

Committee(s):	Date(s):	Item no.
Planning and Transportation	31 July 2015	
Subject: 20 Fenchurch Street – Sky Garden	Public	
Report of: The Chief Planning Officer		
<u>Executive Summary</u>		
<p>1. This report recommends approval of the Visitor Management Plan setting out details of the access, ticketing and security arrangements applicable to the Sky Garden.</p>		
Recommendations		
<p>(i) that the Visitor Management Plan annexed at Appendix 1 be approved, (subject to the Sky Garden Drawing to be annexed being first amended by the Deed of Variation referred to at recommendation (ii) below)</p> <p>(ii) that the Comptroller and City Solicitor be authorised to enter into a Deed of Variation under section 106 of the Town and Country Planning Act 1990 to substitute the As Built Sky Garden Drawing for the Sky Garden Drawing previously approved at Appendix 2 and to secure the enhancement measures referred to in paragraph 5.2 of this report.</p>		

Main Report

VISITOR MANAGEMENT PLAN

1. Background

- 1.1 The City Corporation resolved to grant planning permission for the redevelopment of 20 Fenchurch Street on 19 September 2006. The development was supported by the Mayor. The application was called-in by the Secretary of State and following a public inquiry planning permission was granted by the Secretary of State for Communities and Local Government (“SoS”) on 9 July 2007. Planning permission was granted for a 39 storey office tower with a Sky Garden with retail, and a three storey annex building with restaurant/bar uses and servicing area.

In recommending approval of the application the SoS had regard to

“The building would be crowned by a Sky Garden that would be open to the public free of charge. Whilst it might not be unique as a high viewing platform, eating and drinking establishment, or conservatory, I consider that the nature of the space would be unique and extraordinary.”

- 1.2 Covenants to secure the proposed Sky Garden arrangements were contained in a Section 106 Agreement dated 13 April 2007 and provided to the Secretary of State. These required the Sky Garden to be kept open for public access, free of charge between 10am and 6pm on weekdays and 11am and 9pm on Saturdays, Sundays, Public Holidays and Bank Holidays (the “Public Access Hours”). It was required to accommodate no fewer than 400 persons for free public access at a time (although that figure could be reduced by up to 100 to allow for up to 100 people at a time to use a private dining facility). The covenants prohibited closure for private functions without the City’s prior approval, limited to 14 days per year.
- 1.3 Following amendments to the approved scheme, planning permission was granted by the City Corporation on 6 October 2009 for amendments which included a reduction in volume of the Sky Garden and the omission of the northern external viewing terrace. The Section 106 covenants in respect of the Sky Garden were varied on 6 October 2009 to: amend the definition and plans of the Sky Garden to reflect the permitted amendments; to remove the maximum limit of 100 persons who may use the private dining facility during the public access hours and instead to require submission of a Visitor Management Plan regarding the Sky Garden arrangements prior to occupation. In July 2011 further amendments were agreed and a further Section 106 agreement was entered into incorporating further changes to the Sky Garden lay out, increasing the minimum capacity from 400 to 420 members of the public, and requiring that no less than 250 of those must be non-paying non-diners during the relevant periods. The relevant covenants are reproduced in the Annex to the Visitor Management Plan at Appendix 1.
- 1.4 In September 2013, the owner presented to the City Corporation its proposals for the Visitor Management Plan and extensive discussions ensued regarding the detailed arrangements to ensure that the City’s requirements were met. A Non-public report was considered at the meeting of Planning and Transportation Committee on 13 January 2015 when the Committee’s views were sought regarding the access arrangements, the draft Visitor Management Plan and the way forward. The Committee considered some aspects of the access controls excessive and endorsed further discussions which were to be reported back.

2 Present Position

- 2.1 Following the January 2015 meeting the Committee’s dissatisfaction was reported back to the owner and discussions continued in relation to the visitor arrangements. As a result of these negotiations and the experience of operating the facility, there have been successive drafts of the Visitor Management Plan. The result of these adjustments has increased the numbers of non-diners to allow significant additional booking slots for non-diners and to allow for a proportion of visitors (up to 50) to attend at off peak times without the need for pre-booking (known as “walk-ups”), in addition to the minimum 250 non-diners during the full Public Access Hours.
- 2.2 The initial access arrangements put in place by the owner were found to be overly cautious, partly due to the owner’s concerns to avoid excessive queuing. Since then, there have been operational changes as a result of Members’ views that the initial arrangements were too restrictive and experience of how the facility operates in practise.

3 The Visitor Management Plan now proposed

- 3.1 The Visitor Management Plan satisfies or exceeds the minimum requirements of the Section 106 Agreement:

20 FENCHURCH STREET SKY GARDEN - FREE PUBLIC ACCESS ARRANGEMENTS		
ISSUE	SECTION 106 REQUIREMENTS 2009 (as amended 2011)	PROPOSED VISITOR MANAGEMENT PLAN
1. CORE HOURS	1.1 10am-6pm Week days 1.2 11am-9pm Saturdays, Sundays, Public Holidays and Bank Holidays	As required
2. CLOSURE PERIODS WITHIN CORE HOURS	2.1 14 days p.a.	As required – to be split into limited closures of shorter duration as follows: 112 hours p.a. [equivalent to 14 days calculated on the basis of 14 days x 8 hours = 112 hours] spread across no more than 26 instances of no less than 2 hours p.a.
3. CAPACITY/ NUMBERS OF VISITORS	3.1 400 members of the public 3.2 Of the 400, at least 250 must be non-diners.	As required In addition to the 250 minimum non-diners, 50 “walk-up” non-diners will be given access between 10am – 11-30am and 2pm – 4-30pm on weekdays

Booking System

- 3.2 It is accepted that a booking system is a necessary feature of such a space but it is essential that the booking system is effective and transparent in order to ensure the effectiveness of the Visitor Management Plan.
- 3.3 The booking slots now allow for a 1 hour dwell time (reduced from the initial 1.5 hour dwell time). This has increased the number of booking slots available and more accurately reflect the average dwell time.
- 3.4 The website is accessible and makes clear that access is for non-diners as well as those using the restaurants.

- 3.5 Bookings for up to ten persons can be made. Persons over 16 are not required to be accompanied by an adult. Children under 16 must be accompanied by an adult over 18 at a ratio of one adult per three children

Hours and Capacity

- 3.6 Access is provided to meet the minimum numbers of non-diners during the Public Access Hours. The availability of booking slots has been adjusted to allow for over-booking, in order to address under-use due to the significant proportion of “no shows” which have been noted. In addition, an extra 50 non-diners will be given access without pre-booking during the off peak hours of 10am to 11.30am and 2pm to 4.30pm. Due to limited lift capacity, it takes about 40 minutes for the minimum numbers to gain access and egress. However, in order to speed up access, the owner make available a second lift (over and above the dedicated Sky Garden lift required by the Section 106 Agreement) during peak times (albeit the lift also serves occupiers from level 20 and visitors from the ground floor). The provision of the second lift is secured in the Visitor Management Plan. This, together with the other adjustments, is considered an appropriate measure, together with the other access adjustment to address the inevitable constraints of lift access. The owner is not prepared to allow access to non-diners before 10am in order to meet the 250 figure, although in practice it does allow people to enter earlier if spaces are available.

Maximum days of closure

- 3.7 The section 106 limit is 14 days. It is proposed to spread the equivalent hours across 26 days (closure periods to be a minimum of 2 hours). Although this allows more closures this arrangement is considered acceptable as it ensures at least some availability during days when closures take place.

Schools and other groups

- 3.8 Schools and other groups may be separately booked and the owner commits to providing access to no less than 12 community groups outside the S106 Core Hours per year.

LAYOUT

4. Background

- 4.1 The Sky Garden Drawing contained in the Section 106 Agreement shows a different configuration to the Sky Garden to that which has been provided. This is attached at Appendix 4. The differences are as follows:
- The servery at Level 35 is larger than was shown on the plan.
 - At level 36 terraces were to be provided at either side of the restaurant area to provide equivalent views for non-diners as diners. That to the west has not been provided and that to the east provides more limited access.
 - At Level 36 a servery was to be provided.
 - Between Levels 36 and 37 a staircase was to be provided on both the west and the east sides to provide a circular route. The staircase on the west side was provided

although differently configured and the staircase to the east was not provided meaning that the space has to be entered and left via the same staircase.

- The Level 37 terrace is larger than previously shown.
- The minimum floor areas required to be kept available as publicly accessible space are provided in accordance with the specified requirements.

5. Present Position

- 5.1 The owner is of the view that since the requirement is to provide access to the Sky Garden “as illustrated” on the Sky Garden Drawing, the changes were permissible because the drawing is “illustrative”, as long as the minimum areas of Publicly Accessible Space are retained. The City is of the view that these changes are not consistent with the requirement to “provide and retain the Sky Garden as illustrated on the Sky Garden Drawings” as they were to illustrate the areas to which non-diners could access.
- 5.2 Whilst the owner’s position is not agreed, it is the case that in order to achieve the original layout it would be necessary to close the Sky Garden for a significant period of time and at considerable cost to implement the works. The City has discussed with the owner what might be done to mitigate the loss of these elements which were considered significant to the amenity and experience of visitors to the Sky Garden.
- 5.3 The owner has advised that a number of measures could be put in place which would enhance the current facility which the owner has confirmed it will carry out with the aim of having the works completed in Q4 2015. These are set out by the owner in two documents, Sky Garden update 15 June 2015 and Sky Garden Sketchbook05. These are attached at Appendix 5. The owner has recently submitted these alternative proposals and I would recommend that measures be finalised and agreed by the City before a revised layout plan is agreed as a variation to the S106 as referred to in Recommendation (ii), and before the Visitor Management Plan is signed off as approved.

6. Public Comments

- 6.1 Andrew Waugh QC wrote to the City requesting that his views be reported to your Committee. His letter is at Appendix 3.
- 6.2 A resident, Evan Der Milner wrote to the City requesting that special arrangements be made for City residents such that they were not required to book and that the hours were too restrictive for residents that worked.
- 6.3 Martin Sargeant, Head of Operations at the Diocese of London has made a number of comments on the restrictive nature of the access arrangements. He particularly flags up the onerous requirements of the booking system and that the arrangements for diners and non-diners are different making it inequitable. He has also expressed specific concerns about the impact of the facility on St Margaret Pattens and visitors frequent requests to leave their luggage in the Church which leaves them with potential security issues apart from the inconvenience.

- 6.4 A number and in particular the architectural press have been critical of their experience and of the nature of the Sky Garden which they state cannot be compared to a public open space.
- 6.5 Members may be aware of extensive public comments on various websites. Many of these express a positive response to their visitor experience. The owner has advised that of the visitor feedback it has received 88% describe their experience as very good or good with the remaining 12% describing their experience as average, poor or very poor. It has sent six positively phrased emails of visitors' experiences two of whom were wheelchair users.

7. Conclusion

- 7.1 The provision of a roof level public Sky Garden affording exceptional views, provided at no cost to the public has been a significant feature of this building and justification for its form, size and location since its inception and the grant of permission in 2007.
- 7.2 The subsequent amendments approved in 2009 and 2011 sought to maintain this principle. Whilst the area of the restaurants was enlarged the areas to which non-diners were able to access afforded the same viewing experience as diners. The non-construction of certain of elements has to a degree frustrated this aim.
- 7.3 Officers are of the view that the owner's experience during the "bedding in period" and the negotiations between the owner and the City has enabled a satisfactory Visitor Management Plan to evolve. If approved, it is considered that the Visitor Management Plan will provide a sound basis for the future operation of the Sky Garden in a manner which is consistent with the Section 106 and will ensure free public access.
- 7.4 The arrangements intended to enhance the visitor experience to mitigate the construction of the Sky Garden not in accordance with the original plan remain to be finalised and agreed by the Committee. If agreed these measures should form part of the variation in the S106 to secure their delivery.

8. Implications

Financial Implications

None

Legal Implications

These are contained in the body of the report.

Contact:

Annie Hampson

02073321700

Annie.hampson@cityoflondon.gov.uk

Background papers

Inspector's Report 9 July 2007

Section 107 Agreement dated 13 April 2007

Section 106 Agreement dated 6 October 2009

Section 106 Agreement dated 1 July 2011

Appendices

Appendix 1 – Visitor Management Plan (including consolidated S.106 covenants at Annex 1)

Appendix 2 – As built Sky Garden Drawing

Appendix 3 – Letter from Andrew Waugh QC

Appendix 4 – Sky Garden layout as shown in S106.

Appendix 5 – Sky Garden Update 15 June and Sky Garden Sketchbook 05

Appendix 1



20 Fenchurch Street: Sky Garden Visitor Management Plan

Approved by City of London Corporation [insert date of committee approval]



Table of Contents [TO BE AMENDED]

1	Introduction.....	3
2	The Sky Garden Visitor Offer	4
3	Opening Hours.....	5
4	Booking Procedure	6
5	Visitor Journey.....	Error! Bookmark not defined.
6	Management & Staffing	10
7	Marketing & Communications.....	11
8	Safety and security	12
9	Ongoing Monitoring	13

Introduction

1.1 Background

Section 106 covenants have been entered into regarding the Sky Garden at 20 Fenchurch Street. These are reproduced at Schedule 1, they include a covenant requiring submission of a Visitor Management Plan (VMP) for the Sky Garden to the City of London Corporation for approval. The VMP shall include arrangements for the following:

- a) entrance security arrangements
- b) access/ticketing and pre-booking system;
- c) public facilities in the Sky Garden, i.e. toilets; and security in the Sky Garden.

This document is the VMP approved by the City of London Corporation and is subject to review as set out in paragraph 8.1. The VMP should be read in conjunction with the relevant clauses within the S106 agreement.

1.2 Ownership & Management

The restaurants within the Sky Garden will be separately managed. The booking system for public access to the Sky Garden, the gardens, the security process and maintenance of the space etc. will be managed by the Owner (the Partnership) in accordance with the VMP. The Sky Garden refers to the space on levels 35-37 as well as the dedicated Sky Garden entrance on the ground floor. On the upper floors this includes the commercial element limited to 828 sq metres comprising three different catering offers - a servery on level 35, a brasserie on level 36 and a restaurant on level 37.

The public access requirement for the Sky Garden is to allow the general public to enjoy the Sky Garden as an amenity space and the views from it.

Due to its location at the top of a commercial tall building, public access to the Sky Garden needs to be managed.

The considerations influencing the Sky Garden operation include:

- maintaining the Sky Garden for the public benefit
- security
 - as a prominent building in the City of London, 20 Fenchurch Street is a potential target and appropriate and proportionate security measures need to be put in place;
- mixed use
 - 20 Fenchurch Street is not a single use public building but is a mixed use facility and access by the different users needs to be managed.
- capacity restrictions
 - fire regulations mean that there is a fixed limit on the number of people that can be in the Sky Garden .
 - the entrance vestibule is 165m² with limited queue capacity;
 - the S106 requires one dedicated lift serving the Sky Garden. A second lift will be made available during busy periods if required.
- health & safety
 - Public safety in relation to the space, including the external balcony ;
 - In accordance with the fire strategy and emergency evacuation procedures, there is a limit of 6 wheelchair users in the space at any one time.

