

## **PLANNING AND TRANSPORTATION COMMITTEE**

**Tuesday, 13 December 2016**

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

### **Present**

#### **Members:**

Christopher Hayward (Chairman)	Paul Martinelli
Deputy Alastair Moss (Deputy Chairman)	Brian Mooney
Peter Dunphy	Sylvia Moys
Alderman David Graves	Graham Packham
Deputy Brian Harris	Deputy Henry Pollard
Graeme Harrower	James de Sausmarez
Alderman Vincent Keaveny	Michael Welbank (Chief Commoner)

#### **Officers:**

Simon Murrells	- Assistant Town Clerk
Greg Moore	- Town Clerk's Department
Gemma Stokley	- Town Clerk's Department
Henry Tanner	- Town Clerk's Department
Simon Owen	- Chamberlain's Department
Dipti Patel	- Chamberlain's Department
Alan Rickwood	- City of London Police
Deborah Cluett	- Comptroller and City Solicitor's Department
Alison Hurley	- City Surveyor's Department
Carolyn Dwyer	- Director of the Built Environment
Annie Hampson	- Chief Planning Officer & Development Director
Sue Bacon	- Department of the Built Environment
Paul Beckett	- Department of the Built Environment
Gillian Howard	- Department of the Built Environment
Sam Lee	- Department of the Built Environment
Steve Presland	- Department of the Built Environment
Ted Rayment	- Department of the Built Environment
Peter Shadbolt	- Department of the Built Environment
Iain Simmons	- Department of the Built Environment
Craig Stansfield	- Department of the Built Environment
Richard Steele	- Department of the Built Environment
Jon Averbs	- Markets & Consumer Protection Department
Kelly Wilson	- Markets & Consumer Protection Department

### **1. APOLOGIES**

Apologies were received from Randall Anderson, Alex Bain-Stewart, David Bradshaw, Henry Colthurst, Revd. Dr Martin Dudley, Deputy Bill Fraser,

George Gillon, Alderman Peter Hewitt, Alderman Robert Howard, Deputy Henry Jones, Oliver Lodge, Judith Pleasance, Tom Sleigh, Graeme Smith, Angela Starling, Patrick Streeter and Deputy James Thomson.

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

Marianne Fredericks highlighted a declarable interest recorded on her register of interests in respect of item 6 and withdrew from the meeting whilst the item was considered. She also advised prior to consideration of this item that she had entered in to no material discussions on this issue with relevant Members or officers.

**3. MINUTES**

- a)** The public minutes of the meeting held on 28 November 2016 were approved.
- b)** The public minutes of the meeting held on 30 November 2016 were approved.

**4. BANK JUNCTION IMPROVEMENTS: EXPERIMENTAL SAFETY SCHEME**

The Committee considered a report of the Director of the Built Environment concerning the proposed introduction of an experimental safety scheme at Bank Junction. A resolution of the Streets and Walkways Sub-Committee, which had considered this item at its meeting on 5 December 2016, was also noted.

The Assistant Director (Local Transportation) briefed the Committee on the background proposal, noting that Bank Junction was one of the busiest road junctions in London. The experimental scheme offered several benefits, but at this early stage the primary benefit would be public safety and a reduction in casualties; monitoring would be crucial to ensure that casualties were not simply being moved elsewhere as a result of traffic diversions and a number of attitudinal surveys, road safety audits, journey time measurements and air quality readings would be taken throughout the life of the trial to ensure a comprehensive understanding of its impact. Transport for London had examined the proposals in detail and had agreed they represented a sound potential solution to issues at Bank Junction, as well as offering real improvements to journey times for buses through the junction.

At the invitation of the Chairman, five persons addressed the Committee from the public gallery: Steven McNamara (Licensed Taxi Drivers' Association), Peter Murray (Construction Industry Cycling Commission), Vincent Stops (London TravelWatch), Steve Monk (London Cycling Campaign) and Tom Platt (London Living Streets) were heard.

Following these addresses, the Chairman opened debate by emphasising that a "do nothing" option did not exist in this case, highlighting the number of tragic accidents in each year, drawing attention to the fact that road safety was currently a red rated Corporate risk; to do nothing would be negligent. He added that he had recently met with representatives of the Licensed Taxi Drivers' Association who had asked if consideration could be given to their being able to use the bus routes through the junction. Copies of the LTDA's

letter as well as the Chairman's response had been tabled, but in essence given that buses went through almost all possible routes through the junction, this would effectively result in the status quo being more or less retained for taxis. The Assistant Director (Local Transportation) cautioned that officers' belief was that the removal of other vehicles whilst retaining access for taxis would result in an increased number of taxis to fill the newly created capacity, thereby leading to similar issues as at present but with an altered composition of vehicles.

