



CITY OF WESTMINSTER

MINUTES

Cabinet: 13 December

MINUTES OF PROCEEDINGS

Minutes of a meeting of the Cabinet held on Monday 13 December 2021

Members Present: Councillors Rachael Robathan (Chairwoman), Heather Acton, Timothy Barnes, , Matthew Green, David Harvey, Tim Mitchell, James Spencer, Paul Swaddle, OBE

1. MEMBERSHIP

2. DECLARATIONS OF INTEREST

2.1 There were no Declarations of Interest.

3. MINUTES

3.1 **RESOLVED:** The Leader, with the consent of the Members present, signed the minutes of the meeting held on 20 September 2021 as a true and correct record of the proceedings.

4. ANNUAL REPORT OF THE SAFEGUARDING OF ADULTS EXECUTIVE BOARD (“The Board”)

4.1 Councillor Mitchell introduced the report, emphasising that its findings covered the period from April 2020 to March 2021 during which time public services, residents and their families were hugely impacted by the COVID pandemic.

4.2 The report highlighted the importance and effectiveness of partnership working and the critical role it played in tackling the pandemic. The report praised the level of commitment partners showed to working together to protect and keep resident’s safe.

- 4.3 Cabinet heard from Aileen Buckton, the Independent Chairwoman of the Board, who noted that their continued as normal during the period of the report but in a different way. Aileen emphasised the role of partners who had adapted to different ways of working online to ensure that user groups continued to feel supported throughout the pandemic.
- 4.4 Councillor Acton thanked Aileen and all those that contributed to the report for their commitment to making it accessible and understandable to all.
- 4.5 Councillor Robathan noted that the work of the Board was critical and that the role of safeguarding in our communities was more vital now than ever, therefore it is reassuring that strong safeguarding procedures in place.
- 4.6 **Resolved:** That the findings of the Board are noted. Councillor Robathan directed that thanks be placed on record to Aileen for the hard and excellent work that she does as Chairwoman and to all those that support the Board.

5. CHURCH STREET REGENERATION (SITE A) – “IN PRINCIPAL” COMPULSORY PURCHASE ORDER (CPO) RESOLUTION

- 5.1 Councillor Acton introduced this report, emphasising that the Church Street Regeneration scheme is critical to the Council’s drive to address the shortage of affordable housing in the city, delivering 2000 new homes, community spaces and other major benefits. Councillor Acton made clear that any CPO in place would be used only as a last resort and that the focus would remain on working with businesses and residents to acquire the necessary land and buildings on mutually agreeable terms.
- 5.2 The report outlines that where the use of compulsory purchase powers are invoked a further detailed report and the proposed Statement of Reasons would come forward to Members setting out the justification for the making of the CPO in question.
- 5.3 Councillor Harvey asked how the Council would support those with an emotional attachment to their home to move without invoking the use of compulsory purchase powers. Councillor Acton assured him that extensive support was in place to help residents, with a dedicated team of officers embedded within the local community to better align opportunities with individual needs.
- 5.4 Councillor Green noted that the decant of some residents had begun and that there were several families already scheduled to move to new homes nearby on the West End Green site in his ward. Councillor Green noted that the new

homes were of a high standard, including accommodation that was dementia friendly.

- 5.5 Councillor Robathan reiterated that the regeneration of Church Street is a hugely important scheme for residents but that the use of any compulsory purchase powers must only be as a last resort when all other efforts to reach an agreement had been exhausted.
- 5.6 Prior to voting Councillor Robathan asked Hazel Best, the Council's legal representative, to confirm that Councillor Green was able to participate in voting on this item given his role as Cabinet Member for Planning. Hazel confirmed that there was no conflict as no live planning application.
- 5.7 **RESOLVED:** Cabinet agreed that 'in principle' use of compulsory purchase powers be made available to assemble the land required for the redevelopment of Site A should all reasonable attempts to acquire the necessary land and interests fail.

6. EBURY BRIDGE REGENERATION COMPULSORY PURCHASE ORDER RESOLUTION

- 6.1 Councillor Acton introduced this report by explaining that Ebury Bridge Estate is one of five priority housing estates identified in the Westminster Housing Renewal Strategy 2010 as requiring significant investment.
- 6.2 "In principle" approval to use the Council's statutory compulsory purchase powers to assemble the Ebury Bridge Estate Renewal scheme site for phases beyond the first phase was agreed by Cabinet in July 2020. This report asks Cabinet to approve the making of a compulsory purchase order of land and property required for the redevelopment of the Ebury Bridge Estate Renewal scheme beyond the first phase, whilst continuing to negotiate and complete acquisitions of legal interests, on the basis of the statutory Compulsory Purchase Compensation Code.
- 6.3 Councillor Acton went on to explain that in the initial phase, no compulsory purchase orders had to be made and that it would remain the focus in subsequent phases to achieve vacant possession in the same way. Compulsory purchase powers will only be used as a measure of last resort.
- 6.4 Councillor Acton told Cabinet that 92 households had already moved on a voluntary basis and that more moves are currently under negotiation.