2 Public Facilities

The Sky Garden visitor experience provides a 360 degree panorama over a three storey space.

It features two landscaped planted areas and is London's highest public garden, with terraces on Levels 35, 36 and 37.

There is an external south facing balcony offering views of the River Thames, Tower Bridge, the Tower of London and other historic landmarks.

There is a publicly accessible viewing balcony (also south facing) within the central core structure at Level 37.

Visitors can move between the viewing terraces at levels 35, 36 and 37.

There is a servery on level 35. There is no obligation for Sky Garden visitors to purchase anything.

Toilets, a disabled toilet and a baby change facility are provided for all visitors on level 35.

There are seating areas for Sky Garden visitors, approximately 55 spaces in the garden and 45 spaces on the Level 36 north terrace. There are 60 informal seats on the Level 35 south terrace. There is additional seating on the level 37 terrace. A minimum of 160 seating spaces shall be provided overall. The seating is available for use by all Sky Garden visitors, whether purchasing something to eat or drink or not.

The planted areas are a fundamental feature of the Sky Garden and should be maintained to a high standard commensurate with the Sky Garden visitor experience.

3 Opening Hours

3.1 Visitor Opening Hours

Access must be permitted to at least 420 members of the public, of which, at least 250 at any one time must be non-diners during the following hours:

- Monday to Friday 10am – 6pm
- Saturday and Sunday 11am – 9pm
- Bank Holidays 11am – 9pm

A reserve of 50 extra spaces per hour will be reserved between 10am and 11:30am and 2pm and 4:30pm Monday to Friday for non-diners to access the space without booking in advance. This will increase the non-diner availability on weekdays by 200 spaces.

A child under the age of 16 must be accompanied by a responsible adult over the age of 18 with a maximum of three children per adult.

3.2 Closure Periods

The Sky Garden will be open every day of the week including Bank Holidays other than Christmas Day, Boxing Day and New Years' Day, and as permitted by the Section 106 covenants. The Section 106 covenants permit the closure of the Sky Garden for private events, exhibitions or functions provided that the total duration of such private events, exhibitions or other similar functions shall not exceed 14 days in any calendar year.

In order to maximize the efficient use of closure periods and to increase public access, these 14 days can be split into a limited number of closed

periods of shorter duration. This equals 112 hours (based on 14 days x 8 hours = 112) which can be broken up into closure periods of a minimum of 2 hours but will not exceed a total of 26 instances per year during the Opening Hours.

During visitor opening hours, access to the external terrace on Level 35 the 'Francis Golding Terrace' may only be limited in the interest of ensuring the safety and welfare of the public.

Under the terms of the S106 agreement, the Partnership may carry out maintenance works provided that the works do not continue for more than 48 hours in any eight week period.

4 Booking Procedure

4.1 Booking slots

In order to manage capacity, timed tickets are used. Visitors are required to enter the names of all members of their party attending to minimise no-shows and prevent ticket touting. This is managed through ID checks at the ground floor Sky Garden reception.

Bookings are made in advance at least 1 hour before the visit via one of the distribution channels described below. In order to compensate for 'no shows' a proportion of over-booking is arranged.

Visit times are limited to a timed slot of 1 hour per visit, available to book every 15 minutes.

Sufficient capacity is loaded onto the booking system in order to ensure that the requirement is met to permit *"no less than 250 members of the public to access the Sky Garden at any one time who have not pre-booked any of the catering facilities during specified hours."*

Based on the 1 hour time slot bookable every 15 minutes, results in a booking capacity of 100 visitors arriving every 15 minutes (400 per hour). This number has been increased to compensate for no-shows. This number exceeds the S106 obligation which requires no less than 250 non-diners are permitted access at any one time during public hours.

A reserve of 50 extra spaces per hour will be reserved between 10am and 11:30am and 2pm and 4:30pm Monday to Friday for non-diners to access the space without booking in advance. This will increase the non-diner availability on weekdays by 200 spaces.

A maximum of ten tickets can be booked per person.


The Sky Garden is not available to book for larger groups except by prior arrangement (the same will apply to building occupants and their guests).

To protect the venue from ticket touts, the tickets will not be transferrable.

4.2 Website

The primary booking method is via the 20 Fenchurch Street website (www.Skygarden.london).

The system incorporates a colour coded calendar showing the dates and times that are available to book. Dates that are too late to book or already fully booked, are shown as 'unavailable'.



> Venue > Date/Time > Basket > Delivery > Terms & conditions > Finish

Select date and time for your visit

Please choose the date and time of your visit and click **Proceed**.

Sky Garden free visit

January 2015						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
4	5	6	7	1	2	3
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

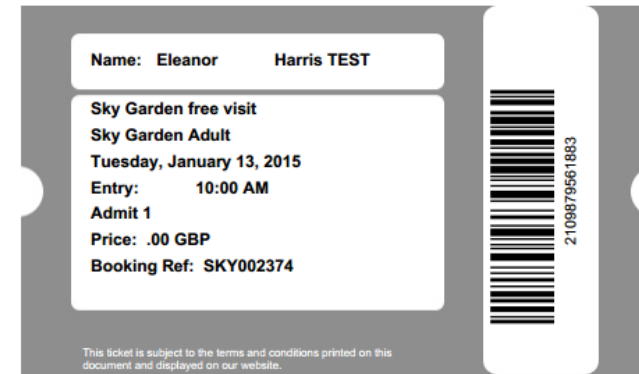
Tickets available
 Day selected
 Too late to book online
 Soldout / Unavailable

Please select your visit time from the options below and then click on **Proceed**.

Visitors enter their contact details and receive an automated booking confirmation via email at the end of the booking process. The email includes a PDF entry pass with a barcode.

The images shown are for illustrative purposes only.

Any significant change to the booking system must be agreed with the City of London in advance.



This is your e-ticket - please bring it with you. There is one ticket per visitor.

Enhancements to the booking system to allow visitors to amend or cancel bookings will be available by December 2015. This change has been agreed with the City of London following feedback from members of the public. The Owner will look at the feasibility of adding a community group booking option to the system to show availability and simplify the booking process.

4.3 Postal Application

Visitors are able to write to [Sky Garden Management Team, 20 Fenchurch Street, London EC3M 3BY] to request up to ten tickets per person for a selected date and time, enclosing a self-addressed envelope. Providing tickets are available, tickets are posted back to the visitor. Postal applications must be made at least 10 normal working days in advance.

4.4 School and other group visits

The owner will permit visits from schools, charities and other community groups outside of S106 hours. Visits are subject to availability and advance booking with the Owner. The Owner commits to provide access to no less than 12 community group visits outside of S106 hours each year.

4.5 Entry to the building

Signage around the building clearly signposts the Sky Garden. The dedicated entrance contains a sign highlighting the Sky Garden.

4.6 Ticket and security check

Visitors with a booking for the Sky Garden proceed directly to the entrance where the barcode on their ticket will be scanned by staff. Tickets can be produced either on paper or electronically via a handheld device.

Visitors without a valid entry pass are denied entry.

The management team reserves the right to refuse entry or to remove any person who behaves in an anti-social manner or contrary to the Code of Conduct in Section 10 which is likely to affect the safety of other visitors. To prevent offensive weapons or dangerous articles from being taken in to the Sky Garden visitors will be subject to a security check carried out by licensed security operatives. The security searches may involve one or more of the following checks:

- walking through a metal detector;
- checks of all bags through an x-ray machine;
- checks of all coats through an x-ray machine;
- a check of the visitor with a hand-held explosives trace detector;

- a search of the visitor by the security personnel.

Visitors take one of the lifts taking them directly to level 35.

4.7 Exit procedure

At busy times, the Partnership may ask visitors to leave at the end of their time slot in order to ensure that the fire capacity restriction is not exceeded and to allow other visitors to access.

At the end of the visit, visitors make their way back to the level 35 Sky Garden lift lobby and take the lift back down to the entrance on the ground floor.

4.8 Access policy

The Sky Garden is accessible. All staff undergo disability awareness training; in particular those staff who are involved in making bookings.

A DDA compliant lift is available in the south-east corner of the Sky Garden, giving access between the public spaces at levels 35, 36 and 37 for mobility impaired visitors.

If a visitor needs any additional assistance, they are advised to bring a personal assistant with them for their visit.

For those with a visual impairment the website is accessible in line with best practice guidelines. For those with a hearing impairment, the disabled booking line incorporates a Type Talk number. Hearing loops are installed at the Reception desks at the entrance to the Sky Garden.

The Owner will continually look for opportunities to enhance the visitor experience. Any enhancements will be implemented by the Owner acting in the best interests of the public, without seeking prior approval from the City of London.

5 Management & Staffing

5.1 Overview

A team of security personnel are responsible for checking tickets and security searches in reception and providing a presence on the different levels of the Sky Garden. The security personnel assist and manage the visitors to the Sky Garden in the interests of safety and security.

Non diners and diners are treated equally. Members of the public visiting the Sky Garden solely for viewing and garden/leisure purposes are not made to feel that they are entering a restaurant, rather a dedicated public viewing area.

6 Promotion and Communications

6.1 Website

The Sky Garden website (www.SkyGarden.london) is the primary communications tool for the facility to:

- inform visitors to the website that the Sky Garden is a free public amenity
- find out opening times;
- get information on the Sky Garden experience;
- book a visit slot;
- get travel directions;
- check in for daily updates on public transport, planned and unexpected closures
- to get information on arrangements for visitors with special access needs

Visitors are able to go directly to the site; they can also access it through:

- a search engine
- links from the City of London website;
- a link from the 20 Fenchurch Street building site (www.20fenchurchstreet.co.uk)
- links from related tourism sites

6.2 Visitor Feedback

The Owner will retain and archive visitor feedback, which will be available to the City of London on providing 10 normal working days' notice.

7 Safety and security

7.1 Capacity management

- Capacity will be managed by a booking system with a designated visit time and a people counting system. People counting cameras are located at entrance points to the Sky Garden to count everyone entering and exiting the space (including general public, staff and tenants) in order to provide a real time count of the number of people in the space. Where capacity reaches close to the maximum, a number of actions can be taken. These include:
- enforcing the 'rules' concerning the time slot duration and asking visitors to leave when their time slot has finished;
- holding visitors at ground floor reception and stopping any more visitors entering the space until others have left.

CCTV is in operation throughout the Sky Garden, lifts and reception space with surveillance whenever the space is open to the public.

7.2 Code of conduct

- Visitors are asked to behave reasonably at all times and to respect the enjoyment of other people using the Sky Garden
- Visitors must not cause damage to any planting or surfaces
- Visitors shall not use threatening abusive or insulting words or behaviour to the detriment of other people in the Sky Garden
- No knives, guns or other weapons shall be brought into the Sky Garden

- Any person infringing this Code of Conduct may be required to leave the Sky Garden

Visitors can read and download a copy of the Visitor Rules and Regulations from the Sky Garden website;

<http://skygarden.london/visitor-terms>

7.2 Emergency procedures

Full emergency procedures are agreed with the District Surveyor, the London Fire Brigade, City of London Police and other emergency services.

8 Ongoing Monitoring

8.1 Review Procedure

The obligations contained within the S106 legal agreement and the Deed of Variation will be complied with at all times.

Within 28 days of the date of this approved VMP and monthly thereafter the Partnership will provide the City of London with visitor data. The data will include a monthly report containing details of booking numbers and attendance figures, visitors turned away at the reception

The City of London will review the VMP within six months from the date this Visitor Management Plan is approved.

Further reviews will occur;

- if it is found by The City of London that the space is not being operated in accordance with the S106 Agreement and this document
- if there is a significant change in circumstances
- if the Owner wishes to change the management and access arrangements
- if either party, acting reasonably, wishes to review the document and visitor access arrangements

COVENANTS IN SECTION 106 AGREEMENT DATED 6 OCTOBER 2009 (AS AMENDED ON 1 JULY 2011)

Sky Garden

The Company shall provide and thereafter retain at all times when the Main Building remains in place the Sky Garden as illustrated on the Sky Garden Drawings and a dedicated lift to the Sky Garden from an entrance on Fenchurch Street in accordance with this Deed or as approved pursuant to the Planning Permission or any subsequent planning permission. The provision of the Sky Garden pursuant to this paragraph shall occur on the earliest of the following:

- (i) immediately upon Completion
- (ii) prior to Occupation
- (iii) not more than 18 months following completion of construction of the Main Building

Not less than six months prior to Occupation the Company shall submit for approval by the City a visitor management plan for the Sky Garden which shall include details of the following:

entrance security arrangements;

access/ticketing and pre-booking system which shall permit no less than 250 members of the public to access the Sky Garden at any one time who have not pre-booked any of the catering facilities;

public facilities in the Sky Garden, i.e. toilets; and

security in the Sky Garden

(the “Sky Garden **Visitor Management Plan**”);

The Company shall allow public access to the public lift to the Sky Garden at all times when the Sky Garden is open to the public.

The Company shall cleanse maintain and keep in good repair and good working order the surface of and the lighting and drainage to the Sky Garden together with any furniture and hard and soft landscaping and the dedicated lift to the Sky Garden;

The Company shall keep the Sky Garden open to the public for access on foot and in wheelchairs and as a viewing area for recreation and viewing purposes (to which access may be gained by members of the public free of charge) at all times and in accordance with the Sky Garden Visitor Management Plan save as provided for in this Deed or as may be approved by the City;

- (a) public access to the Sky Garden shall be provided at all times save in the following circumstances:

Force Majeure;

the requirement to carry out maintenance, cleaning, renewal and necessary or required works, including works associated with the landscaping to be provided within the Sky Garden and works of restaurant and café fitting or other structural or non-structural alteration, except that any works under this sub-paragraph shall be undertaken in such a way as to cause minimum disruption to the public, and in any event shall not continue for more than 48 hours in any eight week period without the written approval of the City (not to be unreasonably withheld or delayed) save in the case of Force Majeure;

closure outside the hours 1000 – 1800 on weekdays and the hours 1100 – 2100 on Saturdays, Sundays, Public Holidays and Bank Holidays;

- (iv) with the prior approval of the City from time to time, the use of areas for tables, chairs and other features including planters which are intended to enhance the enjoyment of the space in the Sky Garden by members of the public;
- (v) closure for the holding of private events, exhibitions or similar functions (to which the public at large are not admitted) PROVIDED THAT the total duration of such private events, exhibitions or other similar functions shall not exceed 14 days in any calendar year. FOR THE AVOIDANCE OF DOUBT the closure of the Sky Garden for private events, exhibitions or similar functions during the hours of 1000-1800 on weekdays and 1100 – 2100 on Saturdays, Sundays, Public Holidays and Bank Holidays outside the aforementioned parameters shall not be permitted without the City's prior written approval.

Save insofar as the same is insured by the landlord of the Main Building, to keep the Sky Garden properly insured and in the event of damage to pay out any insurance payments on making good such damage.