A Member spoke to lament the lack of improvements for pedestrians included within this scheme, noting that six crossings were due to see reduced time for pedestrians to cross and that barricades were to be retained. He urged that any improvement to the junction should necessarily take in to account the majority of the junction's users. Other Members added their hope that more ambitious plans would be brought forward in the longer term which would consider the transformation of Bank Junction in to a modern and first-class location worthy of its location at the heart of one of the world's greatest cities. Officers confirmed that this particular proposal was just a first step towards this larger scheme, concerned primarily at this stage with improving safety at the junction; a wider piece of work was on-going which would look at the overall transformation of the junction in the longer term.

Responding to further queries around the potential impact on people with disabilities or mobility issues, it was advised that previous monitoring of the junction suggested that only a very small number of such individuals currently used taxis for collection or drop-offs in the affected area and therefore removing the ability of taxis to stop at the junction was not anticipated to have a significant impact. It was also confirmed that the knock-on impact of the changes to traffic outside the City been robustly examined, with highly extensive modelling demonstrating no impact on other TfL roads as the redistribution of traffic would be very local.

In response to a query concerning the impact of the scheme on tourist buses, the Assistant Director (Local Transportation) advised that such buses were licensed by TfL and that he would be engaging with both TfL and bus operators with a view to exploring variations to their routes to take them away from the junction.

A number of Members spoke to express their view that the most fundamental improvement to be achieved would be free-flowing traffic in the area, which would prove more beneficial to taxis and other road users in the longer run than access at the junction. Consequently, enforcement activity in the surrounding areas to prevent activity such as illegal unloading would be vital and officers were requested to bring back reports on enforcement activity within six months. The Assistant Director (Local Transportation) reassured Members that regular monitoring reports would be presented to the Committee, covering aspects such as enforcement and traffic data.

In reply to a question concerning the proposed length of the experimental scheme, it was advised that Traffic Regulation Orders required any scheme to

be operated for a six month period. As it was expected that the scheme would need to be tweaked in response to issues that might emerge once it was put in place and, given that the six month period would restart after such changes, it was felt that a total period of eighteen months was a prudent and realistic timeframe.

The Chairman thanked all Members and public speakers for their input to the debate and asked the Committee to consider the proposals as set out in the report. Upon the proposals being put to the vote, fourteen Members voted in favour of the proposals, with no Members opposed and one Member declining to vote. It was consequently:-

RESOLVED: That approval be given to:-

- the recommendation to proceed to implementation of the experimental safety scheme at Bank to be bus and cycle only Monday to Friday, 0700 -1900 for a period of up to 18 months by use of an experimental traffic order;
- authority being delegated to the Town Clerk in consultation with the Chairman and Deputy Chairman to agree the procurement for the temporary enforcement cameras if not within the estimated budget range;
- the budget of £792,000 to implement, monitor and report back to committee the outcome of the experimental scheme within 18 months of the scheme becoming operational; and
- the inclusion of any further Transport for London funding to the project budget that arises after the Committee's decision.

• **TUDOR STREET - ALTERNATIVE DESIGN & MITIGATION MEASURES**

The Committee considered a report of the Director of the Built Environment presenting an alternative road layout design for the Tudor Street junction. This followed the Court of Common Council's decision in April 2016 to reject the previously proposed layout caused by the introduction of Transport for London's North-South cycle superhighway from Blackfriars to Stonecutter Street in view of the concerns raised by Members, residents and the Temples.

A Member spoke to commend the Chairman and officers for their positive engagement with TfL and the Temples on this issue and their success in achieving this much improved solution.

The Committee noted that a detailed design and safety audit would be reported back to the Streets and Walkways Sub-Committee before works began, with the exception of the mitigation measures which needed to be put in place as soon as possible.

RESOLVED: That the Committee agree to recommend the Court of Common Council to:

5. agree and instruct officers to continue to work with TfL to progress the alternative layout as shown in Appendix 2.
6. approve a total estimated cost of £195,000, of which £175,000 is a contribution towards TfL's costs in delivering the alternative layout.

7. approve and agree to the delivery of the mitigation measures (subject to the resolution of any objections arising from the statutory public consultation) as shown in Appendix 3.

- **15 TRINITY SQUARE UNAUTHORISED SHORT TERM LETTING - ENFORCEMENT REPORT**

The Committee considered a report of the Chief Planning Officer and Development Director concerning a reported breach of planning control at 15 Trinity Square, involving the unauthorised use of three flats as short-term lets in excess of the 90 nights permitted per calendar year.

