



City of Westminster

Cabinet Member Report

Decision Maker:	Cabinet Member for Planning & Economic Development
Date:	30 August 2023
Classification	General Release
Title:	Westminster Neighbourhood CIL – Spring 2023 Project Allocations
Wards Affected:	All
Financial Summary:	This report seeks to allocate a total of £348,049 of funding from the Neighbourhood CIL portion to various infrastructure projects and £295,300 of funding from the Carbon Offset Fund to various carbon reduction projects
Report of:	Ezra Wallace, Director of Policy and Projects

1.0. Executive Summary

- 1.1. This report provides the Spring 2023 funding proposals related to Neighbourhood Community Infrastructure Levy (CIL) and Carbon Offset Fund within Westminster for approval.

Neighbourhood CIL Funding Proposals (Spring 2023 Round)

- 1.2. In line with legislation, a portion of the Community Infrastructure Levy (CIL) is allocated to neighbourhood areas in Westminster, excluding specific zones like Royal Parks and commercial regions around St James. The neighbourhood share constitutes 15% of CIL receipts, capped at £100 per council tax paying dwelling, per year. If a neighbourhood area has an adopted plan, the allocation rises to 25%, without a cap.
- 1.3. The council receives applications for Neighbourhood CIL funds through quarterly rounds, subject to national regulations, local policies, and Westminster's CIL Spending Policy Statement. Consultation with stakeholders, including Neighbourhood Forums, Business Improvement Districts, and ward members, is a prerequisite. The applications undergo thorough assessment by Infrastructure Planning and Delivery officers, with input from various council departments and the Infrastructure Governance Group.
- 1.4. Outlined below are some Spring 2023 Neighbourhood CIL funding applications:
 - 1.4.1. **Covent Garden Conservation Area Audit:** Proposed £25,000 for an audit to enhance the Covent Garden Conservation Area's historical significance and character.
 - 1.4.2. **Feathers Club Management System and Operations:** Requesting £35,211.20 to modernize club operations and support activities for the local community.
 - 1.4.3. **Marylebone Bangladesh Society Basement Improvements:** Seeking approval of £12,200 for upgrading the society's basement to better serve diverse community needs.
 - 1.4.4. **Marylebone War Memorial Revitalisation:** Requesting £12,500 to restore and enhance a war memorial, contributing to the area's cultural and historical significance.
 - 1.4.5. **Soho Poly Theatre Restoration Supplement:** Recommending £22,312.56 to supplement a previous award for restoring the Soho Poly Theatre, a crucial community asset.

- 1.4.6. **Christ Church Bentinck CE Primary School - Community Playground/Pitch Renovation:** Seeking £111,685.90 to transform a school pitch into a multi-use games area (MUGA) for broader community use.
- 1.4.7. **St Peter's Eaton Square Primary School - Playground Extension Feasibility and Design:** In principle approval of up to £84,139.35 for a feasibility and design study to expand a school playground, addressing space constraints.
- 1.4.8. **Soho Public Conveniences Project Study:** In principle allocation of £45,600 to study the feasibility of community- or business-provided public toilets in Soho, a high-priority area.

Carbon Offset Funding Proposals

- 1.5. Carbon Offset contributions are pooled to fund environmentally beneficial projects. Applications are assessed based on Greater London Authority guidelines and Westminster's Carbon Offset Fund Guidance. These proposals aim to reduce carbon emissions and promote sustainability:
- 1.5.1. **English National Opera LED Lighting Replacement:** Recommending £274,000 to replace lighting at the London Coliseum with energy-efficient LED lighting, aligned with ENO's net zero goals.
- 1.5.2. **WECH Power Station:** Suggesting £21,300 for a feasibility study to create a 'power station' at Waltham and Elgin Community Homes (WECH), incorporating solar panels and more, contributing to renewable energy generation and carbon reduction.
- 1.6. These proposals address community needs, enhance local infrastructure, and contribute to environmental sustainability. They align with Westminster's commitment to responsible development and resource management.