At all times when the Sky Garden is open to the public, access shall be permitted to no less than 420 members of the public at one time; and

At all times when the Sky Garden is open to the public no more than 828 square metres of the Sky Garden (as shown for illustrative purposes edged red on the Sky Garden Plan) shall be used for Class A purposes or ancillary purposes and the area shown for illustrative purposes edged and shaded blue on the Sky Garden Plan shall be kept free and unobstructed for recreation and viewing by the public.

definition of “Sky Garden”

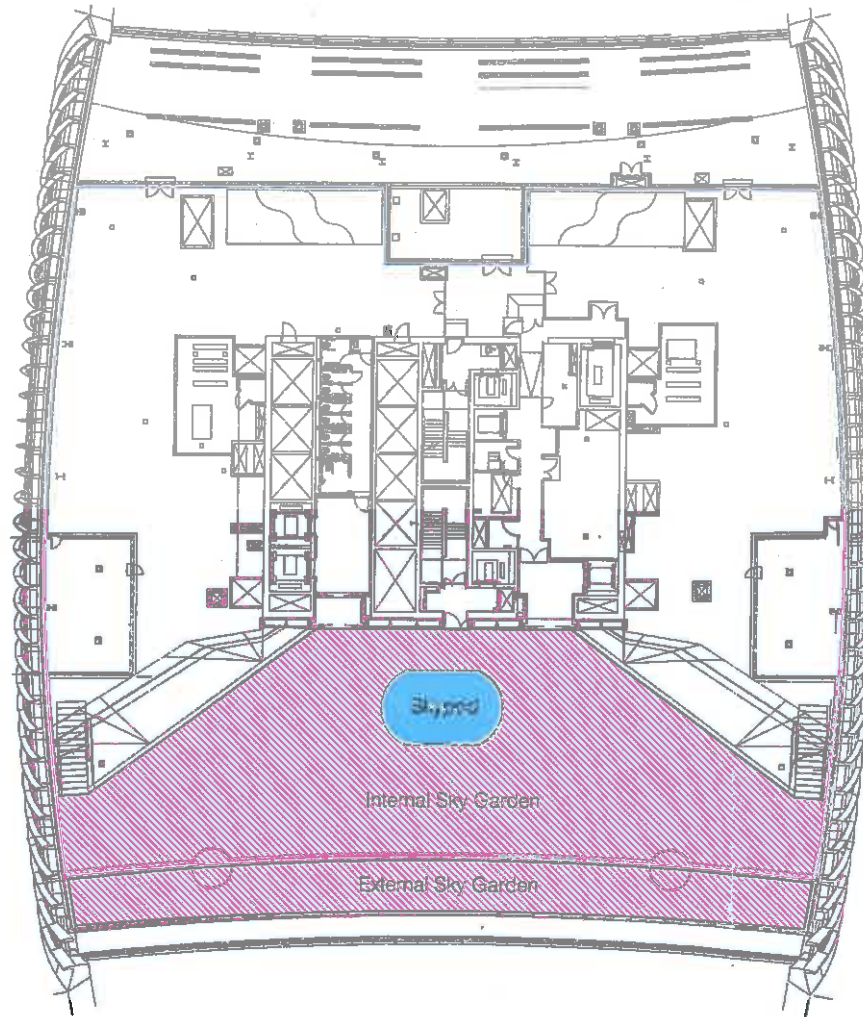
“Sky Garden” means those parts of the Main Building at Level 35 and above constructed and made available (with landscaping as approved pursuant to the planning permission) for use for public access and viewing and for Class D1 and Class A3/A4 purposes being shown for the purpose of identification only on the Sky Garden Drawings”

Appendix 2

FENCHURCH STREET

PHILPOT LANE

ROOD LANE



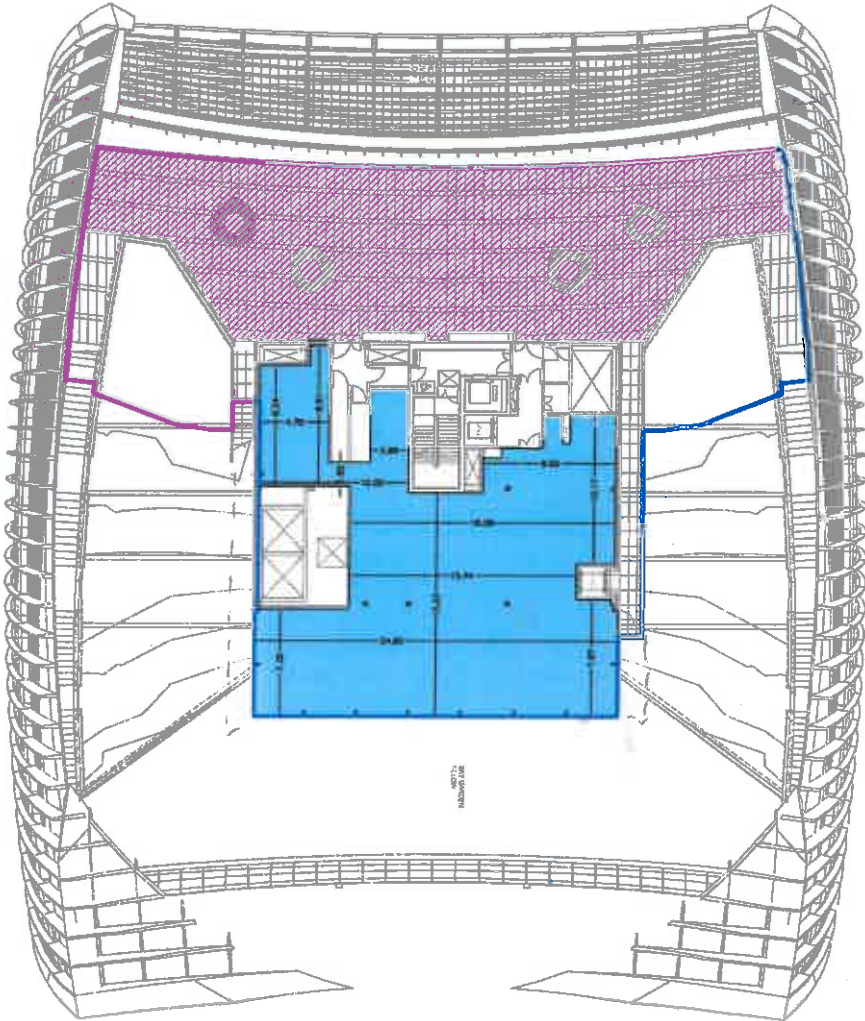
Internal Sky Garden

External Sky Garden

FENCHURCH STREET

PHILPOT LANE

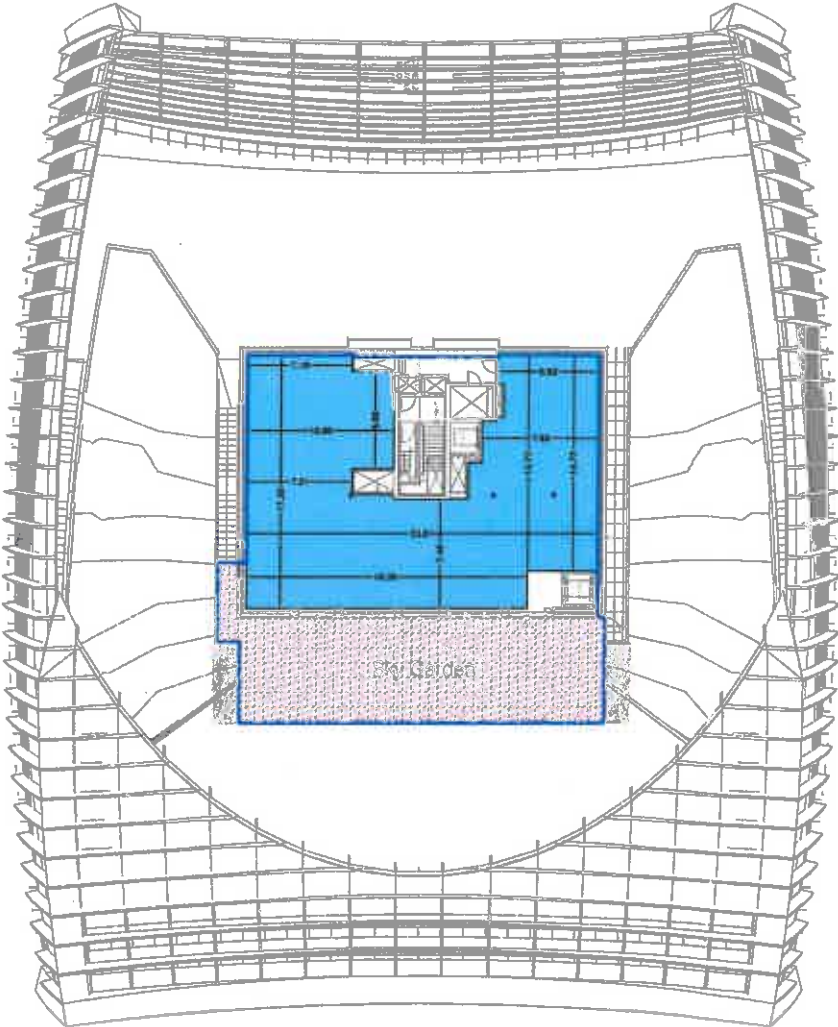
ROOD LANE



FENCHURCH STREET

PHILPOT LANE

ROOD LANE



Appendix 3

To: Michael Welbank MBE (Chair),
Marianne Bernadett Fredericks (Deputy Chair) and members of
The City of London Planning and Transportation Committee

Tuesday, 26 May 2015

Support officer: Katie Odling
Email: katie.odling@cityoflondon.gov.uk

City of London Corporation
PO Box 270
Guildhall
London
EC2P 2EJ

Dear Mr Welbank and members of the Committee,

I am writing in a personal capacity having just visited the 'Walkie-Talkie' tower at No.20 Fenchurch Street.

My understanding is that the highly controversial decision to grant planning permission for this building was granted on the condition that the developers included a 'park in the sky with public access'. My experience was that what has been provided is neither a 'park' nor 'public' on a fair interpretation.

As you probably may know, access by day is regulated by applications to be made on-line no less than 3 days ahead. On arrival, photo i/d (passport or driving licence) must be provided. By evening, access is limited to those who have both a booking, and the means to pay for one of the two expensive restaurants. During the day, my wife bought 2 glasses of wine (small), 1/2 pint of cider, a pint of lager and 4 packets of crisps (small) for the total of £50.

Fortunately, I can afford such a grossly inflated amount, but this is well beyond the means of most members of the public - and it is strictly forbidden to bring your own food and drink. To describe such access as 'public' is not what most would understand by the term. It is far from it in practical terms.

As to the 'park' or even a 'garden', the position is well expressed in this article in the Architectural Record:

Wainwright: How Developers are Hiding Behind Shrubbery

Architectural Record, 04/16/2015

Spring has sprung and developers are getting green-fingered. Across London, their planning applications are sprouting leaves and bursting into bloom. They're promising trees on bridges and jungles in the clouds, sky-gardens and life-giving linear parks, along with a whole network of green ribbons weaving through town.

Who could say no to this fecund vision for London? What mean-spirited planning committee would stand in the way of this pastoral dream? Very few can resist the lure of a good garden. That is precisely the problem.

Developers have got wise to the power of a few plants in easing their bloated schemes through the planning system. They've realised that a little green garnish can mask a multitude of sins. A clutch of 40-storey luxury apartment towers in a conservation area, you

say? But check out that lovely lawn! A bridge-shaped tourist attraction for a stretch of the Thames that doesn't need another crossing, to be built at vast expense to the taxpayer ? But what nice shrubs it has! The word "garden" has never been misused as such a damaging decoy.

If ever evidence were needed that the promised planting of a CGI mirage might not be as good in reality, it can be found 150 metres up in the air at No 20 Fenchurch Street . The 37-storey Walkie-Talkie tower was given planning permission in an area never intended for tall buildings – way outside the City's planned "cluster" – on the sole basis that it would come with a majestic "sky garden".

Leaving aside any issues about the rule of law, when planning permission is granted on one basis, and what is provided falls short, the authority of the planning authorities is called into question and its authority greatly diminished.

For these reasons, I would be grateful for the answers to two questions:

- 1) Does the City of London Corporation consider that the terms of the planning permission have been complied with (both in letter and spirit)?
- 2) Does the Committee have any plans to enforce the basis on which planning permission was given?

I am encouraged by the statement on your website which states:

The City's pre-eminence as a world financial centre has a strong influence on the work of this Committee. It ensures that the City and its residents and workers enjoy well planned buildings, safe, clean streets and a good public transport system.

I sincerely hope so,

yours,



Andrew Waugh

Appendix 4

PUBLIC SPACE - SKY GARDEN

CO'S
SY

SKY GARDEN LEVEL 35

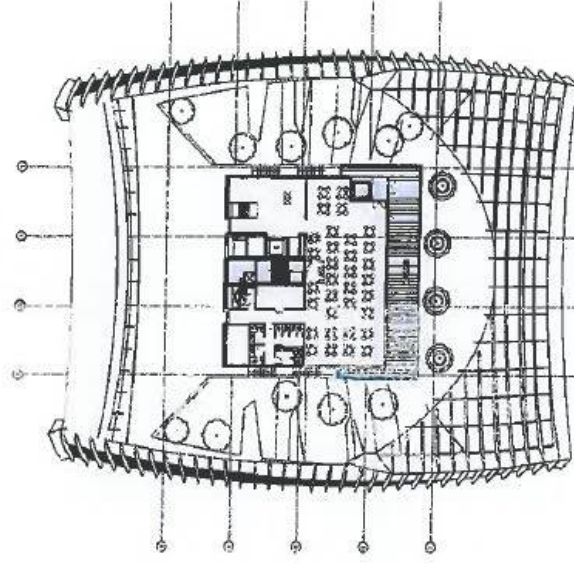
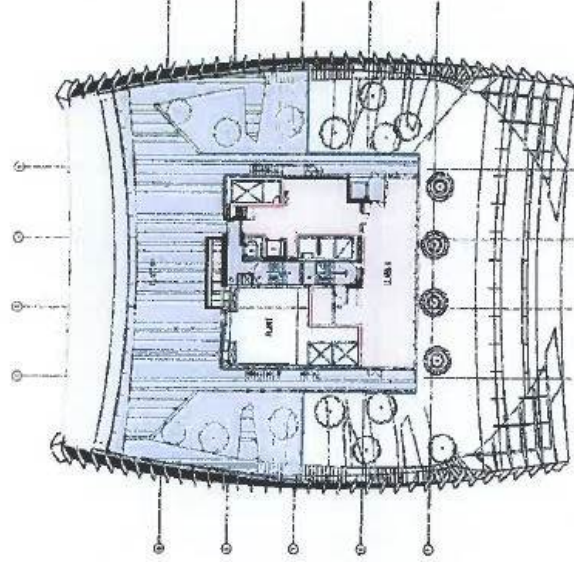
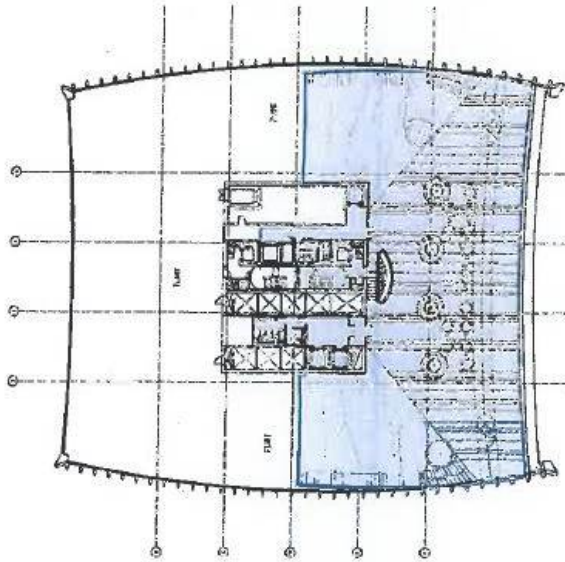
CLASS D1 CIRCA 1540m²
CLASS A CIRCA 23m²