Prior to consideration of this item, Marianne Fredericks highlighted a declarable interest recorded on her register of interests in respect of this item. She advised the Committee that she had entered in to no material discussions on this issue with relevant Members or Officers and would not participate in the debate on this item. Consequently, she then withdrew from the meeting for the duration of the consideration of this matter.

It was noted that the principal issues of concern in considering this breach were the loss of residential flats, the effect on the amenity of residents in terms of noise and shared facilities, security concerns, and the impact on the building. Having regard to the provisions of the development plan and the material considerations, it was considered expedient to take enforcement action, under section 172 of the Town and Country Planning Act 1990, to remedy the breach of planning control.

In introducing the report, the Chief Planning Officer and Development Director informed the Committee that the owners of the flats in question had accepted they had been in breach of the 90 day limit and had co-operated entirely throughout the process. They had since submitted additional representations which expressed their view that they had taken steps to improve the security and facilities of the building. They advised that they had also been unaware of any noise complaints and expressed dissatisfaction at being the first owners to have such enforcement action taken against them and queried the motives of the complainants.

In debating the report, Members noted that excessive short-term letting was an issue of concern across the City and suggested that officers would need to give wider thought to the issue of monitoring and enforcement in this area. It was also suggested that guidance should be placed on the City Corporation's website, with a view to informing residents affected by this issue of the sort of information that they would need to gather to facilitate enforcement.

In response to a query around the possibility of requiring certain companies who facilitated short-term lets to participate in enforcement, a Member who also served on the Barbican Residential Committee advised that discussions were on-going with one such major company, who were likely to insert clauses in their contracts reminding owners of the legal position. However, these discussions were not concluded and were currently limited to a single company;

they would also not prevent people from intentionally circumventing these restrictions.

In response to queries around the rationale for this issue being presented to Committee, the Deputy Chairman suggested that it was important to be seen to be send a strong message given this was the first use of enforcement action and the very real concerns around the shortage of housing supply.

RESOLVED: That the Committee agree to:

6. issue Enforcement Notices in respect of flats 6, 9 and 15, 15 Trinity Square to secure the cessation of the unauthorised use; and
7. instruct the Comptroller and City Solicitor to serve copies on the owners and occupiers and any other persons having an interest in the land materially affected by the Notice.

- **CITY CORPORATION'S RESPONSE TO MAYOR'S CONSULTATION ON 'A CITY FOR ALL LONDONERS'**

The Committee considered a report of the Director of the Built Environment setting out a proposed response to the Mayor of London's statement of ambition for the future of London and Londoners, 'A City for all Londoners'. Responses to this consultation would be used to inform the development of the Mayor's seven statutory strategies, including the London Plan and the Transport Strategy, which would then be published for consultation during 2017.

Introducing the report, the Policy & Performance Director was pleased to note the statement's continued support for and commitment to the protection of the international business cluster within the City of London and the rest of the Central Activities Zone. The statement's recognition of the need to improve transport infrastructure and resilience, as well as an improved focus on air quality, were also particularly welcome. A draft response to the consultation was set out at appendix one to the report which also highlighted additional issues that the City Corporation would wish the Mayor to consider, including further thought on increasing airport capacity and facilitating swift progress in this area, as well as the need to balance increased housing provision with the preservation of the central area as an employment hub.

In considering the proposed response, a Member asked that a request be included for the existing scope of protected views be revisited. The importance of pressing for the development of a Freight & Delivery Policy was stressed, as was the need to highlight how crucial the safety and security of London and its workers, residents, tourists and infrastructure was, with the potential impact of an attack on the economy of the entire country highlighted. It was also asked that more robust wording be used at appropriate points to emphasise the importance of the various issues set out in the response being acted upon.

RESOLVED: That Members:-

7. Note the summary of the key issues and the implications for the City of London arising from the Mayor's document 'A City for all Londoners', as set out in the report; and,

8. agree that the City Corporation supports the Mayor's ambitions for London and agree that the detailed comments set out in Appendix 1 should be forwarded to the Mayor as the City Corporation's formal response to 'A City for all Londoners', subject to the inclusion of Members' comments during discussion.

- **CONSULTATION ON THE CITY OF LONDON CORPORATION'S AIR QUALITY SUPPLEMENTARY PLANNING DOCUMENT**

The Committee considered a report of the Director of Markets and Consumer Protection that sought approval to the draft City of London Corporation Air Quality Supplementary Planning Document (SPD) for public consultation.

In response to queries around the proportion of development proposals which were air quality neutral, the Port Health & Public Protection Director advised that the majority of applications were already such but that the Plan was intended to increase the proportion further. He also agreed to include reference to both air and ground source heat pumps within the next version of the Plan.

RESOLVED: That the draft SPD be approved for an eight week public consultation period.