2.0. Recommendations

- 2.1. The Cabinet Member for Planning and Economic Development is asked to approve the following Neighbourhood CIL bids, details of which are set out in this report:
- i) Covent Garden Conservation Area Audit
 - ii) Feathers Club Management System and Operations
 - iii) Marylebone Bangladesh Society Basement Improvements
 - iv) Marylebone War Memorial (The Annunciation Bryanston Street) Revitalisation
 - v) Soho Poly Theatre Restoration Supplement

- vi) Christ Church Bentinck CE Primary School - Community Playground /Pitch Renovation
- vii) St Peter's Eaton Square Primary School - Playground Extension Feasibility and Design
- viii) Soho Public Convenience Project Feasibility Study

2.2. The Cabinet Member for Planning and Economic Development is asked to approve the following Carbon Offset bids, details of which are set out in this report:

- i) English National Opera LED Lighting Replacement
- ii) WECH Power Station

3.0. Reasons for Decision

3.1. To ensure robust and effective expenditure and reporting in line with the Planning Act (2008) and the Community Infrastructure Levy Regulations 2010 (as amended) and in accordance with the council's strategic priorities, the revised CIL Spending Policy Statement (2022), and the council's frameworks for resource allocation and management.

3.2. To ensure robust and effective expenditure in line with the Town and Country Planning Act (1990), the Greater London Authority guidance for London's Local Planning Authorities on establishing carbon offset funds (2022), and in accordance with the council's strategic priorities, the Westminster Carbon Offset Fund Guidance (2023), and the council's frameworks for resource allocation and management.

4.0. Background

Neighbourhood CIL

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. WCC's became effective on 1 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.

4.2. All CIL funding decisions are taken with regard to national legislation and regulations. Local policy and priorities, as set out in the Westminster CIL Spending Policy Statement (October 2022), also informs decisions.

4.3. CIL Regulations require apportionment of CIL receipts between:

- **the Strategic Portion (70-80%)** – spent by the Council according to its strategic infrastructure priorities.
- **a Neighbourhood Portion of receipts from development in each neighbourhood (15-25%)** – 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); and
- **the CIL Administrative Portion (5%)** – spent by the Council on the administrative costs of CIL collection and administration.

- 4.4. Neighbourhood CIL is spent within the local area within which the development took place to provide local infrastructure. Neighbourhood CIL is collected and held by the council and spent by the council in consultation with the local community. The council accepts applications to provide Neighbourhood CIL to deliver projects.
- 4.5. As of 18 July 2023 a total of £17.984m of collected CIL has been apportioned to Neighbourhood CIL; £12.034m remains available. The total NCIL apportioned to each Neighbourhood Area is set out in Appendix 1.

Carbon Offset Fund

- 4.6. The council secures s106 contributions that can be pooled for purposes including affordable housing, employment and skills, and carbon offsetting contributions. The Carbon Offset Fund is spent on projects which achieve carbon reductions.
- 4.7. As of July 2023 a total of £6.418m remains available.
- 4.8. The purpose of this report is therefore for the Member to consider and approve further allocations of funding for projects from the CIL Neighbourhood Portions.

5.0. Westminster's CIL: The Neighbourhood Portion

Overview of Neighbourhood CIL

- 5.1. A proportion of CIL is apportioned to the area within which the development took place. There are 21 neighbourhood areas throughout Westminster; land within the Royal Parks and primarily commercial areas around St James are not included within any neighbourhood area. As set out in legislation the neighbourhood portion is set at 15% of CIL receipts in a neighbourhood area capped at £100 per council tax paying dwelling, per annum. Where a neighbourhood area has an adopted neighbourhood plan, the percentage allocated to the neighbourhood rises to 25% uncapped.
- 5.2. The council accepts applications for Neighbourhood CIL funds from organisations and individuals through quarterly application rounds. Applications are assessed with regards to national legislation and regulations, principally Planning Act (2008) and the Community Infrastructure Levy Regulations 2010 (as amended) and the associated National Planning Practice Guidance, and with regards to local policy, criteria and priorities as established by the Westminster CIL Spending Policy Statement. Ward members, Neighbourhood Forums, and Business Improvement Districts, where they exist, must be consulted on all applications within their area.

Applications are processed and reviewed by Infrastructure Planning and Delivery officers, with insight sought from relevant officers across the council and the Infrastructure Governance Group.