SKY GARDEN LEVEL 36

CLASS D1 CIRCA 1125m²
CLASS A CIRCA 240m²

SKY GARDEN LEVEL 37

CLASS D1 CIRCA 245m²
CLASS A CIRCA 465m²



 PUBLICLY ACCESSIBLE OPEN SPACE - CLASS D1
 CLASS A

TOTAL AREAS

CLASS D1 CIRCA 3630m²
(INCLUDES 720m² FOR SKY GARDEN LIFT SHAFT)
CLASS A CIRCA 928m²

Appendix 5



20 Fenchurch St - Sky Garden Update

1. We have increased the public access from 300 to 400 visitors per hour (100 every 15 minutes.) This 'over-booking' has been done to deal with the high level of no-shows and results in us achieving well in excess of the required minimum 250 public visitors (non-diners) in the space at any one time.
2. The advance booking period has been reduced from min 3 days when we opened, to 1 hour before (subject to availability).
3. We now allow a limited number people to access the Sky Garden without advanced booking (subject to availability).
4. We have employed two Sky Garden hosts at the ground floor entrance assist with ticketing queries and issues and a host on level 35 to direct members of the public and manage the queuing and lift access. This has vastly improved the visitor experience.
5. Since opening we have hosted 29 tours for community groups, including local churches, charities and schools, all outside of S106 hours, with a further eight tours confirmed in June 2015.
6. We have introduced 'Community Mondays' on the first Monday of each month between 08:00 and 10:00 when we give community groups, charities, schools, colleges, amateur photographers, artists etc. free access to the Sky Garden outside of S106 hours.
7. We have relaxed security restrictions at the ground floor entrance to improve the visitor experience. The feedback received from visitors since this change has been very positive.
8. We have replaced some of the security staff with more customer friendly operatives to improve the experience.
9. We have introduced tablets at level 35 for visitors to rate their experience from poor to very good so we can measure public opinion and take action to address any issues.
10. We have appointed a Sky Garden Manager whose primary focus is compliance with the S106 Agreement and Visitor Management Plan and ensuring public access arrangements are being maintained to the standard agreed.
11. We have appointed a Sky Garden Administrator working from 09:00 to 18:00 Monday to Friday who manages the info@ email account and telephone enquiries from members of the public. The Sky Garden Administrator also monitors the booking system, people counting system, dwell times and is responsible for reporting.

12. We have introduced a free public Wi Fi service in the Sky Garden.
13. We have instructed changes to the booking system to introduce a cancel and amend option. Completion date to be confirmed once received from the specialist.
14. We are currently exploring options for an alternative booking system offering user benefits such as App integration and better user experience.
15. We have instructed a team to develop a detailed design for the proposed 'animation' of the level 36 terrace which will include additional planters, seating and a servery. This will encourage the public to make more use of this particular space.
16. Both lifts are now available to the public to access the Sky Garden, with one lift alternatively serving L20 to pick up office tenants. This is over and above the S106 requirement which specifies only one lift for the public.
17. We have increased the number of wheelchair users to six (the max we can allow within the evacuation strategy) in response to feedback from the City.
18. We now release tickets two weeks in advance to help deal with no shows which has resulted in a significant increase in the number of public visits each week.
19. We are averaging two maintenance closures every eight weeks, compared to our right to use up to six in any eight week period. We retain the right to close the space for essential maintenance for up to 48 hours in any eight week period as per the S106 Agreement.
20. We have installed a system to measure visitors' dwell time which has proved useful when reviewing the visitor management plan and booking arrangements.
21. We are going to develop a Sky Garden App, including a free, basic version for all visitors.
22. Free binoculars will be installed in the four corners of the Sky Garden (level 35 and 36) in June 2015. A number of binoculars will be available to wheelchair users and people of short stature.
23. We are looking at the feasibility of a self service station at the entrance to allow 'walk up' visitors with no advance booking, subject to availability.
24. We plan to carry out an independent survey every quarter to gauge public opinion and perception of the space.
25. We celebrated the 100,000 member of the public to visit the Sky Garden by offering a free meal for two in Darwin Brasserie.
26. We have agreed to host City of London Festival 2015 in the Sky Garden which will provide free entertainment to visitors.
27. We are considering a regular programme of live music as a form of free entertainment to the public and to further animate the space.
28. We are considering re-planning of the ground floor entrance space to improve the flow of people and overall visitor experience. This will include seating and planting.

29. We are considering changing the doors at the ground floor to revolving doors to prevent draughts in the lobby. This will help with management of queuing and temperature control in the space.
30. The pocket park has been named "Sky Garden Walk" in response to the preference expressed by the City.
31. We are in discussions with a professional photographer which we believe will be of interest to visitors (this won't be free but is a service numerous visitors have requested.)
32. Our team have been told to use their discretion and where possible, allow access to members of the public arriving before 10am on weekdays and 11am on weekends.
33. We do not enforce a policy of removing visitors after 6pm on weekdays (and after 9pm weekends). This means that even outside of S.106 hours, public visitors can remain in the space if they choose to do so.
34. We continue to proactively monitor use of the space to look at ways to improve the visitor experience.

20 Fenchurch Street

Sky Garden Public Spaces Review Sketchbook 05

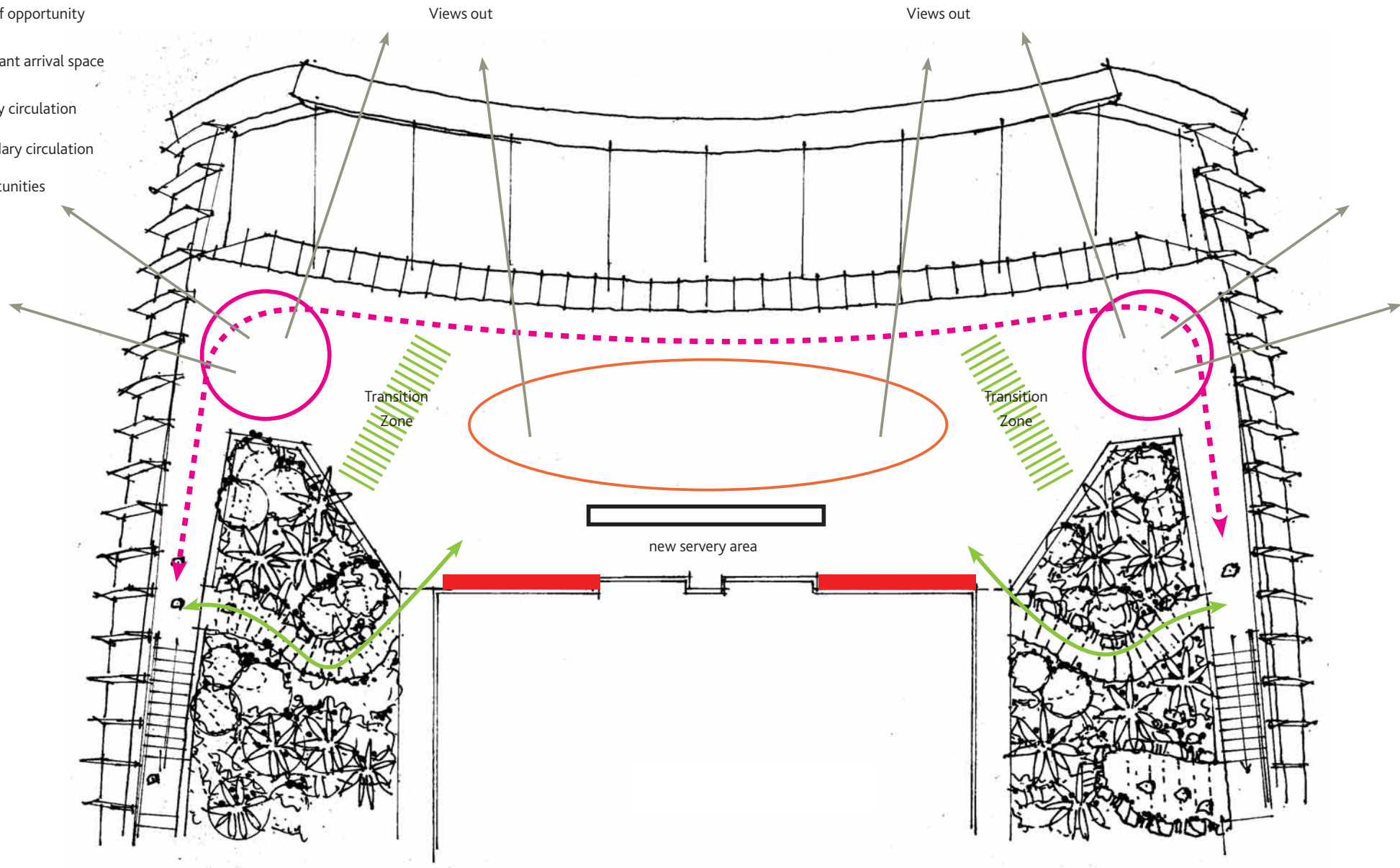
July 2015

Level 36

CONTEXT AND OPPORTUNITIES




Level 36 Terrace

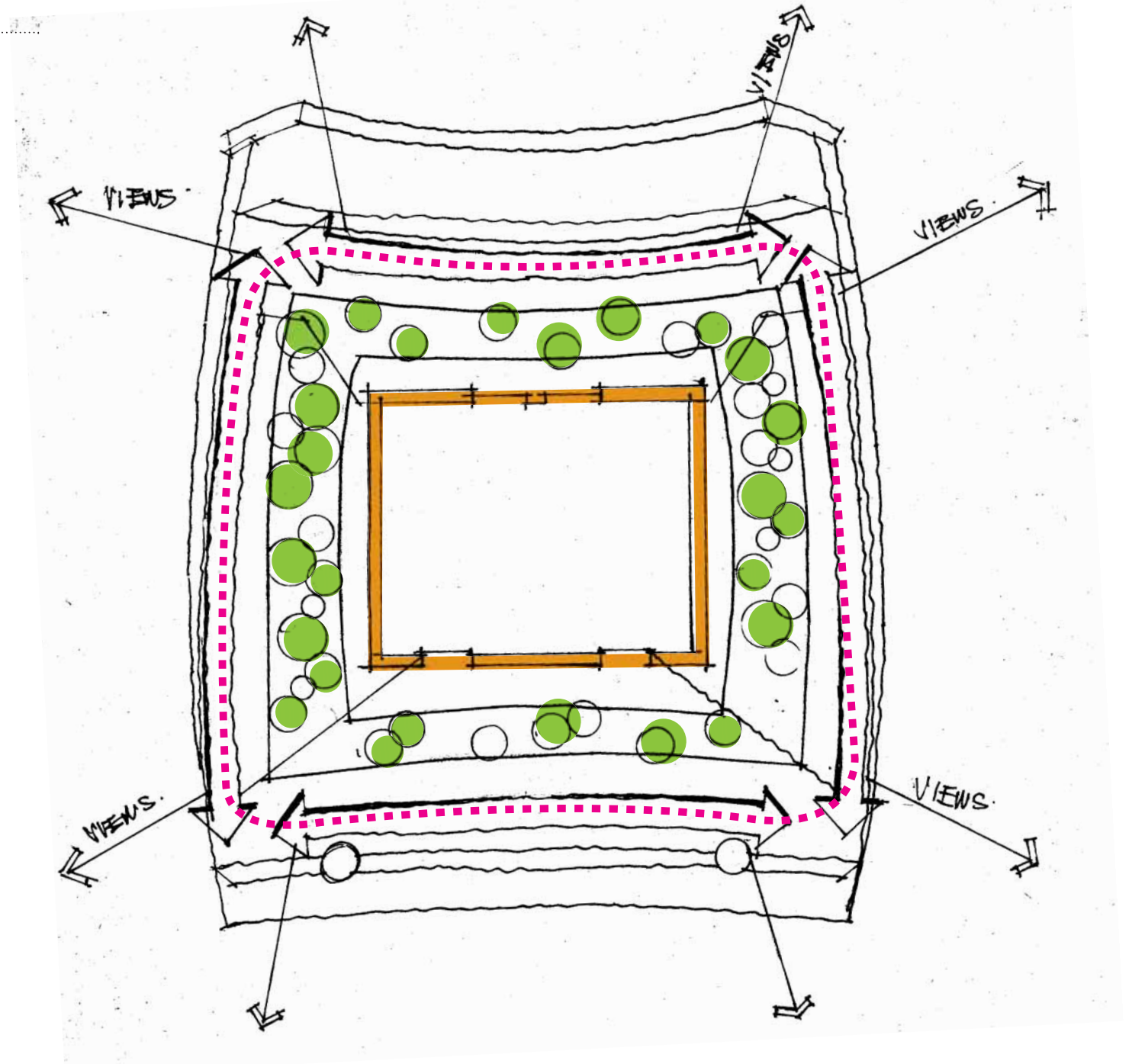
- Zone of opportunity
- Important arrival space
- ↔ Primary circulation
- ↔ Secondary circulation
- Opportunities



