabinet CIL Committee for decision.

Process summary (example for October 2018 Cabinet CIL Committee)

