



City of Westminster

Mrs K McYarnington

By email only

Information Management Team
Westminster City Council
5 Strand
London
WC2N 5HR
Telephone 0207 641 3921
Email xxx@xxxxxxxxxxxxx.xxx.xx

Our ref: 6000233

Your ref:

Date: 25 October 2017

Dear Mrs McYarnington

Re: Request for Internal Review – 6000233

Thank you for your correspondence dated 20 September 2017 regarding the response to your recent request to the Council (6000233).

In your correspondence you expressed dissatisfaction with the response to your Freedom of Information Request.

Internal Review Procedure

I am sorry that you are dissatisfied with our handling of your requests and I have investigated your complaint in accordance with the Section 45 Code of Practice.

Should you remain dissatisfied with the handling of your request, you are entitled to contact the Information Commissioner under Section 50 of the Freedom of Information Act 2000. The contact details are provided at the end of this letter.

Response

Background

On 10 August 2017 the council received your original request for the following:

Can I please request documents including emails related to Westminster City Council's progress on implementing items for which it had previously been awarded Transport for London Local Implementation Plan funding, for the most recent year such documents and emails are available?

On 6 September 2017 the council responded to your request, providing redacted copies of documents from the most recent year (2017/18).

On 20 September 2017 you emailed the council setting out the following in respect of your request:

I am writing with regard to my Freedom of Information request submitted on 10 August 2017:

"Can I please request documents including emails related to Westminster City Council's progress on implementing items for which it had previously been awarded Transport for London Local Implementation Plan funding, for the most recent year such documents and emails are available?"

Please correct me if I'm wrong, but all the documents you have sent to me relate to Transport for London Local Implementation Plan funding for the current or future years i.e. 2017/18 onwards. My request relates to Westminster City Council's progress on implementing items for which it had previously been awarded Transport for London Local Implementation Plan funding, i.e. awarded in past years such as 2015/16 or 2016/17.

Progress reports should be about past performance, not future plans. Could I please ask you to reconsider my request and respond accordingly?

Internal Review

The purpose of an Internal Review is to investigate the handling of a request in accordance with the Freedom of Information Act 2000. As your complaint sets out that the council has not provided the requested information, this Internal Review will focus on section 1 of the Act as set out in full under the Advice & Assistance section of this letter.

Under section 1 (1) of the Act, an authority is required to confirm whether requested information is held and, subject to any exemptions which may apply in respect of it.

On this occasion the council responded to the following aspect of your request (quoted verbatim): *"for the most recent year such documents and emails are available"*.

This Internal Review has determined that although the above addressed one aspect of the request, it did not address the former as follows: *"documents including emails related to Westminster City Council's progress on implementing items for which it had previously been awarded Transport for London Local Implementation Plan funding"* as the response was a bid for future funding, not that which had previously been awarded.

As a result, the response did not fully satisfy the requirements of section 1(1) of the Act and therefore your complaint in this regard is partly upheld. A revised response is provided below.

Revised Response

2016/17

- Letter to TfL dated 8 October 2015 (hbrenna etc) which was the City of Westminster submission to TfL in support of the 2016/17 Local Implementation Plan (LIP) submission
- Appended to the above letter is the second attachment 'LIP 2016 17 Proforma A Final 6 10 15' which is the formal TfL form that sets out the main 'Corridors and Neighbourhoods' programme
- The attached '16-17 LIP Final-Westminster City Council' represents TfL's approval of the above which was granted on 18 December 2015

And

- Below is an extract from the TfL 'Portal' financial management system which for the City of Westminster shows the final claims of expenditure for each of the LIP 1-21 designated projects for the closed year of 2016/17. It indicates:
 - o A total underspend of £38,535.76
 - o Of which at the beginning of the year £3,460,000 was allocated
 - o So the underspend represents a 1.1% difference
 - o An outcome that is considered to be very good given the complexities and legal challenges of delivering the wide range of projects on the streets of central London

