

TERMS OF REFERENCE – DELEGATIONS TO ALL CABINET MEMBERS

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

1. CONTRACTS

Subject to the policies and procedures approved by the Cabinet Member for Finance, Property and Regeneration:

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

- (j) To receive a briefing note advising of a contract award by an Executive Director or 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.

2. 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, Property and Regeneration where proposals involve redundancy/"early retirement" payments.

3. FINANCIAL MATTERS

- (a) 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.
- (b) Such other financial matters as set out in the financial procedural rules contained in the Council's Constitution.

4. ETHICAL STANDARDS

- (a) 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.

5. CONSULTATION

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

THE LEADER (CABINET MEMBER)

CORPORATE STRATEGY DIRECTION

To provide leadership to the Cabinet in the development and delivery of corporate strategy and policy, including the City for All Vision and Strategy and City for All Delivery Plan.

INNOVATION AND CHANGE

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

PEOPLE SERVICES

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

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

CLIMATE EMERGENCY

To chair the Council's Climate Action Group.

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

Responsibility to direct delivery of action to address the Climate Emergency, under the strategy direction set by the Leader, is delegated to individual Cabinet Members where this relates to their portfolios. The majority of wider environmental responsibilities, particularly those not related to carbon reduction fall under the remit of the Cabinet Member for City Management, and air quality, which is delegated to the Cabinet Member for Communities and Regeneration.

EMERGENCY PLANNING

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

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

WESTCO

To have responsibility for matters relating to Westco Trading which require an executive decision of the Council.

GOVERNANCE, DECISION MAKING AND APPOINTMENTS

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

To chair the Cabinet meetings, appoint/dismiss other Cabinet members and the Deputy Leader and appoint/dismiss committees of the Cabinet with terms of reference.

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

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

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

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

To appoint and determine the membership and terms of reference of any non-decision-making Cabinet Working Parties.

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.

CHIEF EXECUTIVE APPRAISAL

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

STRATEGIC PARTNERSHIPS

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

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

CABINET MEMBER FOR FINANCE AND SMART CITY

To be responsible for the City for all commitments that the Cabinet Member is named as lead for, as set out in the City for All Vision and Strategy and City for All Delivery Plan, in consultation with other Cabinet Members as necessary.

STRATEGIC FINANCE

To have responsibility for Strategic Finance and all other strategic financial matters where these, in the opinion of the Cabinet Member for Finance and Smart City, have significant implications across portfolios.

FINANCIAL MANAGEMENT

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

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

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

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

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

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

FINANCIAL AND ASSET ADMINISTRATION

To be responsible for Revenue Collection.

To be responsible for borrowing, lending and investments.

To be responsible for internal audit, economy in expenditure and value for money in the provision and management of the Council's administration and services.

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

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

To be responsible for the Council's vehicle fleet.

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

Benefits and benefits policy.

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

CORPORATE PROPERTY: POLICY, PLANNING AND STRATEGY

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

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

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

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

MAJOR PROJECTS WITHIN COUNCIL-OWNED BUILDINGS

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

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

PROCUREMENT AND CONTRACT MANAGEMENT

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

To be responsible for the Council's Procurement Code, including approval of changes to the Code.

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

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

To be responsible for the financial arrangements for contract management.

LEGAL SERVICES

To be responsible for legal services used by the Council and other functions within the Legal Services Department.

SMART CITY, CUSTOMER SERVICES AND DIGITAL TRANSFORMATION

To be responsible for the Smart City programme, in consultation with other Cabinet Members as relevant, including driving digital innovation across all portfolios.

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

To be responsible for the Council's implementation and monitoring of GDPR.

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

To be responsible for information, information systems, information technology, and telecommunications.

BROADBAND AND CONNECTIVITY

To be responsible for the Council's strategy to promote investment in broadband infrastructure in Westminster in collaboration with the Cabinet Member for City Management.

To be responsible for digital inclusion, in consultation with the Cabinet Member for Communities and Regeneration and other Cabinet Members as relevant.

CULTURE AND TOURISM

To provide leadership on the cultural offer across Westminster, most notably in how the sector contributes to economic recovery in consultation with the Cabinet Member for Planning, Licensing and Business including:

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

DEPUTY LEADER AND CABINET MEMBER FOR ADULT SOCIAL CARE AND PUBLIC HEALTH

To be responsible for the City for all commitments that the Cabinet Member is named as lead for, as set out in the City for All Vision and Strategy and City for All Delivery Plan, in consultation with other Cabinet Members as necessary.

