

committee: Planning and Transportation	date: 17 November 2015
subject: Paternoster Square: declaration of city walkway	public
report of: Director of the Built Environment	for decision
Summary	
<p>The replacement city walkway through Paternoster Square is now ready to be declared to be city walkway and it is proposed that this declaration be made without limitations, as your Committee originally resolved on 22 July 2008.</p>	
Recommendation	
Your Committee is asked:—	
<ol style="list-style-type: none"> 1. To resolve to declare to be a city walkway all that way or place including Paternoster Square, Paternoster Lane, Paternoster Row, Canon Alley, Queen's Head Passage, Rose Street and White Hart Street shown hatched black on city walkway declaration plan CWDP - 01 - 08 dated 11 June 2008 and annexed as Appendix 2 to this report. 2. To authorise the Town Clerk to insert an appropriate date for the coming into force of this resolution. 	

Main Report

Background

1. A network of public highways existed to the north of Saint Paul's Cathedral from the Saxon resettlement of the City until the early 1960s, when the area was comprehensively redeveloped. In replacement for these ancient streets and footpaths, which were built upon, the Paternoster Row development that was completed in 1967 had a network of ground-level and high-level city walkways declared through it.
2. The Paternoster Row development was demolished in the early 2000s and a replacement development incorporating a pedestrian square and ground-level pedestrian passages was completed in 2003. This estate is known as Paternoster Square. It consists of Paternoster Square, Paternoster Lane, Paternoster Row, Canon Alley, Queen's Head Passage, Rose Street and White Hart Street and the adjoining buildings.
3. Conditions 9 and 10 of the planning permission for the Paternoster Square development require that replacement city walkways be constructed within the redevelopment.

4. On 22 July 2008 your Committee resolved that the square and lanes and alleys through the area, as shown on the plan **appended** to this report, be declared to be a city walkway.
5. On 17 July 2014 your Committee further resolved that the city walkway be declared subject to limitations enabling the public right of way and of access to be temporarily suspended to the extent and for the minimum period that is required for any or all of the *following* purposes:—
 - (a) *In the interests of public safety or security, where the need is first confirmed by a chief officer of the City of London Corporation or by an officer of the City of London Police holding at least the rank of superintendent; other than in cases of imminent threat, where such confirmation must be obtained within six hours of the suspension coming into force (or the suspension must cease).*
 - (b) *To permit works of maintenance, repair or renewal of the city walkway subject to prior approval from the City of London Corporation, which must be requested not less than 28 days prior to the proposed date of suspension; save in the case of emergency or de minimis works requiring less than 4 hours' suspension of access, which works must be notified to the City within 48 hours of such suspension coming into force.*
 - (c) *Force majeure.*

Current Position

6. In discussing implementation with the City of London Police both the police and officers have now concluded that the limitations on the declaration of the city walkway that your Committee were asked to agree are in fact unnecessary as the police already have sufficient powers to maintain public safety or security, and that the most appropriate city walkway declaration is a standard (non-limited) declaration—as your Committee originally resolved. Clearly these detailed discussions should have taken place much earlier and I therefore apologise for having to bring this matter before your Committee again. However, the City of London Police and officers consider the change to a standard (non-limited) declaration to be important.

Proposal

7. It is therefore proposed that a replacement city walkway be declared through the Paternoster Square Estate without limitations.
8. It is proposed that the Town Clerk bring the resolution into effect in December 2015.

Corporate and Strategic Implications

9. Declaration of Paternoster Square as a city walkway would secure the public rights of way and of access through the Paternoster Square Estate, which

would in turn serve to assist in delivering the Department of the Built Environment's Transportation and Public Realm objectives to:—

2. *Enhance the City streets and spaces to meet the needs of the business City and reinforce a sense of place and local distinctiveness*
3. *Adapt the City streets in anticipation of the increase in cycling and walking projected for an ever densely developed City.*

Implications

10. Declaration as a city walkway would have a small financial cost as notice of the passing of a resolution declaring a city walkway describing the extent of the city walkway must be published in a newspaper circulating within the City. The City Corporation uses the London *EveningStandard* for this purpose. This cost can be met from the Director of the Built Environment's local risk.
11. Once the city walkway has been declared the City Corporation is responsible for paving, repairing, draining, cleansing and lighting it and is liable for non-repair of its surface. However, on 30 June 2008 the Paternoster Square estate management company, Paternoster Square Management Limited, entered into an agreement with the City Corporation to carry out maintenance, repairs, re-paving, re-grouting, cleansing, lighting, drainage, provision of street furniture and the monitoring of compliance with any relevant byelaws and conditions of tables and chairs licences, and to carry these services out as a minimum to the City's specification for the maintenance of city walkways as shall prevail from time to time. Either party may terminate the agreement by service of three months' written notice on the other party.

Conclusion

12. The replacement city walkway through Paternoster Square is now ready to be declared to be a city walkway and it is proposed that this declaration be made without limitations, as your Committee originally resolved on 22 July 2008.

Appendices

Appendix 1: full text of proposed resolution to declare to be a city walkway

Appendix 2: city walkway declaration plan CWDP - 01 – 08 dated 11 June 2008

Background Papers:

1. Report to the Planning and Transportation Committee dated 3 June 2008 entitled "Discontinuation of city walkways at Paternoster Square"
2. Report to the Planning and Transportation Committee dated 22 July 2008 entitled "Declaration of City Walkway—Paternoster Square"

3. Report to the Planning and Transportation Committee dated 17 July 2014 entitled "Paternoster Square city walkway/public access"