

Committee: Planning and Transportation	Date: 9 January 2018
Subject: 100 Bishopsgate city walkway agreement (Clerk's Place and Wrestlers Court)	Public
Report of: Director of the Built Environment Report author: Chris Stansfield	For decision
<p style="text-align: center;">Summary</p> <p>The development at 100 Bishopsgate is now being constructed in accordance with the planning permission for the development and the developer wishes to enter into a city walkway agreement with the City Corporation to appropriately guide the construction of the city walkway and to allow occupation of the completed buildings. Your Committee's approval of the principal reservations, limitations and conditions of this agreement and authority for the Comptroller and City Solicitor to enter into the agreement on behalf of the City Corporation is therefore now sought.</p> <p>Recommendation</p> <p>I recommend that your Committee delegate authority to the Comptroller and City Solicitor to enter into a city walkway agreement with the developer of 100 Bishopsgate in accordance with the principal reservations, limitations and conditions set out in this report.</p>	

Main Report

Background

1. On 6 September 2011 your Committee resolved to grant planning permission for the erection of three buildings to comprise office (B1), retail (A1–A4), library (D1) and livery hall (sui generis) uses with associated public space and landscaping, disabled car parking, cycle parking, servicing and plant at 80–86 Bishopsgate, 88–90 Bishopsgate, 12–20 Camomile Street, 15–16 Saint Helen's Place, 33–35 Saint Mary Axe and 61 Saint Mary Axe, the site now known as 100 Bishopsgate. Following the agreement of a section 106 agreement including a covenant prohibiting occupation of the 100 Bishopsgate buildings until an agreement to secure a city walkway through the site had been entered into, planning permission for the development was granted on 23 November 2011 (11/00332/FULEIA).

Current Position

2. The development is now being constructed in accordance with the planning permission and the developer wishes to enter into a city walkway agreement to appropriately guide the construction of the city walkway and to allow

occupation of the completed buildings. This report seeks your Committee's approval of the principal reservations, limitations and conditions of this agreement and authority for the Comptroller and City Solicitor to enter into the agreement on behalf of the City Corporation.

Proposals

3. The city walkway to be constructed is to be a partial replacement public right of way for the previous public rights of way through the site, Clerk's Place (which ran east-to-west) and Wrestlers Court (north-to-south), which together formed an L-shaped public footpath that allowed pedestrians to avoid the congested southern corner of Bishopsgate and Camomile Street (see the stopping up plan entitled "Stopping-Up of Highways (City of London) (No.____) Order 200_ City of London Plan No. PC___ Proposed Order Plan" and numbered "213737-SUO-102 Issue F" appended to this report as Appendix 1.
4. The city walkway will be located further from the Bishopsgate and Camomile Street junction than Clerk's Place and Wrestlers Court were, but will still allow pedestrians to avoid the congested southern corner of that junction. It will also provide a public right of way through to Saint Mary Axe and will therefore provide a new public way between Bishopsgate and Saint Mary Axe, and on to Bury Court, thereby relieving pressure on the southern footway of Camomile Street.
5. City walkway agreements are agreements between the City Corporation and any person who owns or occupies land in the City to lay out or render suitable for a city walkway any way or place on that person's land pursuant to section 6(1)(b) of the City of London (Various Powers) Act 1967. The agreement may specify any reservations, limitations or conditions that the parties consider appropriate.
6. It is recommended that the city walkway agreement now be entered into with the owner of the 100 Bishopsgate development in respect of a city walkway to be provided in the location and of the width shown on the plan entitled "100 Bishopsgate Sketch Plan Public Walkway Site Plan" and numbered "A-00_SK_2813 Revision 06" appended to this report as Appendix 2. This is a city walkway of a consistent 3-metre width.
7. It is recommended that this city walkway agreement contain the *following* principal reservations, limitations and conditions:—
 - (a) The design and construction of the city walkway will conform to the City Corporation's current standards for city walkways.
 - (b) The owner of the land will undertake all maintenance, repair, drainage, cleansing and lighting of the city walkway, with the City Corporation having step-in rights in the event of default.
 - (c) In recognition of the owner of the land undertaking the maintenance and repair of the city walkway, public access to the city walkway will be suspended when and where necessary to allow for the safe and efficient

maintenance and repair of the city walkway and/or the surrounding open space and/or buildings; provided that this suspension of public access is (i) over the minimum extent required; (ii) over no more than 1.8 metres in width of any part of the city walkway; (iii) for the minimum time required; and (iv) only at off-peak times.

- (d) In recognition of the need of the owner of the land to replace plant at basement level from time to time, public access to the city walkway in the vicinity of the services access hatch shown on the plan appended to this report as Appendix 1 will be suspended when and where necessary to allow the services access hatch to be opened and closed in order for the relevant plant to be replaced.
- (e) In the event of any public safety concern or any public assembly being proposed on the city walkway and the owner of the land wishes to suspend public access to the city walkway in response to that public safety concern or public assembly, this will be possible provided that the City Corporation agrees.

Corporate and Strategic Implications

- 8. The proposed city walkway agreement would facilitate the city walkway being designed and constructed in accordance with the City Corporation's current standards, which would assist with achieving the Department of the Built Environment's Business Plan, particularly the Transportation and Public Realm objective to "Prepare for, assist & co-ordinate the delivery of major third party infrastructure projects, including influencing and mitigating their permanent impact".

Implications

- 9. As the city walkway agreement would require the owner of the land to undertake all maintenance, repair, drainage, cleansing and lighting of the city walkway the costs to the City Corporation of the city walkway would be minimized and able to be contained within the Director of the Built Environment's local risk.

Conclusion

- 10. The development at 100 Bishopsgate is now being constructed in accordance with the planning permission for the development and the developer wishes to enter into a city walkway agreement to appropriately guide the construction of the city walkway and to allow occupation of the completed buildings. Your Committee's approval of the principal reservations, limitations and conditions of this agreement and authority for the Comptroller and City Solicitor to enter into the agreement on behalf of the City Corporation are therefore now sought.

Appendices

Appendix 1:

213737-SUO-102 Issue F: Stopping-Up of Highways (City of London) (No.____)
Order 200_ City of London Plan No. PC____ Proposed Order Plan

Appendix 2:

A-00_SK_2813 Revision 06: 100 Bishopsgate Sketch Plan Public Walkway Site
Plan

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