9. **REVENUE AND CAPITAL BUDGETS 2017/18**

The Committee considered a joint report of the Chamberlain, the Director of the Built Environment and the Director of Culture Heritage and Libraries seeking approval to the latest revenue budget for 2016/17 and the provisional revenue budget for 2017/18, for subsequent submission to the Finance Committee.

A Member noted that the repair and maintenance works for Blackfriars Bridge were now scheduled for 2017/18 and expressed concern at the delay, given that the Committee had previously been informed that the works had been scheduled for this year. The Chamberlain advised that the delay to the works was likely to be linked to the timings of the Thames Tideway Tunnel project, but undertook to confirm with the relevant technical officers and confirm with the Member following the meeting.

RESOLVED: That Members:-

9. note the latest 2016/17 revenue budget;
  10. confirm that the provisional 2017/18 revenue budget reflects the Committee's objectives and approve the budget for submission to the Finance Committee;
- approve the draft capital budget;
  - approve the draft 50 year Bridges' Repairs, Maintenance and Major Works Fund budgets and the consequent required contributions; and
  - authorise the Chamberlain to revise these budgets for changes to the Additional Works Programme and in respect of recharges.

- **VALID PLANNING APPLICATIONS RECEIVED BY DEPARTMENT OF THE BUILT ENVIRONMENT**

The Committee received a report of the Chief Planning Officer and Development Director setting out the list of valid planning applications received by Department of the Built Environment since the last meeting.

It was noted that the list of delegated decisions, which normally accompanied this report, would be presented to the next meeting of the Committee.

RESOLVED: That the report be received and its content noted.

11. **SECTION 106 AND COMMUNITY INFRASTRUCTURE LEVY MONITORING REPORT**

The Committee received a report of the Director of the Built Environment detailing the progress made in securing and implementing financial and non-financial planning obligations secured under the Community Infrastructure Levy Regulations 2010 (As amended)(CIL), Section 106 (S106) of the Town and Country Planning Act 1990 (The Act) and The London Plan, in the financial year 2015 to 2016. The report also provided an analysis for the period and included a financial summary.

Noting that only £51.8m of the £128.6m S106 monies received so far had been spent, Members sought assurances that the funds would be committed to appropriate projects and not returned to developers unused. It was advised that a review was currently underway to improve the efficiency with which these monies were spent to ensure that this was the case and the Chief Planning Officer confirmed that no funds had been required to be returned to developers to date.

In response to further questions, it was clarified that the Mayoral CIL monies were currently all committed to the Crossrail project. It was also confirmed that S106 agreements were used to secure non-financial obligations as far as possible, within the limits provided by the three statutory and policy tests for the use of planning obligations.

RESOLVED: That the report be received and its content noted.

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*RESOLVED: With two hours having elapsed since the start of the meeting, in accordance with Standing Order No. 40 the Committee agreed at this point to extend the meeting by up to thirty minutes.*

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12. **DEPARTMENT OF THE BUILT ENVIRONMENT RISK MANAGEMENT – QUARTERLY REPORT**

The Committee received a report of the Director of the Built Environment updating on the current risks that existed in relation to the operations of the Department of the Built Environment and, therefore, Planning & Transportation Committee. In response to the Committee's recent request, those risks



belonging to the Port Health and Environmental Services Committee had been separated out and removed from this report.

RESOLVED: That the report and the actions taken in the Department of the Built Environment to monitor and manage effectively risks arising from the department's operations be noted.

**13. PUBLIC LIFTS UPDATE**

The Committee received a report of the City Surveyor providing an update in respect of the status of public lifts and escalators in the City.

The City Surveyor advised that the two lifts and one escalator which had been out of service at the time of writing the report had now been repaired and were back in use.

RESOLVED: That the report be received and its content noted.

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

**Millennium Bridge**

In response to a Member's query concerning potential instability on the Bridge, the Director of the Built Environment was asked to undertake a check of its condition and advise the Member accordingly.

**15. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**

There were no urgent items.

**16. EXCLUSION OF THE PUBLIC**

RESOLVED – That under Section 100A(4) 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 1 of Schedule 12A of the Local Government Act.

**17. NON-PUBLIC MINUTES**

The non-public minutes of the meeting held on 28 November 2016 were approved.

**18. DEBT ARREARS (BUILT ENVIRONMENT) PERIOD ENDING 30TH SEPTEMBER 2016**

The Committee received a report of the Director of the Built Environment setting out the levels of arrears associated with services provided by the Department and providing an analysis of the various debts, as well as action being taken to recover outstanding debts.

RESOLVED: That the report be received and its content noted.

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

There were no questions.

20. **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 12.35 pm**

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Chairman

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