

PLANNING AND TRANSPORTATION COMMITTEE

Tuesday, 5 April 2016

Minutes of the meeting of the Planning and Transportation Committee held at the Guildhall EC2 at 10.30 am

Present

Members:

Michael Welbank (Chairman)	Alderman Professor Michael Mainelli
Marianne Fredericks (Deputy Chairman)	Paul Martinelli
Alex Bain-Stewart	Sylvia Moys
David Bradshaw	Graham Packham
Revd Dr Martin Dudley	Judith Pleasance
Peter Dunphy	Deputy Henry Pollard
Emma Edhem	James de Sausmarez
Graeme Harrower	Tom Sleigh
Deputy Brian Harris	Graeme Smith
Christopher Hayward	Patrick Streeter

Officers:

Simon Murrells	- Assistant Town Clerk
Amanda Thompson	- Town Clerk's Department
Deborah Cluett	- Comptroller and City Solicitor's Department
Simon Owen	- Chamberlain's Department
Carolyn Dwyer	- Director of Built Environment
Annie Hampson	- Department of the Built Environment
Paul Beckett	- Department of the Built Environment
Paul Monaghan	- Department of the Built Environment
Iain Simmons	- Department of the Built Environment
Simon Glynn	- Department of the Built Environment
Alison Hurley	- City Surveyors Department

1. APOLOGIES

Apologies for absence were received from Sophie Anne Fernandes, George Gillon, Gregory Jones QC, Deputy Henry Jones, Oliver Lodge, Brian Mooney and Deputy James Thomson.

2. MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA

There were no declarations of interest.

3. **MINUTES**

RESOLVED – That the minutes of the meeting held on 10 March 2016 were agreed as a correct record subject to the following amendments:

Members present - The inclusion of Christopher Hayward.

Apologies - The correction of Deputy Brian Harris's name which was recorded as Deputy Bill Harris.

4. **TOWN PLANNING AND DEVELOPMENT APPLICATIONS**

The Committee received a report of the Chief Planning Officer and Development Director in respect of development and advertisement applications dealt with under delegated authority.

RESOLVED – That the report be noted.

5. **VALID APPLICATIONS LIST FOR COMMITTEE**

The Committee received a report of the Chief Planning Officer and Development Director which provided details of valid planning applications received by the department since the last meeting.

RESOLVED – That the report be noted

6. **REPORTS RELATIVE TO PLANNING APPLICATIONS**

6.1 **22 Bishopsgate**

The Committee received a report of the Chief Planning Officer and Comptroller and City Solicitor concerning the potential acquisition of land for planning purposes at 22 Bishopsgate.

The Chief Planning Officer advised of a late objection sent on behalf of Hiscox and indicated that the objection regarding Neighbourly Matters could be addressed by the City requiring compliance with the Neighbourly Matters Agreement in the Indemnity referred to at Recommendation (iii).

The Owners had advised that progress of the scheme was at risk due to a lack of certainty of the settlement of rights of light claims and had asked if the City would be prepared to consider intervening by utilising the powers under S227 to enable reliance on the powers in S237. For this to occur it would be necessary for the City to acquire an interest in the redevelopment site, and the City's compensation liabilities to be indemnified by the Owners. Because of the strategic importance of the development and the need to achieve floor space targets in the Local Plan, all proper steps had been taken with Right of Lights claimants, and the use of powers under S227 were considered appropriate.

Some Members expressed concern that by intervening the City could be in danger of acting prematurely and setting a precedent. However the Chief

Planning Officer advised that each case would need to be considered on its merits.

The Comptroller advised that the need to engage S237 had arisen from the large number of those affected with whom negotiations had taken place but where no agreement had been reached rather than due to any issues regarding progress of negotiations with any particular affected neighbour.

RESOLVED - That

That acquisition of an interest in the Redevelopment Site by the City Corporation under S227 of the Town and Country Planning Act 1990 in order to engage powers under S237 for the planning purpose of facilitating the carrying out of the Development (in its current form or as it may be varied or amended) and subsequent disposal of that interest to the Owners (or an associated company) under section 233 of the Town and Country Planning Act 1990 be approved in principle, and that the final decision to acquire be delegated to the Town Clerk, and be subject to him determining in consultation with the Chairman and Deputy Chairman of Planning and Transportation Committee:-

(i) that adequate attempts have been made to remove injunction risks by negotiating release of affected rights of light by agreement and that those entitled to rights of light are not prepared, by agreement (on reasonable terms and within a reasonable time) to permit infringements of those rights in time to achieve the development programme; and

(ii) that there is a suitable Indemnity in place; and

(iii) the terms on which the acquisition and disposal referred to above are to be made

6.2 **120 Moorgate**

The Committee received an update report of the Chief Planning Officer and Comptroller and City Solicitor concerning the redevelopment of 120 Moorgate which had been deferred from the previous meeting.

The Committee noted that a report had previously been prepared in relation to the potential use of S237 powers to facilitate the timely delivery of the redevelopment scheme in response to concerns that it was not possible to reach agreement with a neighbouring owner at 1 Finsbury Circus.

However the owner of 120 Moorgate had now advised that negotiations were close to completion and there no longer appeared to be a need to use S237 powers. In view of this, consideration of the Owner's request was not currently required, and, provided that the heads of terms were formally documented, it would no longer be necessary to report this matter to Committee for consideration.

7. REPORTS OF THE DIRECTOR OF THE BUILT ENVIRONMENT

8.1 Technical Consultation on Implementation of Planning Changes

The Committee received a report concerning the City's response to the to the Department of Communities and Local Government's (DCLG's) consultation document seeking views on how planning measures set out in the Housing and Planning Bill should be implemented.