Spring 2023 Neighbourhood CIL Applications

- 5.3. Applications that are recommended for **approval “in principle”** means that the proposal is considered by officers to be eligible for Neighbourhood CIL funding with regards to national legislation and regulations and WCC policy, but funding should not be released until an outstanding issue is resolved. Where in-principle approval is recommended, the outstanding issue[s] and means to address it is set out in this report. Applications recommended for **approval** means that the project is considered by officers to be eligible and viable with regards to national legislation and regulations and WCC policy and is ready for implementation.
- 5.4. Applicants are required to engage with local stakeholders, including Neighbourhood Forums (where one exists), Business Improvement Districts (where one exists), and local ward councillors. Consultees have either expressed supportive or no views on the applications, except where otherwise noted.
- 5.5. This section lists the applications for Neighbourhood CIL funding received in the Spring 2023 round. For each project, there is a project title, the name of the Neighbourhood Area from which funding would be allocated, and a short description that includes the proposed funding recipient, the amount, a description of the project including any background or notable issues, and an explanation of how the project is required due to new development or to otherwise support the growth of the City.
- 5.6. **Covent Garden Conservation Area Audit (Outside Designated Neighbourhood Areas):** It is recommended to approve £25,000 sought by WCC Placeshaping Team to fund an audit of the Covent Garden Conservation Area.
- 5.7. Covent Garden is one of just 11 of the council’s 56 designated conservation areas which does not benefit from a published audit of the assets and detriments within the area. It has been identified by WCC Planning Policy and Placeshaping Teams as the priority for the next area to receive an audit because of Covent Garden’s historical significance and prominence.
- 5.8. The funding would support appointment of consultants to carry out the work. The total project cost is estimated at up to £40,000; an in principle agreement for Ward Budget funding would fund the difference between the NCIL award and the total project cost.
- 5.9. The conservation area audit will support appropriate growth and development within Covent Garden by identifying opportunities and threats, and setting out how new development and redevelopment can enhance the special character of the area.

- 5.10. **Feathers Club Management System and Operations (Marylebone):** It is recommended to approve £35,211.20 sought by the Feathers Association to purchase a new club management system and to fund part of operational costs, including an element core programmes and activities and portion of youth worker salaries.
- 5.11. Feathers is a youth and community club providing over 20 leisure, educational and sporting activities, such as after school clubs, music classes, and boxing sessions, to nearly 700 local community members.
- 5.12. The funding would support the use of technology to modernise and secure efficiencies for service provision and would support provision over a temporary budget shortfall. £8,484.00 would fully fund the purchase and licence fee for Upshot, a widely used community facility management system. £18,535.55 would cover 10% of core programmes and activities £8,191.65 would cover 5% of youth worker salaries. This funding request is based on Feathers Association's wider budget planning for 2023-24, which sets out costs of £384,399.70 to deliver its portfolio of programmes and activities; most of these costs will be covered by income generated from trading activities and investment as well as fundraising efforts. From the start of 2024-25 onwards, the Feathers Association's updated business plan includes a detailed income generation plan which ensures that future costs will be covered entirely by income generation. Based on the detailed accounts for FY23-24 and the income generation plan for FT24-25 and beyond, officers are confident that the operational costs funded by NCIL are required only for this next financial year and that there is minimal risk that the services would be discontinued after this time.
- 5.13. The funding would support an increase in need for these services identified in the local area. A recent survey undertaken by the Feathers Association of its existing users and support networks identified its most popular programmes and activities, and the organisation reports significant increase in demand for these programmes and activities. The funding would also support the increased demand for social infrastructure resulting from the nearby redevelopment of Church Street, which will see 1,750 new homes including a significant proportion of affordable housing.
- 5.14. Community uses such as a youth clubs are identified as a priority infrastructure type in local CIL policy.
- 5.15. **Marylebone Bangladesh Society Basement Improvements (Church Street):** It is recommended to approve £12,200 to the Marylebone Bangladesh Society to fund works to convert the basement of their building into a useable space.
- 5.16. The society's building hosts its youth club activities, women and older people's services, physical activities including martial arts and exercise classes, and its Advice and Information Service which provides advice and

support on benefits, housing matters, debts and education, particularly school transfers and exclusions.