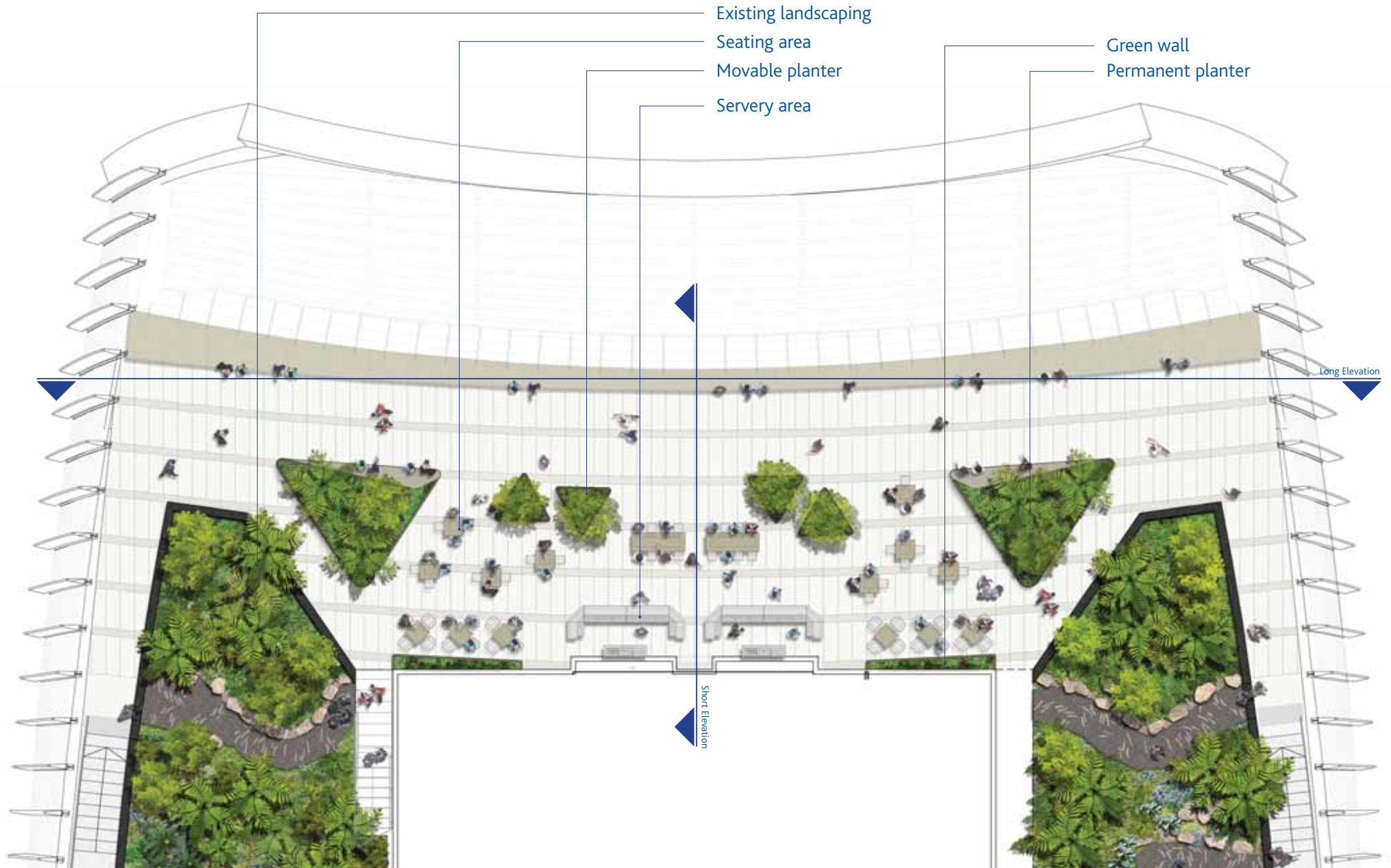
CONTEXT AND OPPORTUNITIES

Level 36 Terrace

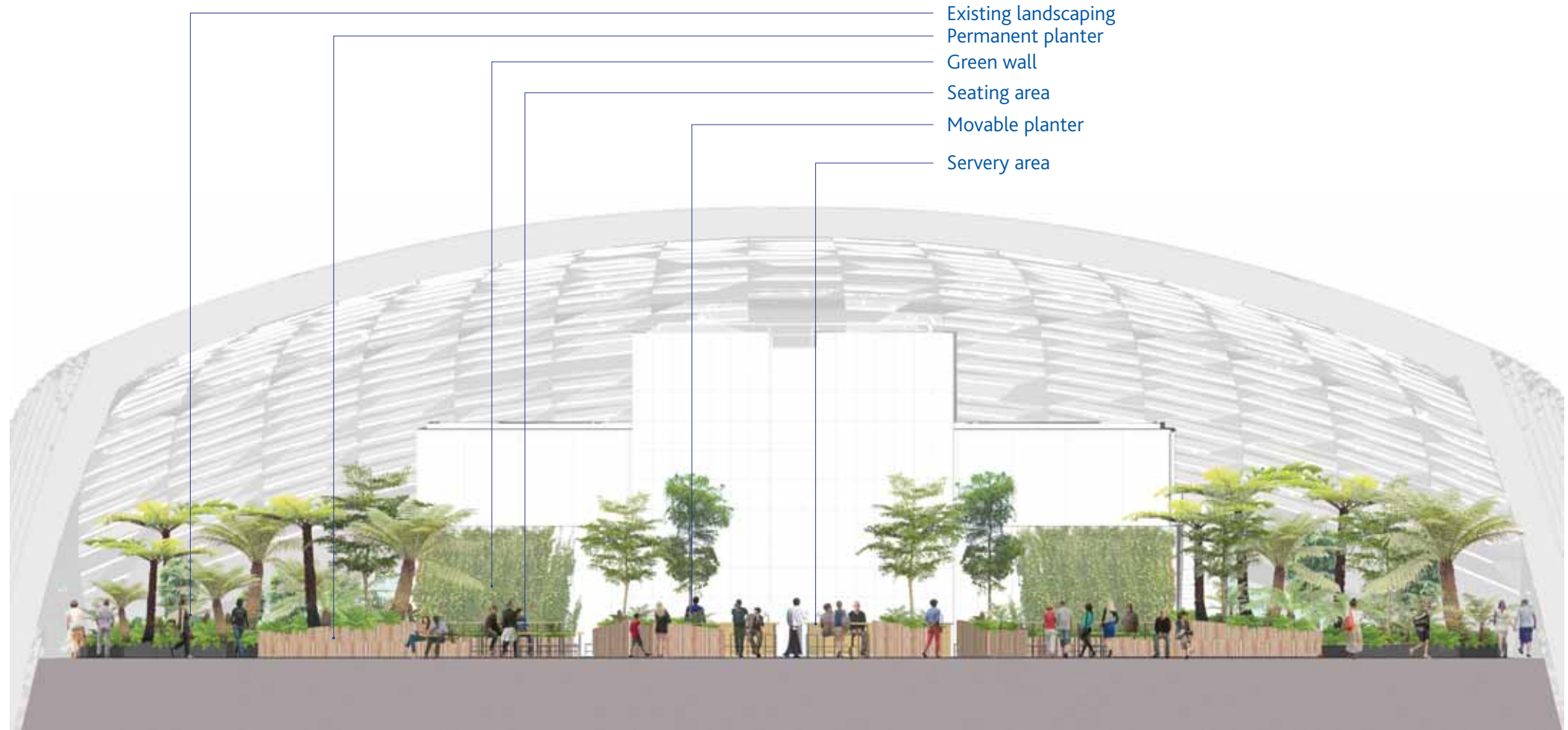
-  viewing zone
-  proposed green zone
-  pavilion zone



PLANTER SYSTEM AT LEVEL 36



LONG SITE ELEVATION



SHORT SECTIONAL ELEVATION





Perspective View



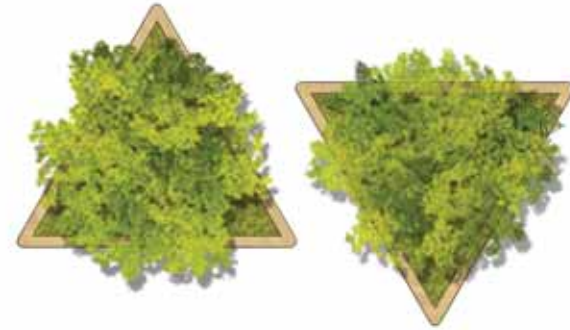
Plan View



Front Elevation



Perspective View



Plan View



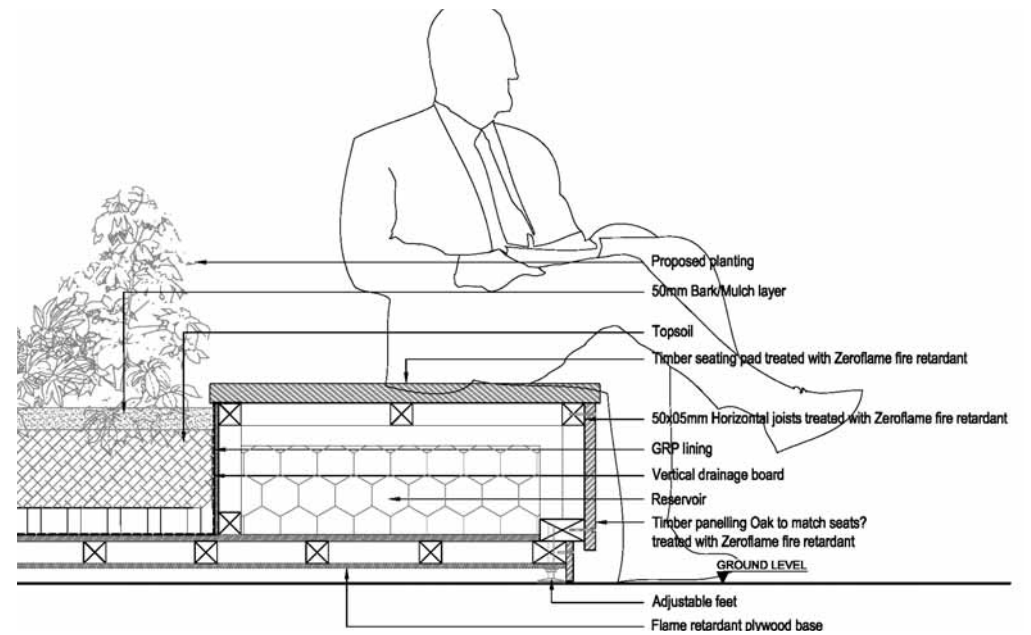
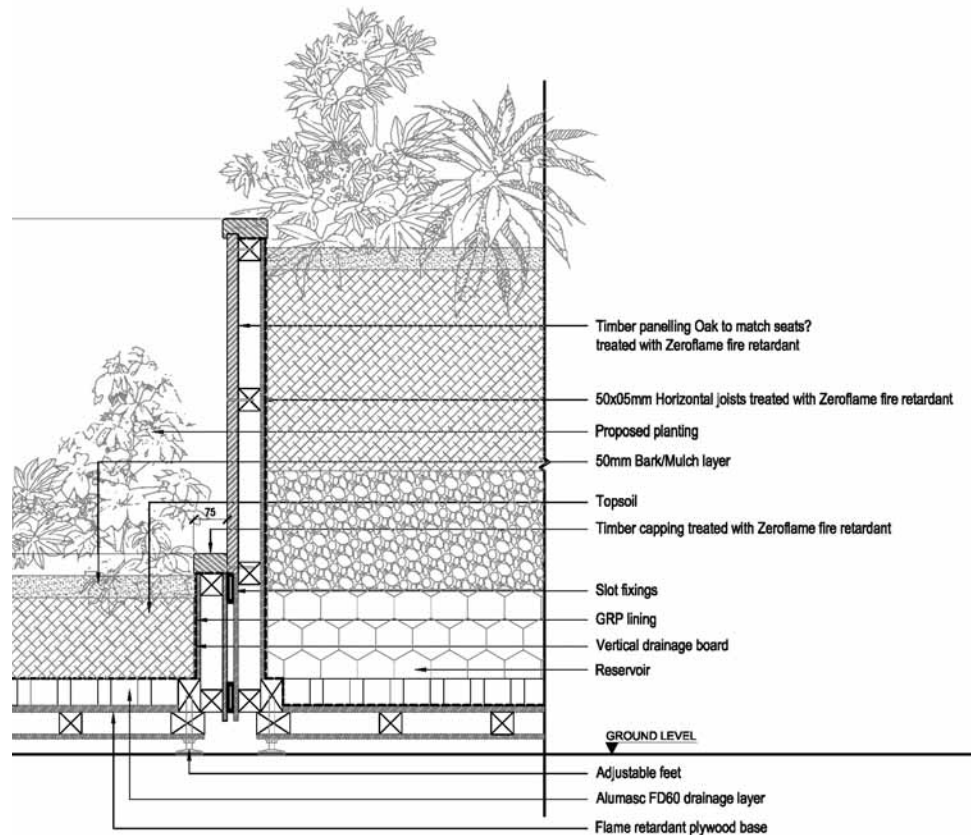
Front Elevation

PLANTER SYSTEM PRECEDENTS

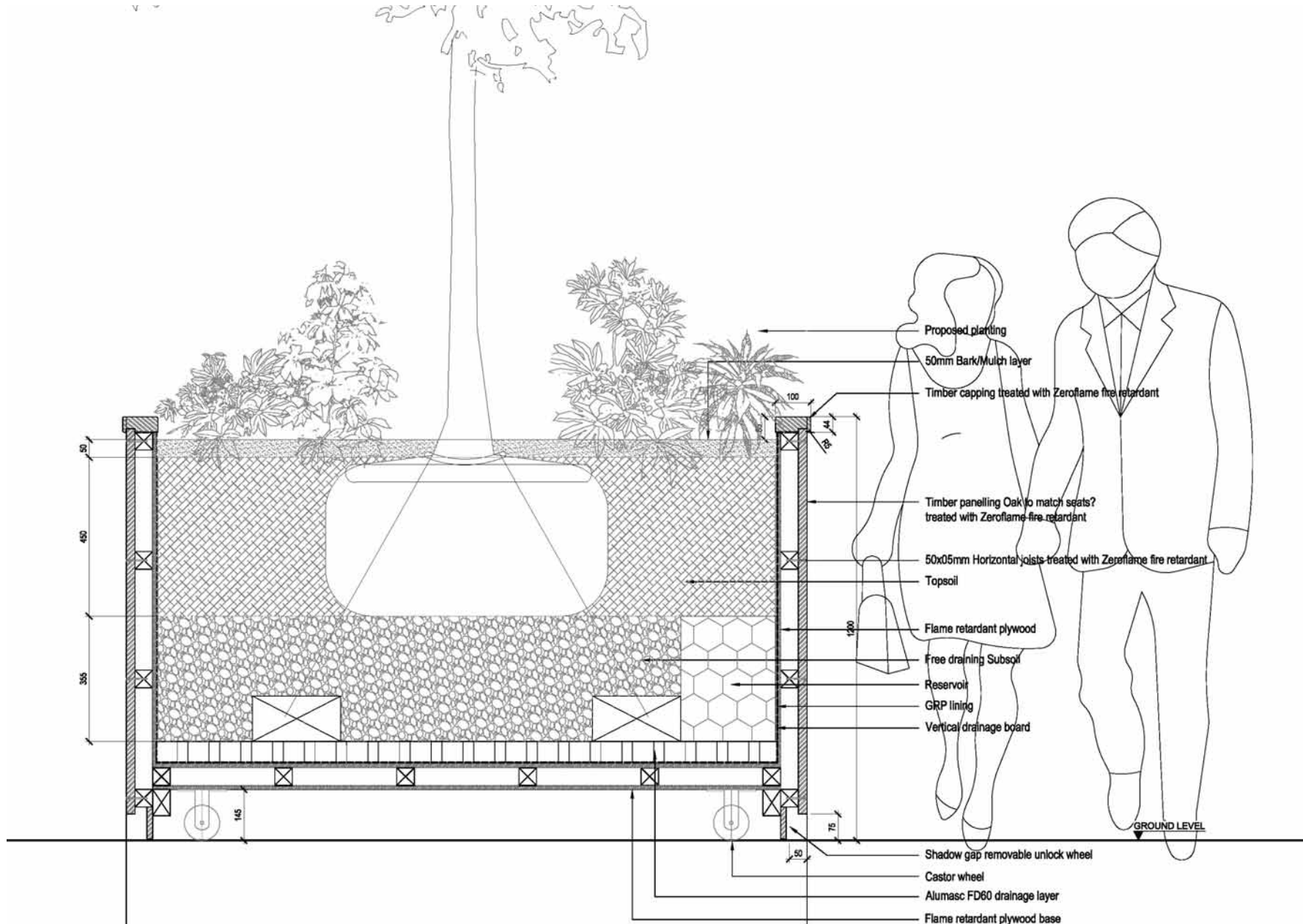
Introduce warmth of timber and contrasting forms