The Committee was advised that responses to the consultation would inform the detail of secondary legislation that would be prepared once the Housing and Planning Bill received Royal Assent.

The Committee noted that the consultation document proposed significant changes to the planning system and could have a significant impact on the way that the City's planning service was provided, including the potential for a reduction in planning application fee income.

RESOLVED - That the comments detailed in the report be agreed and form the basis of the City Corporation's response to the DCLG technical consultation on implementation of planning changes, subject to any final comments of the Chairman and Deputy Chairman.

8.2 DBE Business Plan

The Committee received the Business Plan for 2016-19 for the Department of the Built Environment which outlined the departmental vision, key aims and priorities for the next three years.

The Director of the Built Environment reported that the document consisted of an overarching plan relating to the whole department, with Key Performance Indicators (KPIs) broken into two distinct categories reflecting the work of the Planning & Transportation and Port Health & Environmental Services Committees which the department reported into.

In response to a question concerning future monitoring of the Business Plan, the Director advised that this would be done by way of quarterly monitoring reports to the Committee which she would ensure were sufficiently comprehensive.

Reference was made to the fact that there was no mention of the role of Members or partnership working in delivering the objectives contained in the Plan.

RESOLVED – that the contents of the report and associated appendices be approved.

8.3 Eastern City Cluster Area Enhancement Strategy - Proposed update of Strategy

The Committee received a report proposing a review and update of the enhancement strategy for the Eastern City Cluster Area.

The Committee was advised that the review of the Strategy aimed to align the document with the policy framework provided by the City's Local Plan. The Local Plan identified 5 Key City Places as areas of significant change and the Eastern Cluster was identified as one of them. The review of the strategy would reflect and address the evolving change and pressuring needs in the area and also support the objectives of key corporate strategies, including the Air Quality Strategy, the Cultural Strategy and the Visitor Strategy.

In response to a question concerning whether or not it would be possible to see the old and new versions of the boundaries, the Director of the Built Environment advised that these could be circulated to Members after the meeting.

A Committee Member stressed the need for the Committee to also be mindful of the capacity of the City Police to deal with a growing urban environment and an increasingly vibrant night time scene.

RESOLVED - that the review and update of the area strategy is authorised at an estimated cost of £160,000, funded from the Pinnacle Section 106 Agreement (£100,000), and Transport for London LIP (Local Implementation Plan) funding for 2016/17 (60,000).

8.4 Modification of E-Business & Information System Contract

The Committee received a report concerning the existing contract for the supply of an e-business & Information System which included a Local Land Charges system which had not been delivered and was no longer required.

Members noted that in order to remove the local Land Charges system from the contract, Committee approval and a Deed of Variation were required.

RESOLVED - that the modification of the e-business & Information System contract to remove the provision of the Local Land Charges system be approved.

8.5 DBE Projects Programming Report

The Sub-Committee received a report of the Director of the Built Environment setting out the programme for the current and upcoming (Gateway 2) Transportation and Public Realm projects.

RESOLVED - To

- a) Give approval to enter into a Section 278 agreement with the developer in respect of 100 Minorities in order to progress to the next gateway be given;
- b) Note the full programme of projects being undertaken by the Transportation and Public Realm Division as set out in the Project Programme Document in Appendix 1 of the report; and
- c) Note that a further report of the Transportation and Public Realm Division's capital projects will be presented in six months' time.

8.6 **Bank Area Enhancement Strategy**

The Sub-Committee received a report of the Director of Built Environment providing an update on the implementation of the Bank Area Enhancement Strategy.

RESOLVED – That the update information be received and actions noted.

9. **PUBLIC LIFT UPDATE**

The City Surveyor reported that unfortunately due to a technical systems error it had not been possible to produce a verified report to table at the meeting and instead this would be circulated afterwards

10. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

MIPIM 2016 – In response to a question concerning the recent MIPIM event, the Chief Planning Officer advised that a full report would be coming to a future meeting.

Pre-Application Discussions – In response to a question concerning whether or not these were secret, the Assistant Town Clerk advised that information in relation to these was detailed in the Planning Protocol.

Naming of Documents – Members who used ipads to access committee documents reported difficulties in locating electronic versions of reports as they were unable to identify individual items easily. The Committee Clerk undertook to look into this.

Mansell Street – Idling Buses

Taxi Rank – Liverpool Street

Tourist Buses – St Paul's

In response to a question concerning increased air pollution caused by idling buses/taxis, the Chairman advised that this issue really needed to be looked at by both the Planning and Transportation and Port Health and Environmental Committees, and suggested that a meeting be arranged between the respective Chairmen, the Director of the Built Environment, and a representative from Transport for London.

11. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**
Expression of Thanks

On behalf of the Committee the Deputy Chairman expressed her sincere thanks to the Chairman for all his exceptional hard work and dedication to the Planning and Transportation Committee and wished him well for in his new role as Chief Commoner.

12. **EXCLUSION OF THE PUBLIC**

RESOLVED - That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following items on the grounds that they involve the likely disclosure of exempt information as defined in Part I of Schedule 12A of the Local Government Act.

13. **TOWER BRIDGE BASCULE REDECKING AND APPROACH VIADUCT WATERPROOFING**

The Committee considered and approved a report concerning the Tower Bridge Bascule Redecking and Approach Viaduct Waterproofing Project.

14. **LONDON WALL CAR PARK - COLP ACCOMMODATION STRATEGY - TO FOLLOW**

This item was WITHDRAWN.

15. **NON-PUBLIC QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

There were no Non-Public questions.

16. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE COMMITTEE AGREES SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**

There were no urgent items.

The meeting closed at 12.20 pm

Chairman

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