- 5.17. The funding would pay for the installation of a ventilation system (the current system has faulty motor which causes it to cut out), new lighting, and other upgrades.
- 5.18. The project would increase the society's capacity to serve the growing diversity of Westminster's population. The society intentionally serves residents from a variety of backgrounds, reflecting the fact that over 60% of Church Street ward's population was born abroad. The society have a diverse staff team who speak many different languages which makes it allows them to better support the growing population of Westminster residents from abroad.
- 5.19. **Marylebone War Memorial (The Annunciation Bryanston Street) Revitalisation (Marylebone):** It is recommended to approve £12,500 to the Parochial Church Council of the Ecclesiastical Parish of The Annunciation Bryanston Street to fund the revitalisation of the War Memorial located on the southeast corner of the church.
- 5.20. The memorial, which commemorates 69 local servicemen and others who lost their lives in the Great War, has been damaged by vandalism and wear and tear, as set out in a report commissioned from architects. The funding would contribute to a thorough clean, repair, and replacement of some materials. The amount requested represents approximately one-third of the total quoted cost of £31,387 plus VAT. Most of the cost has been provided by Historic England's War Memorial Trust.
- 5.21. Renewing the War Memorial has the potential to improve the role of the church as a destination to draw visitors back to the City in the post-Covid era. The church welcomed 38,000 visitors last year, a huge increase from the previous two years, and restoring the War Memorial could increase those visitors further.
- 5.22. **Soho Poly Theatre Restoration Supplement (Fitzrovia West):** It is recommended to approve £22,312.56 to Fitzrovia West to supplement an earlier NCIL award (NCIL053) to cover rising project costs.
- 5.23. In August 2022, the forum was awarded £50,000 to contribute towards the restoration of the Soho Poly Theatre. The total cost was estimated at approximately £400,000. The works will support the re-opening of a theatre that has not operated in over 25 years.
- 5.24. Inflation and materials costs have increased costs. Officers have reviewed the additional costs and confirmed that the increases are evidenced and in line with industry pricing. The funding will pay for increased costs primarily related to fit out and finishes.

- 5.25. Small theatres are recognised as community infrastructure and are important in supporting the growth of the local arts, entertainment, and cultural sectors. The proposal complies with policies 17A and B in Westminster's City Plan and supports the advancement of policies PR3 in the Fitzrovia West Neighbourhood Plan.
- 5.26. **Christ Church Bentinck CE Primary School - Community Playground /Pitch Renovation (Church Street):** It is recommended to approve £111,685.90 to Christ Church Bentinck CE Primary School to fund the transformation of their existing pitch into a MUGA and to facilitate use of the facility outside of school hours.
- 5.27. The funding would: check the drainage and prepare the ground to Install a MUGA surface on the existing football pitch; install the MUGA including markings for a range of sports; and develop the security so that groups using the playground have access to indoor toilets within school building. The project would benefit the school's pupils as well as the broader community.
- 5.28. The creation of a new MUGA accessible to the wider community would help to address the increasing need for sports pitch provision set out in the Playing Pitches Strategy (2021), particularly for football, rugby, and hockey.
- 5.29. **St Peter's Eaton Square Primary School - Playground Extension Feasibility and Design (Belgravia):** It is recommended to approve in principle up to £84,139.35 St Peter's Eaton Square Primary School to fund feasibility and design work to increase the size of play space accessible to the pupils, including potentially utilising the pavement or carriageway to the front of the school gates. The outcome will be a design and other studies to take to planning.
- 5.30. St Peter's current playground is one of the smallest in the country, measuring less than 210 m². This is significantly smaller than the Department for Education's recommended provision for a primary of this size. The children are currently crammed into the space up to 100 at a time, even with staggered play times which limit the school's ability to schedule other activities.
- 5.31. There is a need for innovative solutions to provide playground space within a densely built-up inner-city environment. Five preliminary options have been identified, including providing play space beyond the school gates on the pavement, and/or within the carriageway (either temporary or permanent stopping up or pedestrianisation). The options come with risks, including failure to secure planning consent or stopping up order, and failure to raise funds for delivery. However similar schemes have been implemented elsewhere in inner London.
- 5.32. The total amount requested of £84,139.35 would fund consultants (architect, traffic engineers, utilities surveyors, planners and heritage experts) to undertake feasibility study of options and make recommendations, followed by design and planning work. The project is in four stages, each contingent on the previous: 1) Feasibility (£26,001.35); 2) Concept Design and Pre-app

(£15,498); 3) Detailed Design and Planning (£19,626); and 4) Technical Design (£13,014).