DEPUTY LEADER

To deputise for the Leader as directed.

To exercise the functions of the Leader in the absence or unavailability of the Leader, except the appointment and dismissal of Cabinet Members. This must be undertaken in collaboration with any other Deputy Leaders appointed.

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

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

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

ADULT SOCIAL CARE AND PUBLIC HEALTH

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

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

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

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

To be responsible for Public Health matters for children and young people, in consultation with the Cabinet Member for Young People and Learning. This includes being supported by the Lead Member for Special Educational Needs and Disabilities (SEND).

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

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

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

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

The Cabinet Member for Adult Social Care and Public Health will:

- act as Chair (along with their counterpart in Kensington and Chelsea) of the Bi-Borough Health and Wellbeing Board and champion the health of people in Westminster across the full range of issues which may negatively or positively impact on physical or mental health. This may include issues such as air quality. This may often involve close working with other Cabinet Members or partner agencies.
- oversee the provision/ commissioning of quality care and support services for vulnerable adults and ensuring adequate standards in partnership with regulatory bodies where relevant to ensure safeguards are in place to protect service users.
- oversee the safeguarding of vulnerable adults in line with the requirements of the Care Act 2014 and the practices recommended by the Pan London Safeguarding Adults Agreement.

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

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

DEPUTY LEADER AND CABINET MEMBER FOR CITY MANAGEMENT

To be responsible for the City for all commitments that the Cabinet Member is named as lead for, as set out in the City for All Vision and Strategy and City for All Delivery Plan, in consultation with other Cabinet Members as necessary.

DEPUTY LEADER

To deputise for the Leader as directed.

To exercise the functions of the Leader in the absence or unavailability of the Leader, except the appointment and dismissal of Cabinet Members. This must be undertaken in collaboration with any other Deputy Leaders appointed.

To be responsible for all aspects of the transformation of the Oxford Street District. This includes all executive decision-making authority relating to the Oxford Street District programme, however the Oxford Street Steering Group, chaired by the Leader of the Council should be consulted in advance of any such decision being taken.

PUBLIC REALM

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

ENVIRONMENT

To be responsible for all policy and delivery of environmental and waste matters except responsibility for strategic direction relating to carbon reduction, which is the responsibility of the Leader of the Council, or air quality, which is the responsibility of the Cabinet Member for Communities and Regeneration. The Cabinet Member for City Management will however oversee operational delivery of these areas.

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

PARKS, OPEN SPACES AND BIODIVERSITY

To be responsible for public parks and public open spaces managed by the Council, including hanging baskets, public conveniences and cemeteries.

To be responsible for tree planting.

To be responsible for the City Council's statutory functions in relation to biodiversity.

To be responsible for the City Council's Open Spaces and Biodiversity Strategy and the advancement of the strategy's priorities, namely, the protection of important habitats and species; the protection of existing green assets and, in consultation with the Cabinet Member for Business, Licensing and Planning, the creation of new green infrastructure.

STREET CLEANSING

To be responsible for the Council's street cleansing duties, including major cleansing contracts.

WASTE AND RECYCLING

To be responsible for the operational delivery of the Council's waste collection, disposal and recycling duties, including bulky refuse, major waste contracts. Strategic direction for waste consolidation is the responsibility of the Leader of the Council.

HIGHWAYS AND TRANSPORT

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

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

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

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

PARKING AND SUSTAINABLE TRANSPORT

To be responsible for the Council's Parking policy. This excludes responsibility for the development and maintenance of parking on the City's housing estates which is the responsibility of the Cabinet Member for Housing.

To be responsible for the Council's policy on parking enforcement matters and operation of parking enforcement, including on housing estates.

To be responsible for the Council's action to create better infrastructure for electric and low emission vehicles; and make environmentally friendly travel options easier

for everyone, in consultation with the Cabinet Member for Communities and Regeneration.

To be responsible for promoting more sustainable modes of transport, including the car sharing scheme.

ROAD SAFETY

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

To be responsible for pedestrian safety including school crossing patrols.

WALKING AND CYCLING STRATEGIES

To be responsible for the Council's walking and cycling strategies.