- 6.5 Debbie Jackson, Executive Director of Growth, Planning and Housing explained that the Church Street Recommendation is “in principal” because there is no planning approval yet in place. However, Ebury is a full recommendation as planning permission has already been granted.
- 6.6 Councillor Robathan enquired about the scale of resource given that the emphasis is on negotiating and reaching agreements with individual households and not on invoking compulsory purchase powers.
- 6.7 Cabinet was told that there is a dedicated officer, supported by external advisors, working on resident negotiations; the officer is dedicated to working with families to achieve mutually agreeable results.
- 6.8 Councillor Robathan asked whether there was sufficient capacity in the south of the city to allow residents to remain in the area and was assured that where possible officers would place households within Westminster’s existing estates.
- 6.9 **Resolved:** Cabinet agree to the making of a compulsory purchase order of land and property required for the redevelopment of the Ebury Bridge Estate Renewal scheme beyond the first phase, whilst continuing to negotiate and complete acquisitions of legal interests, on the basis of the statutory Compulsory Purchase Compensation Code.

7. RESPONSIBLE PROCURMENT AND COMISSIONING STRATEGY

- 7.1 This report was deferred and will be heard at a future meeting of Cabinet.

8. COUNCIL TAX TAXBASE AND DISCOUNTS REPORT

- 8.1 Councillor Swaddle introduced this report which sought Cabinet’s support to recommend that Council approve the retention of the same level of Council Tax discounts in 2022/23 as were set in 2021/22.
- 8.2 The tax base for 2022/23 has increased by 0.9% due to the growth of residential properties in the city, this is slightly less than expected but is due to the ongoing effects of the COVID pandemic.
- 8.3 The Council Tax Base is calculated in accordance with a nationally prescribed formula and represents the equivalent number of Band D properties within the area. The formula takes account of the number of properties in each band, the number of discounts given for single occupiers, empty dwellings, second homes

and other eligible criteria, the prescribed proportions to convert numbers to Band D equivalents, and the estimated collection rate.

- 8.4 Councillor Swaddle assured Cabinet that the Council has continued to fund discounts to the fullest and that those properties recently affected by flooding have had their council tax suspended.
- 8.5 Councillor Robathan reiterated the importance of those exemptions remaining in place in order to protect the lowest income families.
- 8.6 **RESOLVED:** Cabinet agree that the Council approve all recommendations listed in the Council Tax Taxbase and Discounts Report for the financial year 2022/23.

9. CAPITAL BUDGET REPROFILING AND BUDGET CHANGES

- 9.1 Councillor Swaddle introduced this budget report and explained that as part of the Council's annual capital budget cycle, the capital budgets are reprofiled to align with project delivery timeframes and baselines in preparation for setting the following year's capital strategy.
- 9.2 The report seeks Cabinet's approval of net changes amounting to £17.148m for individual projects as part of the 2021/22 general fund capital budget as well as the re-profiling of £31.858m for individual projects as part of the 2021/22 HRA capital budget.
- 9.3 Councillor Barnes sought assurance that no projects were at risk of having funding dropped and it was explained that there would be minor delays only.
- 9.4 **Resolved:** Cabinet agree to approve net changes of £17.148m for individual projects as part of the 2021/22 general fund capital budget and the re-profiling of £31.858m for individual projects as part of the 2021/22 HRA capital budget

10. FEES AND CHARGES

- 10.1 Councillor Swaddle introduced this report and explained that the Council's discretionary fees and charges are reviewed annually as part of the Council's wider budget setting processes. The review this year has focused on ensuring that charges are increased in line with inflation and income received continues to cover the cost of delivering fee paying services.
- 10.2 In a small number of exceptions, a different approach is proposed whereby charges either remain the same or increase above inflation and where parking

legislation provides a different rationale. The reasons for these exceptions are covered within the main report.

- 10.3 **Resolved:** Cabinet agree the changes to fees and charges as outlined in the report, agree that authority be delegated to the to the Executive Director for Finance and Resources, in consultation with the relevant cabinet member, to approve any changes required in light of consultation feedback and agree the Fees and Charges Policy.