- 5.33. Given the uncertainty and risks to delivery, it is recommended that the funding is agreed in four stages, with each stage contingent on a satisfactory outcome of the previous stage. The Feasibility Stage will initially be funded. However, the Concept Design and Pre-app stage costs will not be provided until officer's relevant officers from Placeshaping, Highways (Planning) and Highways (Road Safety) have agreed, based on the output of the Feasibility Stage. Similar agreement will be subsequently required to secure the Detailed Design and Planning and then the Technical Design stages funding.
- 5.34. When we were consulting on the proposal with local stakeholders, a concern was raised about value for money. Following further investigation, officers are confident the proposal represents value for money and meet our NCIL policy on cost effectiveness. The application followed our guidance and secured multiple bids from the different contractor types at each stage of the project. All quotes are within industry norms; the utilities and planning consultants provided discounts because it is a school. Importantly, recommendation to fund further stages in principle and to only release funds contingent on the successful outcome of the previous stage, will ensure that funding will be limited proportional to the identification of options with realistic chances for delivery.
- 5.35. The project would help to address the growing rates of childhood obesity by providing local pupils with a safe place to play. Extending the playground will also help support the school's long-term future and therefore provide the educational infrastructure that the city needs to support expected long-term growth. Furthermore, the current deficit in open spaces is predicted to get worse due to future development, leaving children with fewer opportunities to play outdoors.
- 5.36. **Soho Public Conveniences Project Study (Soho):** It is recommended to approve in principle £45,600 to the Soho Neighbourhood Forum to fund the appointment of a consultant to research the need for and feasibility of community- and or business-provided public toilets in Soho, including type (gender, facilities, etc.), proposed locations and cost estimates of making such provision.
- 5.37. Soho has the highest concentration of licensed hospitality venues in the UK yet it has one of the lowest numbers of public toilets. Following an increase in acts of or complaints related to public urination and defecation, the council has provided temporary toilets at the weekend. Data of the usage of these temporary toilets justifies the need for provision, but the temporary toilets are not considered a sustainable long-term solution because of their appearance and high cost of approximately £15,000 per weekend.
- 5.38. The study would be led by and for the Soho Neighbourhood Forum, not Westminster City Council. Any proposed solutions would be for community-led schemes with no expectation of public funding. However, it is considered

that the report could provide helpful insights into the need for wastewater infrastructure and related facilities within the city. In this sense, the project would help to identify a growing need for a type of infrastructure, based on the growth of the night-time economy.

- 5.39. The final brief must be agreed by officers in the Environment Directorate, to ensure that the study will align with council strategies and will not create any expectation of council provision, amongst other considerations. Funding will not be released prior to this council sign off.

6.0. Proposals for funding from pooled Section 106 contribution

Overview of Carbon Offset

- 6.1. Section 106 contributions for carbon offsets are pooled.
- 6.2. The council accepts applications for Carbon Offset funds from organisations and individuals through quarterly application rounds. Applications are assessed with regards to Greater London Authority policy and guidance, and with regards to Westminster's Carbon Offset Fund Guidance (January 2020). Applications are processed and reviewed by Infrastructure Planning and Delivery officers, with views and comments sought from Climate Emergency officers and the Infrastructure Governance Group.
- 6.3. Applications that are recommended for **approval "in principle"** means that the proposal is eligible for Neighbourhood CIL Funding and is considered viable, however further engagement is needed prior to allocation of funds. An in-principal allocation does not mean the project is being refused for Neighbourhood funding, but rather that outstanding issues must be addressed prior to the formal allocation of funds. Applications recommended for **approval** means that the project is considered viable by officers and is ready for implementation.
- 6.4. **English National Opera LED Lighting Replacement:** It is recommended to approve £274,000 to the English National Opera to fund the replacement all lighting in public areas (Front of House and Gantry) at the London Coliseum to LED as part of ENO's energy efficiency and net zero commitments. This would have significant carbon savings: over the 10-year life span it would be 534tCO₂ which would save carbon at a rate of c.£513 per tonne.
- 6.5. The total project is costed at £304,489. The other 10% would be covered by ENO's capital funds.
- 6.6. **WECH Power Station:** It is recommended to approve £21,300 to the Paddington Development Trust to fund a feasibility study into creating a 'power station' at Walerton and Elgin Community Homes (WECH).
- 6.7. Philip Pank Partnership would investigate the feasibility and costs of adding solar panels, more EV charging points, sufficient battery capacity to use solar generation and off-peak tariffs to help balance the grid and displays to monitor

status and performance. These works are framed as creating a 'power station' on the estate, building off the existing solar arrays installed in 2017. The existing six arrays supply electricity to WECH's offices and to common areas on the estate, with any surplus sold to the grid. Funding would also support maintenance work on existing facilities which is necessary prior to the feasibility work on the subsequent stage.