PERMANENT PLANTER - DETAIL SECTION



MOVABLE PLANTER SYSTEM - DETAIL SECTION









Level 37

LEVEL 37 TERRACE - Concept Proposals - Existing



Photos as Existing

LEVEL 37 TERRACE - Concept Proposals - Style/Mood



like the idea of repetition - low level planters in front of restaurant windows

bench seating option for public viewing terrace



large format planters featuring olive trees - keeping the foliage above eye level to maintain views across the terrace



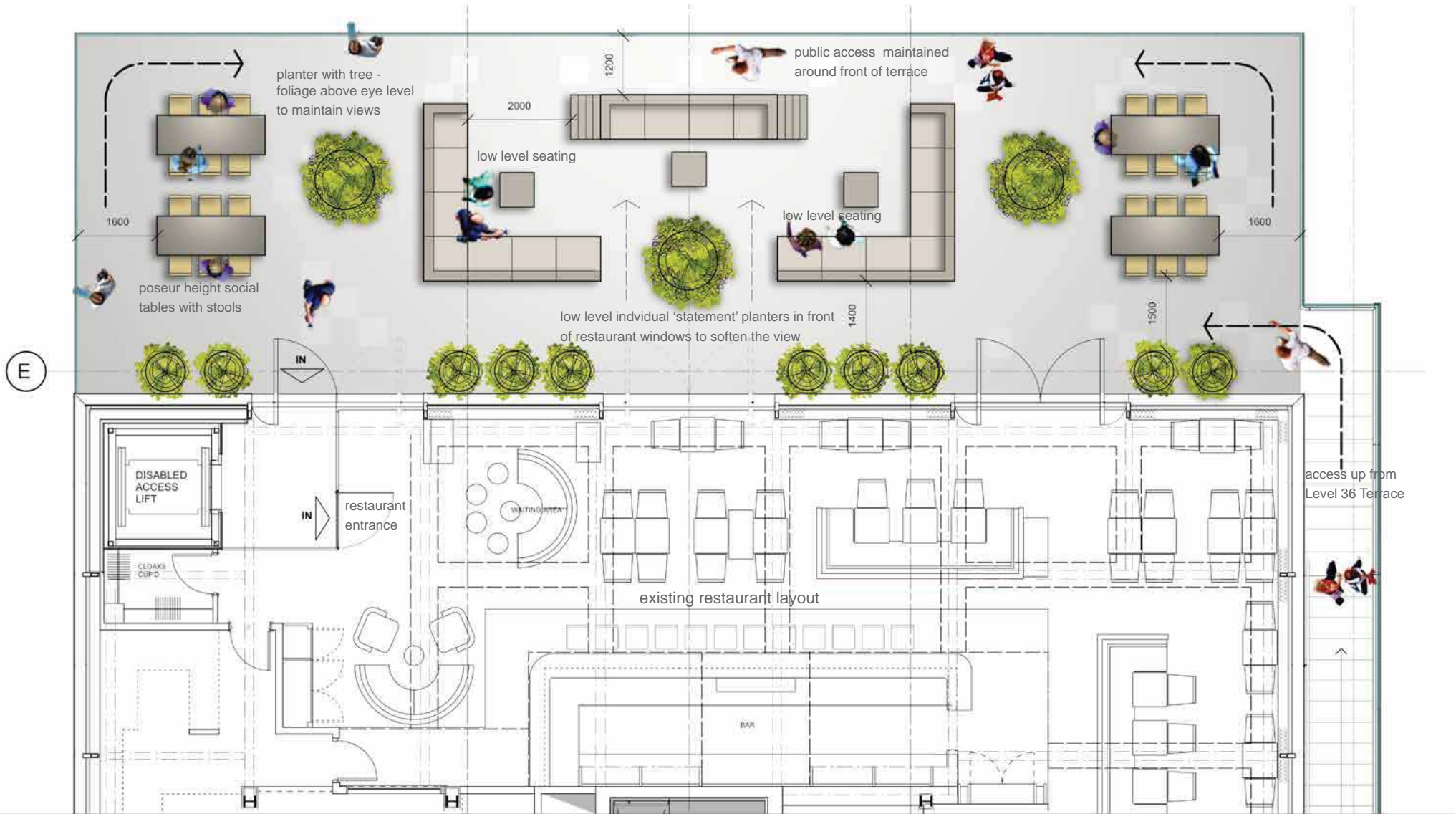
soft glow lighting within the higher level foliage



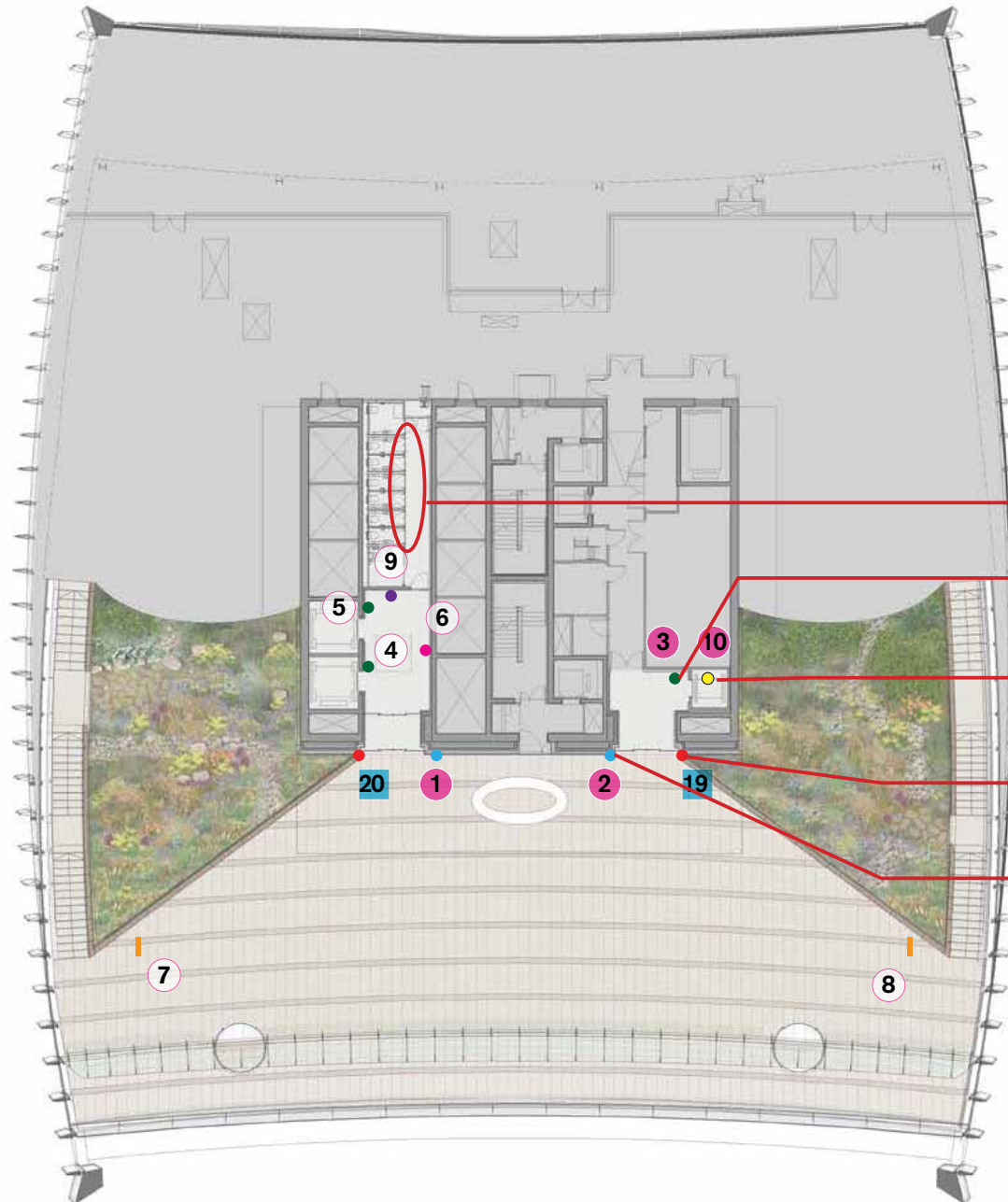
low level 'Miami' Style modular seating arrangement



LEVEL 37 TERRACE - Concept Proposals - Plan Option 11a



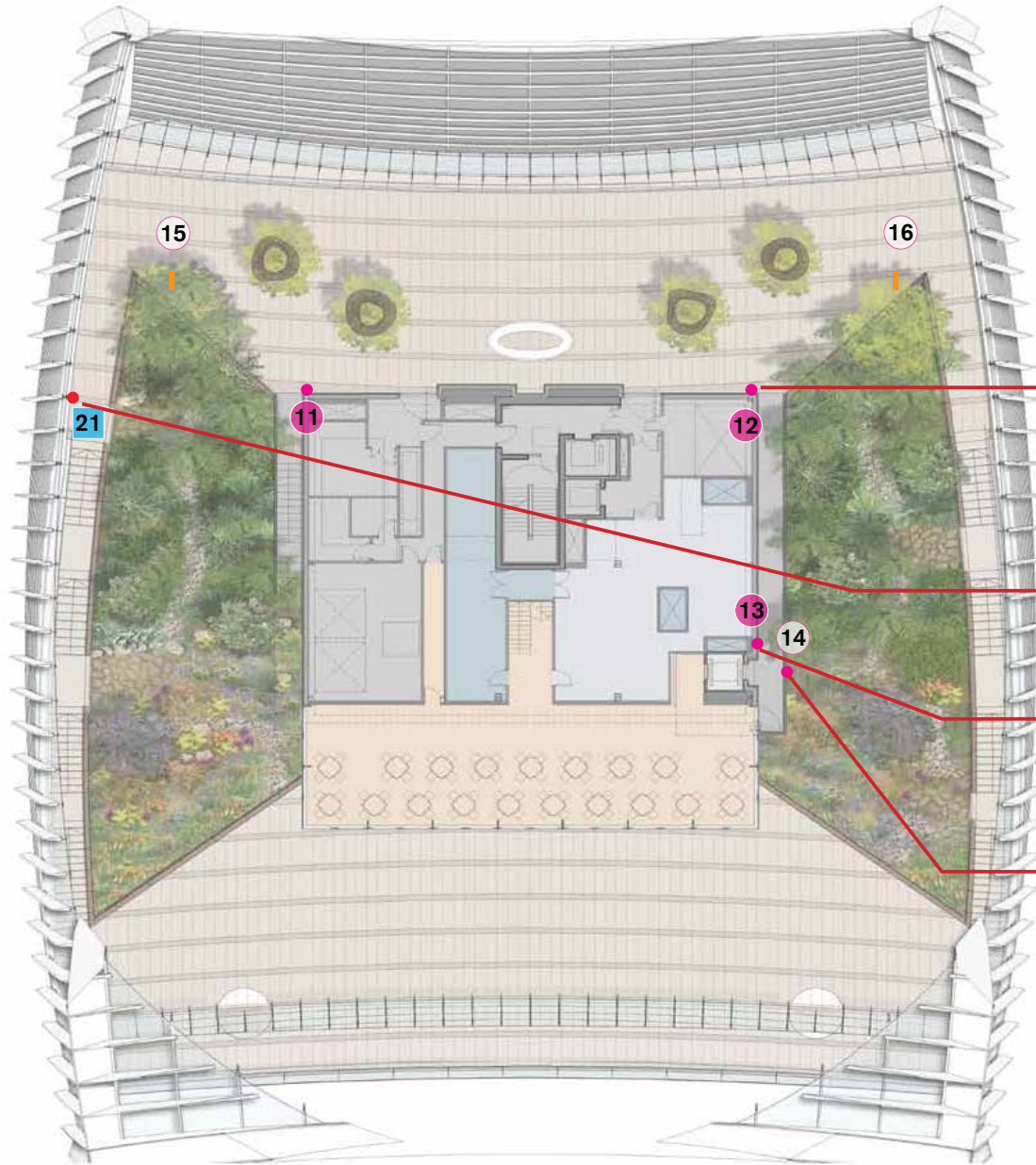
Signage Strategy



- ① to ② ● Lift Core Directional Sign
- ③ to ⑤ ● Lift Car Identification
- ⑥ ● Directional Sign - Wall Fixed
- ⑦ to ⑧ — Directional Sign - Free-standing
- ⑨ ● Facility Identification Sign
- ⑩ ● Lift Index Sign (internal)

- Signs to be updated
- New Signs

- Tactile toilet signs to be added to door fronts
- Sign item 3 - revise graphics - more explicit about levels
- Sign item 10 - revise graphics - new restaurant name and reference to L36 terrace
- Add NEW blade/projecting sign with accessible lift identification
- Sign items 1 & 2 - Larger sign to increase prominence of accessible lift
- Add NEW blade/projecting sign with toilet symbols



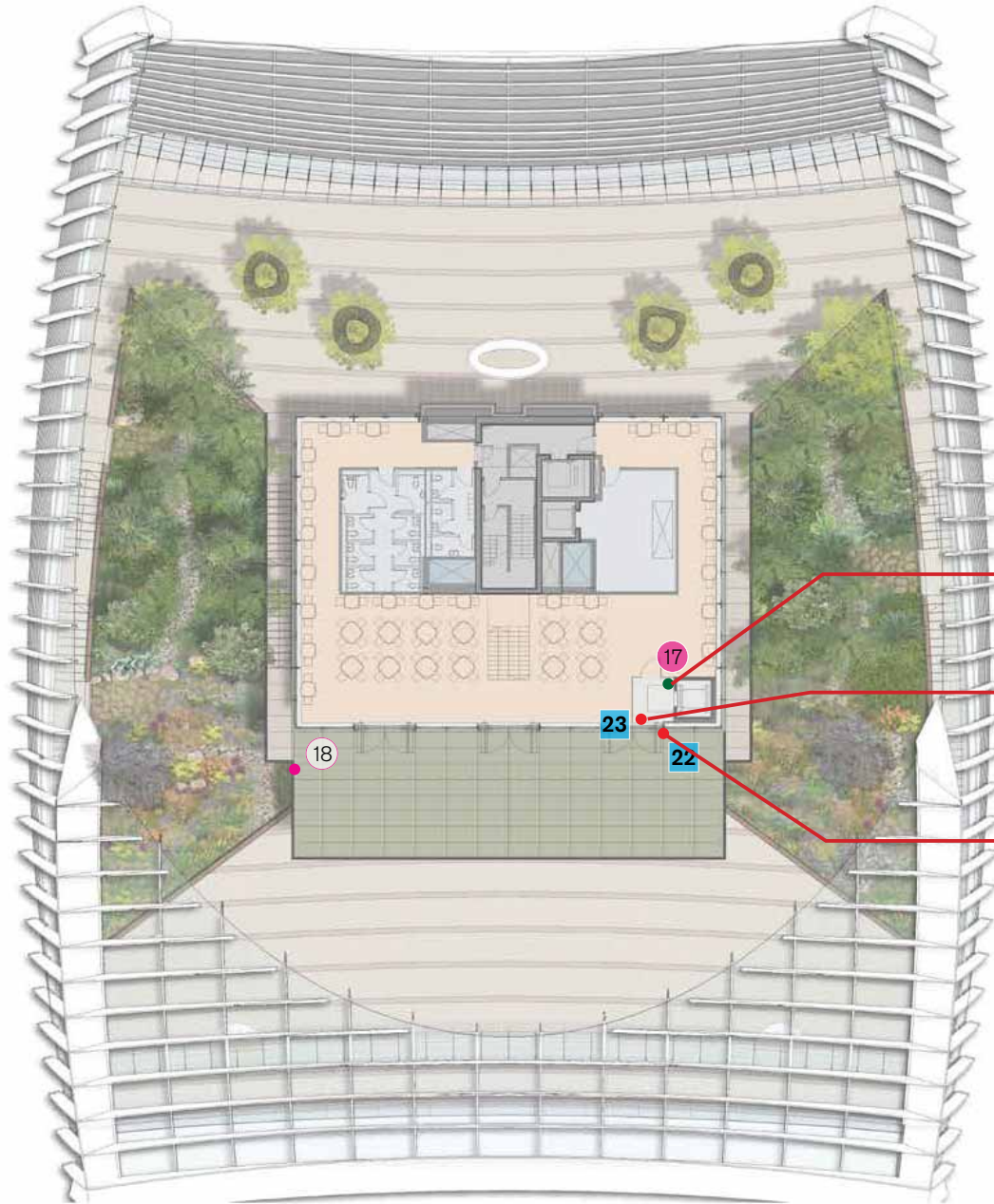
- ⑪ to ⑭ ● Directional Sign - Wall Fixed
- ⑮ to ⑯ — Directional Sign - Free-standing
- Signs to be updated
- New Signs