PUBLIC MORTUARY

To be responsible for the public Mortuary service.

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

PHYSICAL ACTIVITY, LEISURE & SPORT

To be responsible for the management of the leisure contract with Everyone Active across 7 facilities, including Paddington Recreation Ground.

To be responsible for the delivery of the ActiveWestminster Strategy focusing on the three strategic themes of ActiveCity, ActiveLives and ActiveNeighbourhoods.

To be responsible for programmes and events that enable people to be active where and when they choose, including community use of school sites, PE and School Sport across all schools in Westminster to ActiveStreets and support for talented Athletes.

To be responsible for the Sayers Croft Field Centre, based in Ewhurst Surrey, which is owned by the Council. To be responsible for the Forest Schools programme based at Paddington Recreation Ground's environmental area and classroom.

CABINET MEMBER FOR YOUNG PEOPLE AND LEARNING

To be responsible for the City for all commitments that the Cabinet Member is named as lead for, as set out in the City for All Vision and Strategy and City for All Delivery Plan, in consultation with other Cabinet Members as necessary.

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

To be a member of the Council Executive and have political responsibility for the leadership, strategy and effectiveness of local authority children's services.

SAFEGUARDING AND VULNERABLE CHILDREN

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

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

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

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

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

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

CHILDREN WITH DISABILITIES

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

FAIR ACCESS

To be responsible for ensuring fair access to all schools for every child in accordance with the statutory School Admissions and School Admissions Appeal

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

EDUCATION

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

YOUNG PEOPLE'S SKILLS, LEARNING AND OPPORTUNITIES

To be responsible for all matters relating to youth employment (under 18 years), in consultation with the Cabinet Member for Business, Licensing and Planning.

To be responsible for the City Lions Programme.

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

LIBRARIES, ARCHIVES AND REGISTRATION SERVICES

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

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

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

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

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

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

CABINET MEMBER FOR HOUSING

To be responsible for the City for all commitments that the Cabinet Member is named as lead for, as set out in the City for All Vision and Strategy and City for All Delivery Plan, in consultation with other Cabinet Members as necessary.

HOUSING, ROUGH SLEEPING ACCOMMODATION AND HOMELESSNESS SERVICES

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

To be responsible for facilities for homeless accommodation and providing sustainable pathways to accommodation for street based rough sleepers, including temporary accommodation and hostels, in consultation with the Cabinet Member for Communities and Regeneration who is responsible for on-street matters with street based rough sleeping.

To be responsible for strategic relationships with external providers on matters relating to street based rough sleeping and homelessness, in consultation with the Leader of the Council and the Cabinet Member for Communities and Regeneration.

SOCIAL HOUSING MANAGEMENT MATTERS

To be responsible for the management and maintenance of the Council's housing stock (including properties managed by the Westminster Community Homes Charity) including any changes to current agreements with such bodies).

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

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

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

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

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

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

To be responsible for liaison with Registered Providers.

To be responsible for existing Sheltered and Special Needs housing.

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

To be responsible for the provision and maintenance of parking on estates, excluding enforcement which is the responsibility of the Cabinet Member for City Management.

OTHER RESPONSIBILITIES

To be responsible for the asset management of HRA land and property to ensure additional affordable housing is maximised, in consultation with the Cabinet Members for Finance and Smart City and Communities and Regeneration.

CABINET MEMBER FOR BUSINESS, LICENSING AND PLANNING

To be responsible for the City for all commitments that the Cabinet Member is named as lead for, as set out in the City for All Vision and Strategy and City for All Delivery Plan, in consultation with other Cabinet Members as necessary.

PUBLIC REALM

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

PLACE SHAPING

To be responsible for the Council's overall Place Shaping approach including any area-based documents or strategies to which other Cabinet Members and Chief Officers shall have regard to when developing and making decisions on specific projects. This does not directly include the transformation of the Oxford Street District which is the responsibility of the Deputy Leader and Cabinet Member for City Management.

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

To be responsible for urban design.

PLANNING FUNCTIONS

To be responsible for the strategic direction of planning policy and service, including the adoption of Westminster's local plan, supplementary planning documents and all other related documentation as required under the Town and Country Planning Act 1990 and the Planning and Compulsory Purchase Act 2004. Some supplementary planning documents will need to be developed in consultation with other Cabinet Members as relevant, such as the Environment Supplementary Planning Document (ESPD).