	Funding Year	2016/17	2016/17	2016/17	2016/17			
		Current Full Year VOWD	Pending Claims	Claims TfL Approved/Paid	Available Funds for Claims		Actual Claim	Actual Balance
Corridors		3,669,000	379,513	3,247,232	42,255.05			
Non Partnership		3,669,000	379,513	3,247,232	42,255.05			
28084 LIP 1 LEGIBLE LONDON		70,000		70,000	0.00		70,000.00	0.00
28112 LIP 2 CIVIC STREETS PROG - DEVELOPMENT		300,000		300,000	0.00		300,000.00	0.00
28113 LIP 3 ELECTRIC VEHICLE CHARGING POINTS		140,000		140,000	0.00		140,000.00	0.00
28114 LIP 4 CORRIDORS & NEIGHBOURHOOD SCHEMES		200,000		200,000	0.00		200,000.00	0.00
28162 LIP 5 CORRIDORS & N IMPLEMENTATION		1,054,000	300,000	754,000	0.00		1,054,000.00	0.00
28163 LIP 6&7 VULNERABLE R SAFETY DEV & IMP		490,000		486,281	3,719.00		490,000.00	0.00
28164 LIP 8 TRANSPORT & STREETS - DEV & IMP		100,000		100,000	0.00		100,000.00	0.00
28165 LIP 9 EV POINTS - DEVELOPMENT		30,000		30,000	0.00		30,000.00	0.00
28166 LIP 10 DDA BUS STOP ACCESSIBILITY - IMP		100,000		100,000	0.00		100,000.00	0.00
28167 LIP 11 STP - DEVELOPMENT		10,000		10,000	0.00		10,000.00	0.00
28168 LIP 12 TRANSPORT EDUCATION - DEV & IMP		30,000		21,392	8,608.00		21,392.00	-8,608.00
28169 LIP 13 AIR QUALITY PROJECTS - DEV		30,000		26,230	3,770.00		26,230.00	-3,770.00
28170 LIP 14 LSS & STP - DEV AND IMP		200,000		200,000	0.00		200,000.00	0.00
28171 LIP 15 LOCAL BUS CHALLENGE - DEV & IMP		100,000		100,000	0.00		100,000.00	0.00
28172 LIP 16 CYCLE STRATEGY SCH - DEV & IMP		320,000		305,201	14,799.29		305,200.71	-14,799.29
28173 LIP 17 WALKING STRATEGY - DEV & IMP		100,000	79,513	20,488	0.00		100,000.00	0.00
28174 LIP 18 TRAFFIC SIGS & PCATS - DEV		100,000		100,000	0.00		100,000.00	0.00
28175 LIP 19 HEALTH AND WELLBEING - DEV		20,000		20,000	0.00		20,000.00	0.00
28176 LIP 20 BAY SENSOR SCHEME - IMP		15,000		5,000	10,000.00		5,000.00	-10,000.00
28177 LIP 21 AIR QUALITY MANAGEMENT - DEV		81,000		79,641	1,358.76		79,641.24	-1,358.76
29893 STANHOPE / BROOK ST ZEBRAS - CS3 MITIGAT		179,000		179,000	0.00		179,000.00	0.00

2015/16

Similarly for 2015/16 the following is enclosed:

- Letter to TfL dated 2 October 2014 (LET David Rowe 021014) which was the City of Westminster submission to TfL in support of the 2015/16 Local Implementation Plan (LIP) submission
- Appended to the above letter is the second attachment 'Proforma A 26 09 14' which is the formal TfL form that sets out the main 'Corridors and Neighbourhoods' programme
- The attached 'City of Westminster 1516 confirmation.pdf' represents TfL's approval of the above which was granted on 12 December 2015

And

- Below is an extract from the TfL 'Portal' financial management system which for the City of Westminster shows the final claims of expenditure for each of the LIP 1-22 designated projects for the closed year of 2015/16. It indicates:
 - o A total underspend of £7,083.13
 - o Of which at the beginning of the year £3,228,917.00 was allocated
 - o So the underspend represents a 0.21% difference
 - o An outcome that is considered to be very good

	Funding Year	2015/16	2015/16	2015/16	2015/16	2015/16	2015/16	2015/16
		Requested Amount	Initial Allocation	Current Allocation	Current Full Year VOWD	Pending Claims	Claims TfL Approved/Paid	Available Funds for Claims