Sign items 11 & 12 - increase in size to show accessible route to L37 and lift.
Sign to be relocated from walls which are now to be faced with planting

Additional sign to direct through planted area - route to L37 Upper Terrace

Sign item 13 - change graphics to be more explicit about access to lift and levels

Sign item 14 - increase in size to show accessible route to L36



- ①⑦ ● Lift Identification
- ①⑧ ● Directional Sign - Balustrade Fixed
- ①⑦ ● Signs to be updated
- ②② ■ New Signs

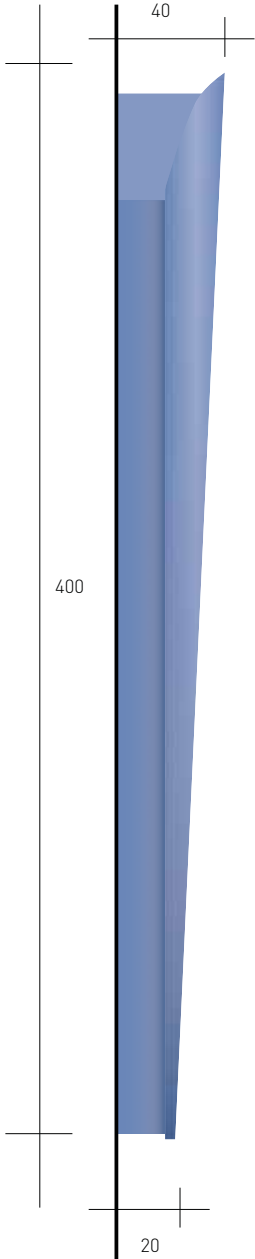
Sign item 17 - change graphics to be more explicit about access to lift and levels

Sign/manifestation by or on door to direct out to L37 Upper Terrace

Additional "flag" blade/ projecting sign to show location of accessible lift



Elevation - Sign Item 3
Scale 1:2 @ A3



Side Elevation
Scale 1:2 @ A3



Sign Item 13



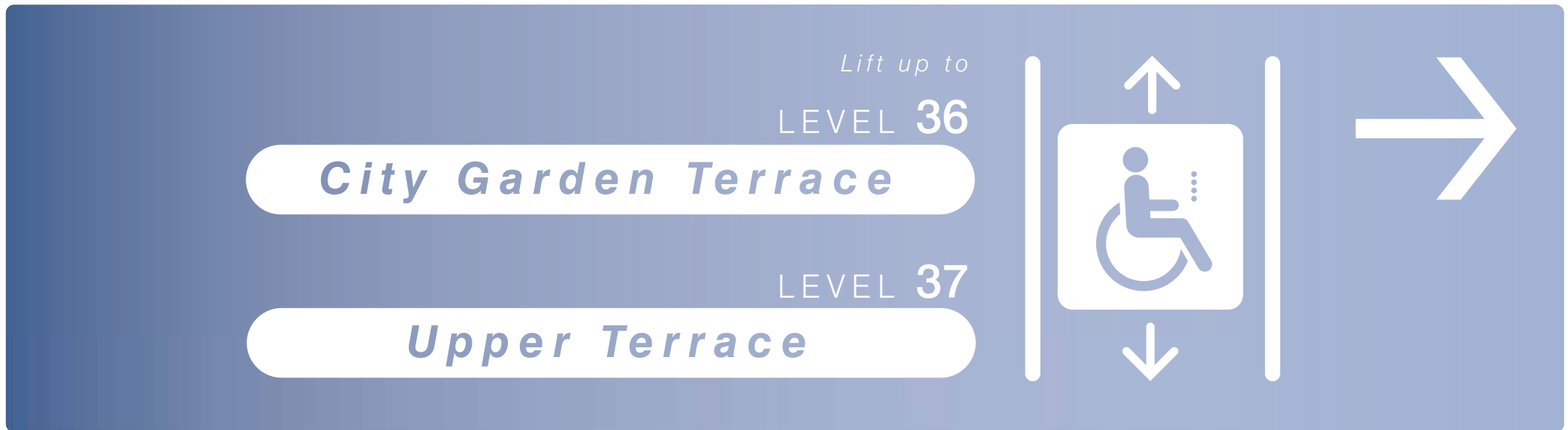
Sign Item 17

Note:
Reinstatement of existing signs
with new graphics

200



Sign Item 1 (Sign doubled in size)



Sign Item 2 (Sign doubled in size)

Note:
New signs to replace existing - twice original size

800

200

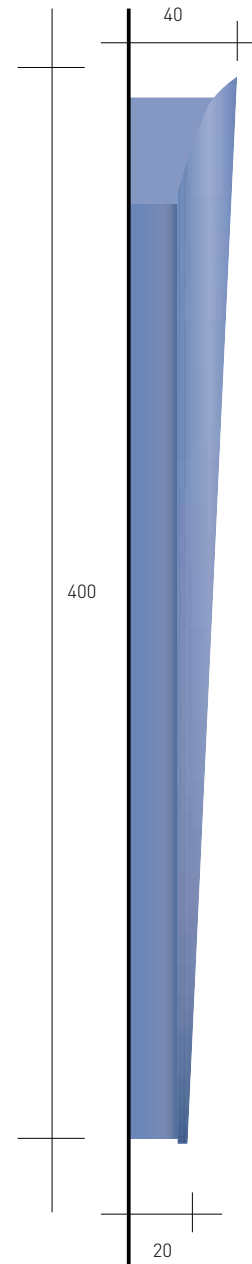


Sign Item 14 (Sign doubled in size)

Note:
New sign to replace existing - twice original size

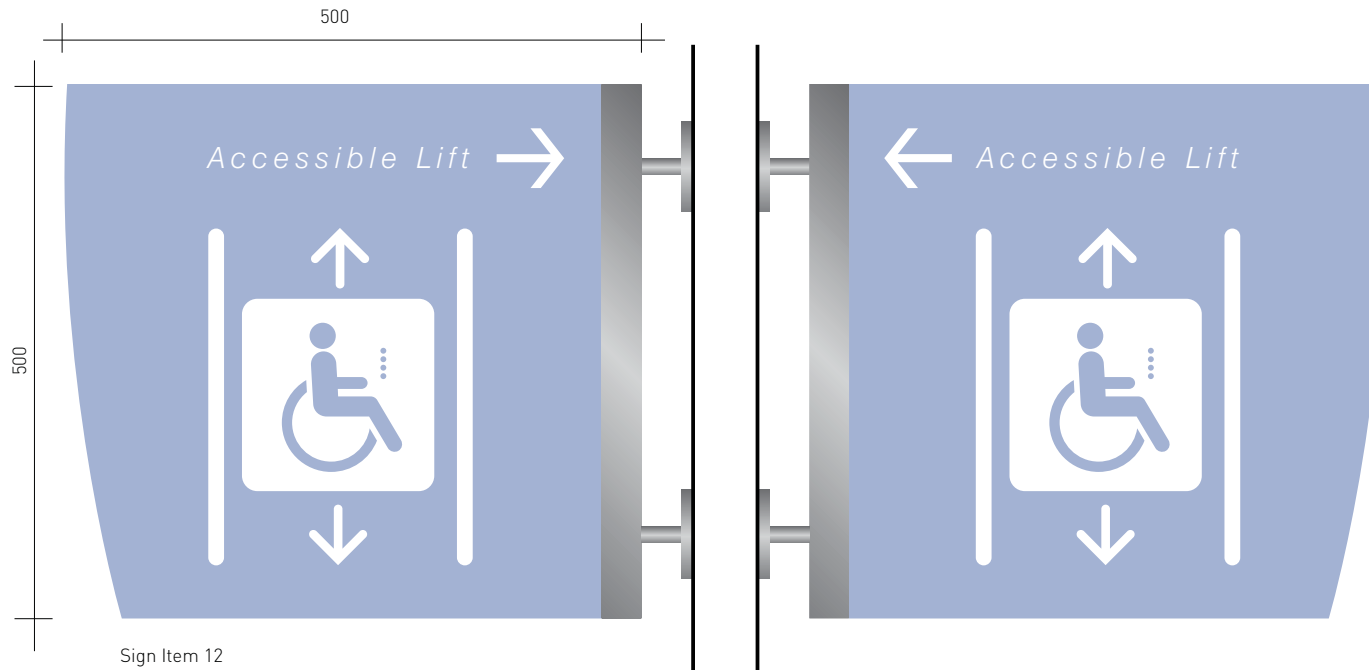
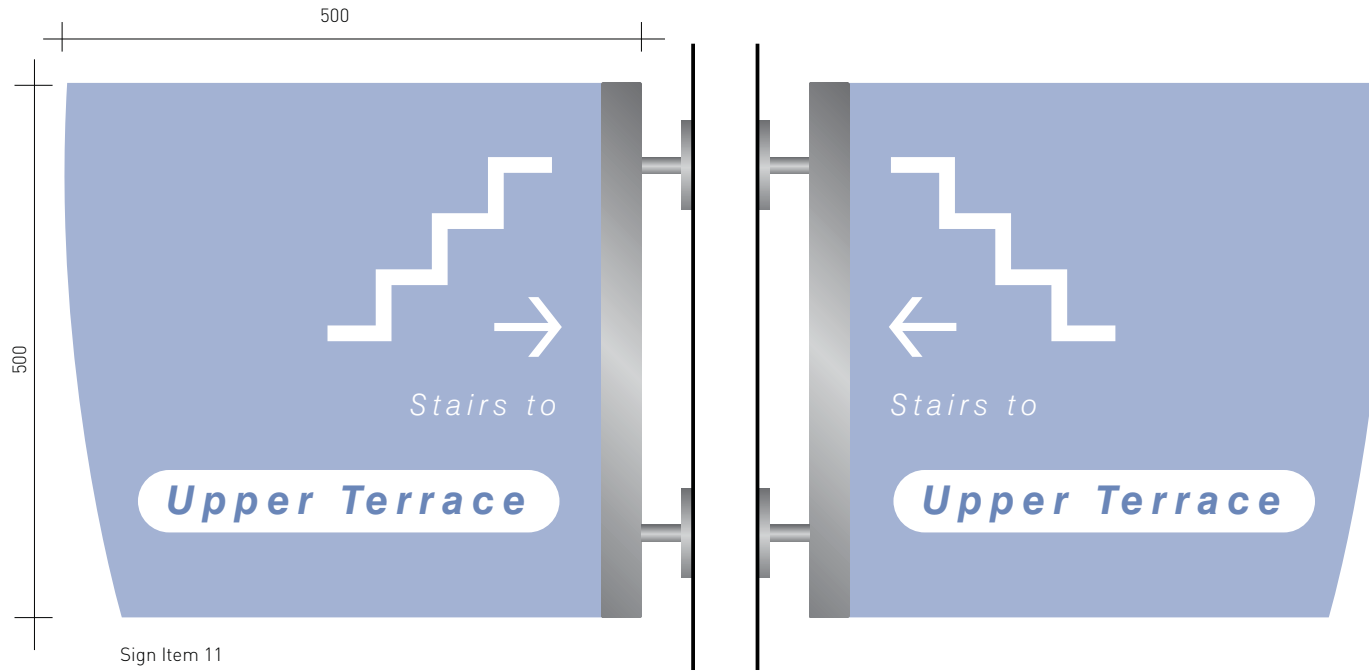


Elevation - Sign Item 10 - Revised Graphics
Scale 1:2 @ A3

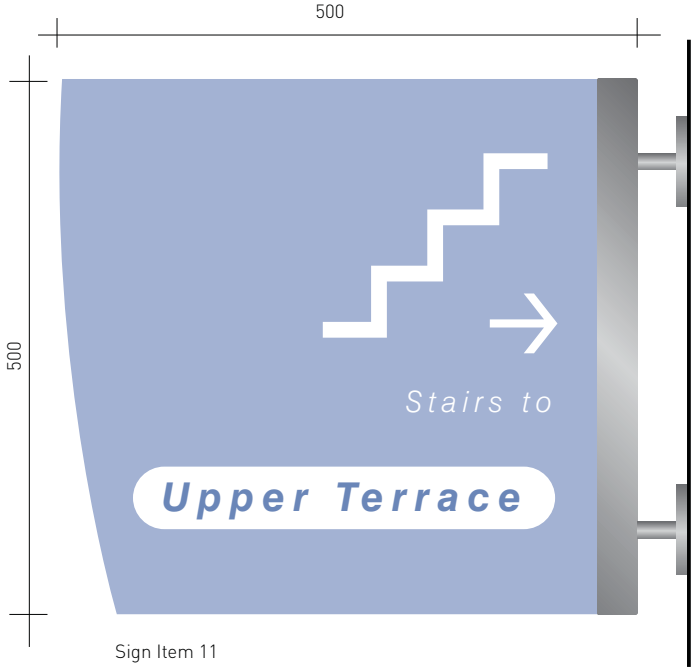


Side Elevation
Scale 1:2 @ A3

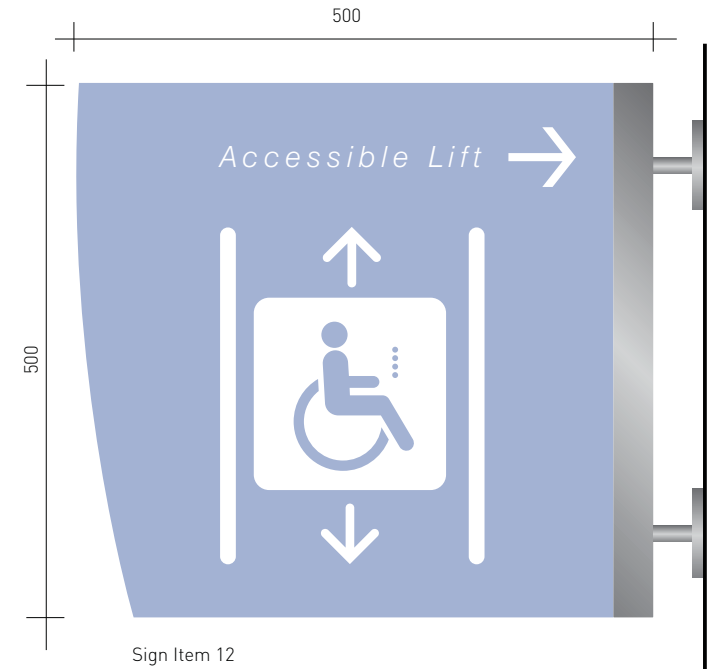
Note:
Reinstatement of original sign within accessible
lift car