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

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

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

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

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

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

BUILDING CONTROL/STREET NAMING

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

LICENSING AND THE EVENING AND NIGHT-TIME ECONOMY

To be responsible for the Council's Licensing policy and service function including those matters that fall under the remit of the Licensing Act 2003 and the Gambling Act 2005, in consultation with the Chairman of the Licensing Committee. All matters related to the enforcement of Licensing policy are the responsibility of the Cabinet Member for Communities and Regeneration.

To be responsible for the strategic oversight of the evening and night-time economy, in consultation with other Cabinet Members as appropriate.

LONDON LOCAL AUTHORITIES ACT 2007

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

COMPULSORY PURCHASE ORDERS

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

NEIGHBOURHOOD PLANNING

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

- the designation of neighbourhood areas and forums;

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

NEIGHBOURHOOD ENGAGEMENT

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

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

COMMUNITY INFRASTRUCTURE LEVY

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

SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990

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

SKILLS, EMPLOYMENT AND WAES

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

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

To be responsible for the provision of lifelong learning services as required by legislation. To provide adequate facilities for further and adult education in Westminster and in this context to be responsible for the Council's decisions relating to WAES.

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

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

ECONOMIC DEVELOPMENT AND RECOVERY

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

To be responsible for the Council's approach to economic recovery and recovery of the West End in consultation with other Cabinet Members, most notably through the Oxford Street Steering Group, Deputy Leader with responsibility for the Oxford Street Programme and the Cabinet Member for Finance and Smart City on matters of culture.

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

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

CABINET MEMBER FOR COMMUNITIES AND REGENERATION

To be responsible for the City for all commitments that the Cabinet Member is named as lead for, as set out in the City for All Vision and Strategy and City for All Delivery Plan, in consultation with other Cabinet Members as necessary.

REGENERATION

To be responsible for estate and community regeneration programmes, including liaison with other Cabinet Members where regeneration programmes overlap with other areas of responsibility.

To be responsible for the provision by the Council of new housing within the City by way of new construction and conversion of existing buildings, (including actions undertaken by the Council's Wholly Owned Housing Company).

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

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

To be responsible for the allocation policy for the Affordable Housing Fund provisions made in accordance with S106 of the Town and Country Planning Act 1990, in consultation with the Cabinet Member for Housing, Cabinet Member for Business, Licensing and Planning and Cabinet Member for Finance and Smart City.

To be responsible for liaison and matters arising from Westminster Builds.

COMMUNITY ENGAGEMENT AND NEIGHBOURHOODS

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

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

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

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

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

VOLUNTARY AND COMMUNITY SECTOR (VCS)

To be responsible for the Council's engagement with the VCS, in particular the Council's volunteering community and social value strategies.

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

To be responsible for Westminster Connects.

PUBLIC PROTECTION AND ENFORCEMENT

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

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

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

To be responsible for enforcement activities in relation to hate crime, antisocial behaviour, nuisance, noise, and other breaches of relevant legislation falling within this term of reference. This includes responsibility for deployment of City Inspectors for all enforcement activities; where this relates to environmental issues, such as waste, this will be in consultation with the Cabinet Member for City Management, and where this relates to licensing issues this should be in consultation with the Cabinet Member for Business, Licensing and Planning.

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

To be responsible for Integrated Neighbourhood Services.

To be responsible for enforcement action taken by the Council to improve compliance and tackle issues of concern to local communities.

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

To be responsible for matters relating to youth employment and gangs, serious youth violence and criminal exploitation of young people for those aged above 18 years, including the Integrated Gang and Exploitation Unit (18+) in consultation with the Cabinet Member for Young People and Learning who is responsible for the Youth Offending Team and legal responsibilities for offending children below 18 years of age.

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

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

REGULATORY SERVICES

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

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

STREET BASED ROUGH SLEEPING

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

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

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

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

To support the work of the Cabinet Member for Housing in the transition of street based rough sleepers to sustainable pathways and accommodation.

AIR QUALITY

To lead on the development and delivery of the Council's Air Quality Action Plan, including the Schools Clean Air Fund in consultation with the Cabinet Member for Young People and Learning.

EQUALITIES AND INCLUSION

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

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