City of Westminster								
Corridors		3,844,000	1,786,000		3,550,000		3,522,304	27,696.13
Non Partnership		3,844,000	1,786,000		3,550,000		3,522,304	27,696.13
25678	PIMILICO ROAD ZEBRA CROSSING				70,000		70,000	0.00
26239	LIP 5 CORR & NHOODS SCHEMES VILLERS ST				64,000		64,000	0.00
26240	LIP 6 7 VTMRs HARROW RD & SUTHERLAND AV	70,000	70,000		0			0.00
26241	LIP 11 SCHOOL TRAVEL PLAN IMPLEMENTATION				10,000		9,122	878.00
26258	LIP 6 7 VTMRs SHIRLAND ROAD & ELGIN AV	60,000	60,000		250,000		250,000	0.00
26259	LIP 12 TRANSPORT EDUCATION				30,000		30,000	0.00
26260	LIP 14 STP LSS SCHOOL KEEP CLEAR PROGRAM	20,000	20,000		0			0.00
26261	LIP 17 WALKING STRATEGY	150,000	150,000		85,000		85,000	0.00
26271	LIP 2 CIVIC ST WEST END - HARROW ROAD				150,000		150,000	0.00
26272	LIP 2 CIVIC ST WEST END - ARUNDEL ST				50,000		50,000	0.00
26273	LIP 4 CORR & NHOODS NEWPORT PLACE				100,000		100,000	0.00
26274	LIP 4 CORR & NHOODS GREAT WINDMILL ST	100,000	100,000		0			0.00
26275	LIP 5 CORR & NHOODS SCHEMES CAMBRIDGE C	456,000	456,000		346,000		346,000	0.00
26276	LIP 5 CORR & NHOODS SCHEMES PR STUDY				300,000		300,000	0.00
26277	LIP 6 7 VTMRs HARROW RD & ASHMORE RD	70,000	70,000		0			0.00
26278	LIP 10 DDA BUS STOP ACCESSIBILITY				100,000		100,000	0.00
26279	LIP 14 STP LSS TRAFFIC SIGNALS STUDY	30,000	30,000		0			0.00
26280	LIP 20 BAY SENSOR TRAFFIC MANAGEMENT				15,000		15,000	0.00
26282	LIP 2 CIVIC ST WEST END - ALDWYCH	100,000	100,000		85,525		85,525	0.00

26283	LIP 3 EV CHARGING POINTS				140,000		140,000	0.00
26284	LIP 5 CORR & NHOODS SCHEMES BERWICK ST N	200,000	200,000		300,000		300,000	0.00
26285	LIP 6 7 VTMRs SHAFTESBURY AV & GT WINDMI	70,000	70,000		0			0.00
26286	LIP 6 7 VTMRs VICTORIA ST ARTILLERY ROW	70,000	70,000		33,000		33,000	0.00
26287	LIP 6 7 VTMRs HARROW RD & WODFIELD PL	70,000	70,000		23,000		23,000	0.00
26288	LIP 8 SMALL WEST END & BIDS ARCHER ST	100,000	100,000		0			0.00
26289	LIP 15 LOCAL BUS CHALLENGE				100,000		100,000	0.00
26290	LIP 16 CYCLE STRATEGY				320,000		320,000	0.00
26292	LIP 14 STP LSS SEMLEY PL & BUCK PL RD				160,000		160,000	0.00
26293	LIP 18 TRAFFIC SIGNALS DEVELOPMENT				200,000		200,000	0.00
26294	LIP 19 HEALTH & WELLBEING PROGRAMME	20,000	20,000		0			0.00
26339	LIP 22 AIR QUALITY PROJECTS	30,000	30,000		110,000		109,116	883.57
26468	LIP 1 LEGIBLE LONDON	70,000	70,000		74,475		69,153	5,321.56
26721	EAST MAYFAIR VISSIM MODELLING				40,000		40,000	0.00
26750	LIP 9 EV NORMAL SITES	50,000	50,000		80,000		80,000	0.00

Advice & Assistance

In the course of this Internal Review I have made reference to the following provisions of the Freedom of Information Act 2000

- 1 (1) Any person making a request for information to a public authority is entitled—
 - (a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and
 - (b) if that is the case, to have that information communicated to him.

This completes the internal review into the handling of your Freedom of Information Request under the Council's complaints procedure. Should you be dissatisfied with our response, you are entitled to contact the Information Commissioner under Section 50 of the Freedom of Information Act 2000. For your reference, I have provided the contact details below:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 0303 123 1113 or 01625 54 57 45

Fax: 01625 524510

Web: www.ico.org.uk

Should you have any queries, please contact me at the address below.

Yours sincerely

Information Management Team