

<b>Committee</b>	<b>Dated:</b>
Planning & Transportation	14 July 2020
<b>Subject:</b> City Fund & City Estate Highway Declaration Surplus Delegated Authority Request – 80 Fenchurch Street, EC2	<b>Public</b>
<b>Report of:</b> City Surveyor CS.199/20.	<b>For Decision</b>
<b>Report author:</b> Mark Eyre	

### Summary

The 80 Fenchurch Street development owned by Partners Group Fenchurch Limited (Partners Group) received planning consent on 11 November 2014 under application number: 08/00824/FULMAJ and includes architectural projections along the elevation fronting Fenchurch Street and a Building Maintenance Unit oversail at Carlisle Avenue and Fenchurch Street which will project into City Corporation airspace above the highway stratum. This occupation of Corporation owned airspace requires regularising through an appropriate airspace lease.

Before third party interests can be granted in City Fund highway airspace the affected area/s first need to be declared surplus to highway requirements. The area of highway airspace to be included in a lease to Partners Group was agreed in January 2020 as shown in Appendix I and with areas shown by fund in the table below. These will be subject to minor variations pending agreed review of the proposed lease plans.

	<b>City Estate</b>	<b>City Fund</b>	<b>Total</b>
Airspace - leasehold	125 m2 (1,347 ft2)	75 m2 (807 ft2)	200 m2 2,154 ft2

Partners Group have now made a request to remove elements of the airspace from the proposed lease plan following a further review by their appointed architect. Further investigation by the City Surveyor's Cartographic team will be required to determine if the removal of the areas is required and to ensure it reflects Partners Group's occupation of the site. This review will take time to be considered properly and as the request to vary the lease plan has been made so late it is not possible to agree the final areas required to be declared surplus by the date of your July 2020 committee.

As the anticipated development completion date is before the next sitting of your committee in September 2020 it is requested that authority is delegated to the Town Clerk in consultation with the Chairman and Deputy Chairman of your Committee to approve the declaration surplus of the of City Fund airspace surplus to highway requirements and between datum levels to be determined by the City Surveyor to be included in a lease to Partners Group, ensuring that the occupation of Corporation airspace is regularised on time.

## **Power of disposal**

The transaction involves the disposal of City Fund and City's Estate airspace, both being subject to the highway interest. No statutory power is required to dispose of airspace held by City's Estate. The City Fund parcels are held by the City of London for highway purposes. Disposal of airspace held for highway purposes is authorised by Section 9 of the City of London (Various Powers) Act 1958 on such terms and conditions as the City thinks fit.

## **Recommendation**

Members are asked to delegate authority to the Town Clerk in consultation with the Chairman and Deputy Chairman of the Planning and Transportation Committee to declare surplus to highway requirements the City Fund airspace required for the development at 80 Fenchurch Street and between datum levels determined by the City Surveyor to enable its inclusion in the lease to be granted to Partners Group upon terms to be approved by the Corporate Asset Sub Committee and subject to the City Corporation retaining ownership of the highway and the continuing highway functions.

## **Appendices**

- Appendix 1 – Airspace and Areas Required By Fund Committee Plan

## **Background Papers:**

- Planning Consent number 08/00824/FULMAJ

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## Appendix 1