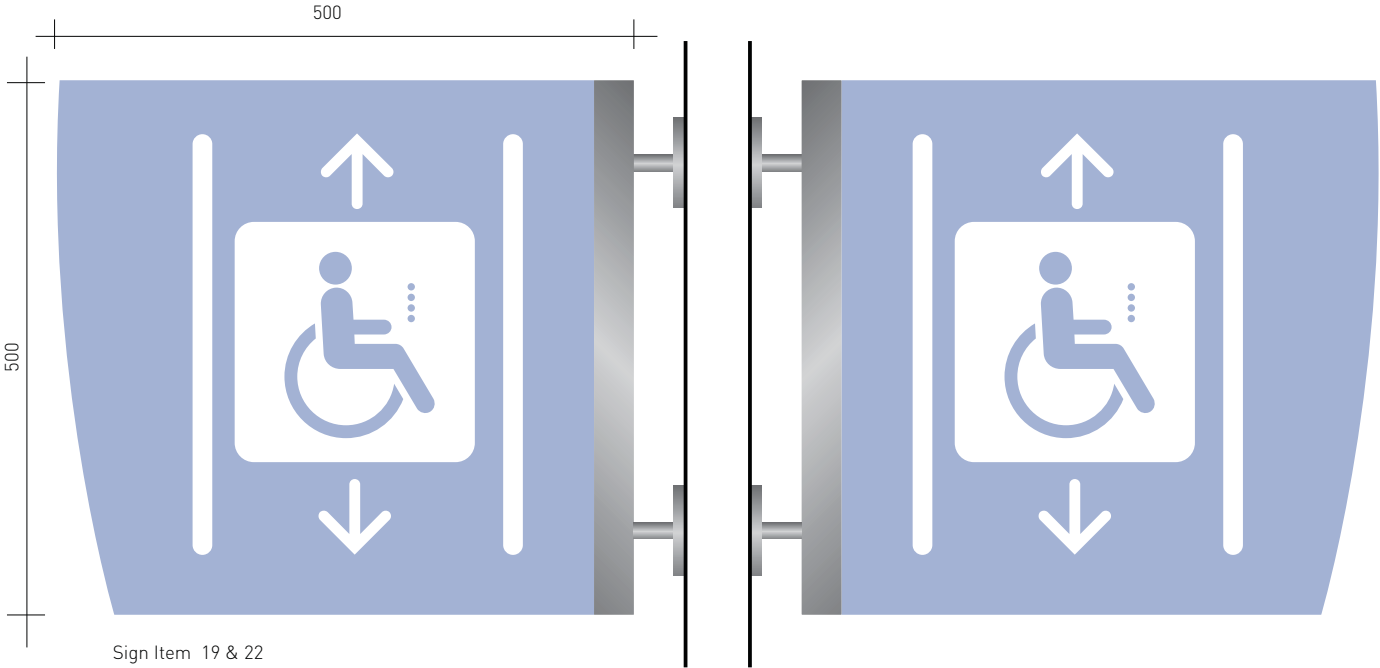


Note:
Original signs applied flat on to cladding to be removed and replaced with projecting/flag signs

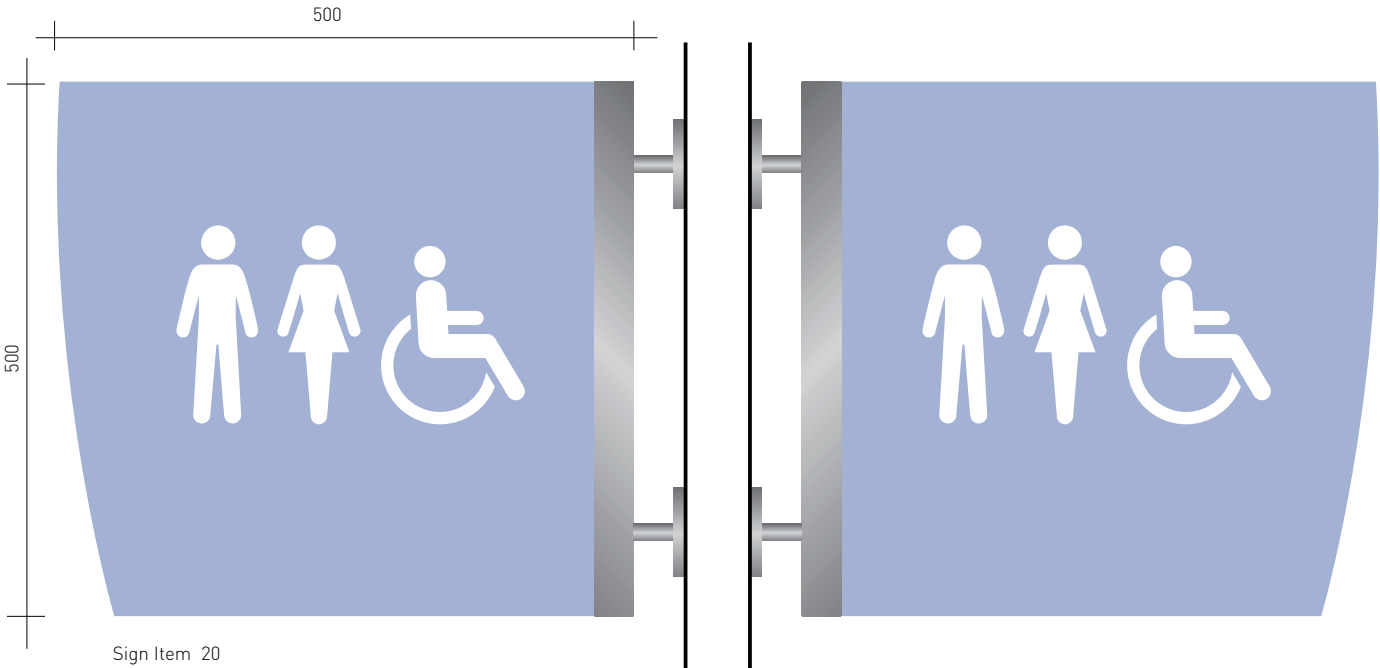


Sign Item 11

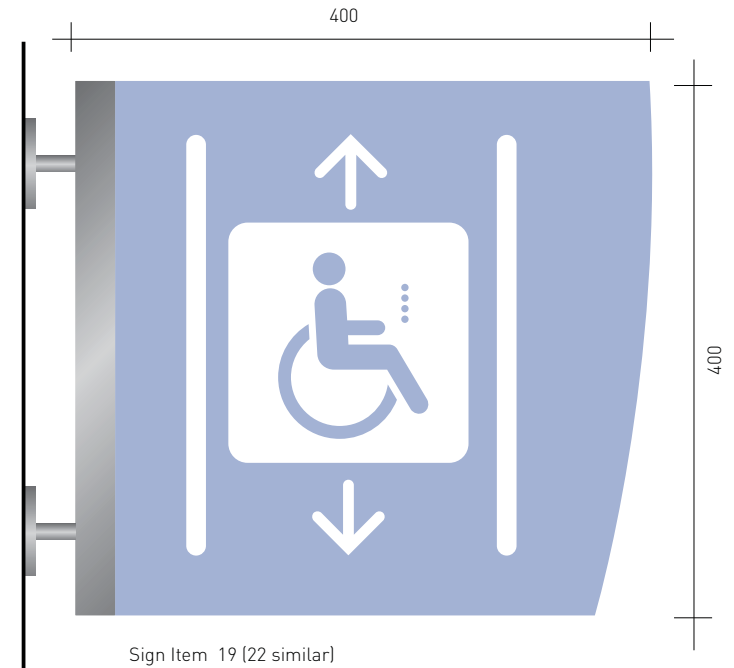


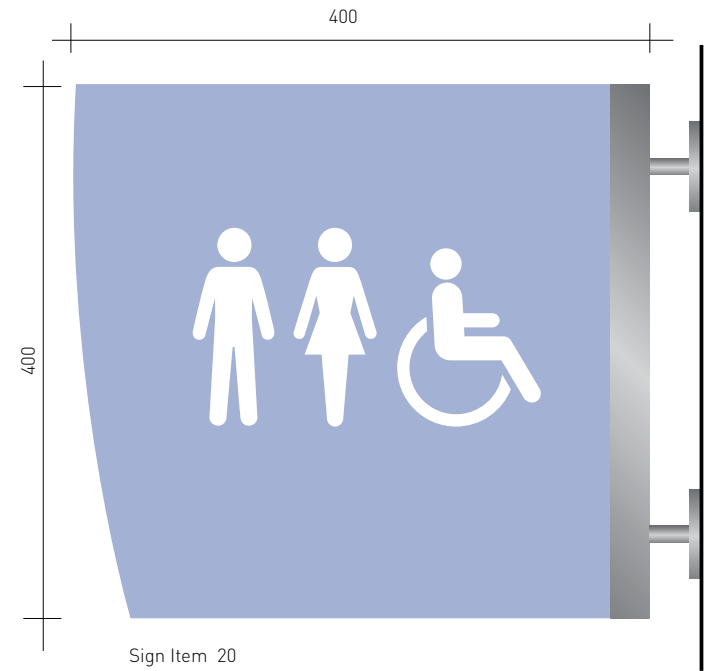


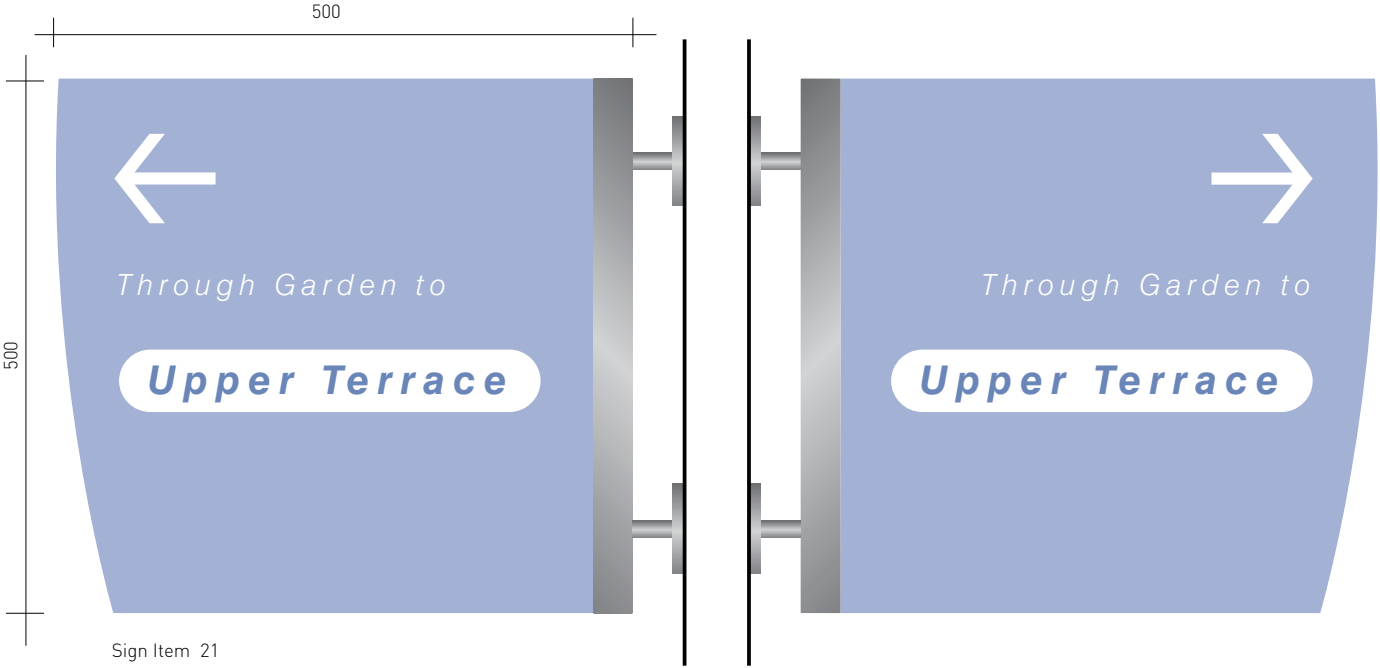
Note:
New signs to be fixed above point of entry to lift lobby at levels 35 & 37



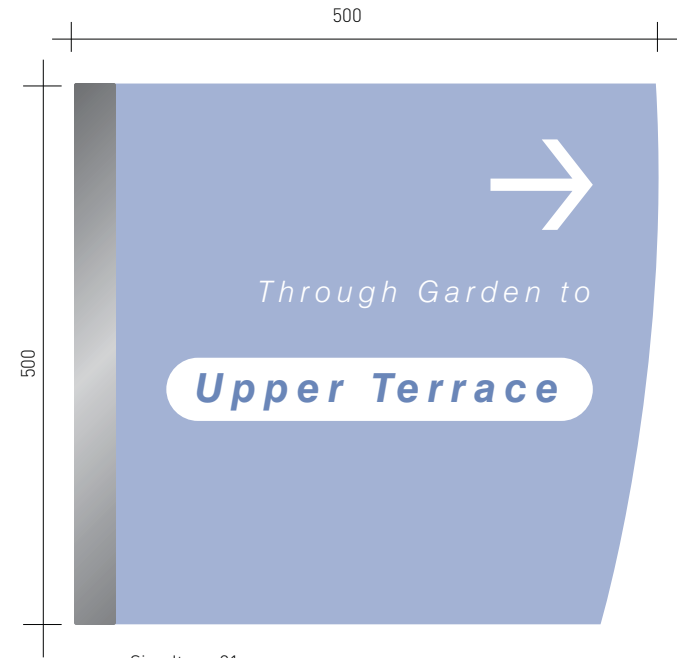
Note:
New sign to be fixed above point of entry to main lift lobby at level 35 - route to toilets







Note:
New flag/projecting signs to be fixed off building structure adjacent to steps leading up to level 36 on either side of building



Sign Item 21

Note:
New flag/projecting signs to be fixed off building structure adjacent to steps leading up to level 36

GILLESPIES

1 St John's Square
London EC1M 4DH

t. 02072532929

f. 02072533900

e. design.london@gillespies.co.uk

w. www.gillespies.co.uk