- 6.8. The applicant estimates that the 'power station' would generate 35,952 kWh of renewable electricity per annum, which would save 7 tonnes of CO₂ per annum or 175 tonnes across the project lifetime, using the latest carbon factor figures. Actual savings could be higher; the savings was calculated assuming potential additional solar capacity of 42.8 kWp, but it is estimated that additional capacity could be as high as 60 kWp.
- 6.9. The initial application was for £60,790. It included costs related to project implementation. Officers worked with the applicant to identify those elements strictly related to the feasibility work and to remove the other costs. Depending on the outcome of the feasibility study, project implementation costs could be sought in a subsequent Carbon Offset Fund application.

7.0. Financial Implications

- 7.1. As of 18 July 2023, the council had collected £17.984m in Neighbourhood CIL. £5.494m has been allocated or spent, leaving a balance of £12.034m. This report recommends approving a further £348,049 of Neighbourhood CIL allocations, which would bring the balance to £11.686m.
- 7.2. Pooled section 106 (s106) contributions for city-wide purposes have largely been replaced by CIL. Nevertheless, there are residual amounts collected under historic s106 agreements that remain available to spend provided they align with the provisions of the individual legal agreements concerned.
- 7.3. £295,300 has been requested for approval from the S106 Carbon Offset Fund, which would bring the balance to £6.74 million.

8.0. Legal Implications

- 8.1. 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.
- 8.2. Legal Services has reviewed this report, and the proposed Project Allocations, and is satisfied that the measures proposed comply with the relevant legislation and guidance set out in paragraph 8.1 above.

9.0. Consultation

- 9.1. Local policy requires local ward councillors, neighbourhood forums, and business improvement districts, where they exist, be given the opportunity to comment on all proposals within their area. All applications in this report have been subject to Ward Member and community engagement. Any concerns raised during consultation are reflected in this report.

10.0. Equalities

- 10.1. 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.
- 10.2. 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.
- 10.3. 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.
- 10.4. 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 equality’s implications of the decision.
- 10.5. All decisions on spending CIL will themselves be subject to assessment to ensure the 2010 Act duties are complied with. Equality Impact Assessment Screenings are undertaken for every Neighbourhood CIL application. The council will review its CIL charging schedule on a biennial basis.

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

Alex Csicsek, Principal Policy Officer

E-mail: ACsicsek@westminster.gov.uk

APPENDICES

Appendix 1: Neighbourhood CIL Balances

BACKGROUND PAPERS

- Report to Cabinet dated 17 October 2022 on Priorities for the Community Infrastructure Levy (CIL) and update to the CIL Spending Policy Statement and governance arrangements.
- Westminster CIL Spending Policy Statement.
- Equalities Impact Assessment Screening documents for Neighbourhood CIL applications recommended for approval.

Declaration of Interest

I have no interest to declare in respect of this report

Signed:  Date: 30 August 2023

NAME: **Councillor Geoff Barraclough**

State nature of interest if any

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(N.B: If you have an interest you should seek advice as to whether it is appropriate to make a decision in relation to this matter)

For the reasons set out above, I agree the recommendation(s) in the report entitled **Westminster Neighbourhood CIL – Spring 2023 Project Allocations** and reject any alternative options which are referred to but not recommended.

Signed 

Cabinet Member for Planning and Economic Development

Date ...30 August 2023.....

If you have any additional comment which you would want actioned in connection with your decision you should discuss this with the report author and then set out your comment below before the report and this pro-forma is returned to the Secretariat for processing.

Additional comment:

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If you do not wish to approve the recommendations, or wish to make an alternative decision, it is important that you consult the report author, the Director of Law, Strategic Director Finance and Performance and, if there are resources implications, the Strategic Director of Resources (or their representatives) so that (1) you can be made aware of any further relevant considerations that you should take into account before making the decision and (2) your reasons for the decision can be properly identified and recorded, as required by law.

Note to Cabinet Member: Your decision will now be published and copied to the Members of the relevant Policy & Scrutiny Committee. If the decision falls within the criteria for call-in, it will not be implemented until five working days have elapsed from publication to allow the Policy and Scrutiny Committee to decide whether it wishes to call the matter in.