

PLANNING AND TRANSPORTATION COMMITTEE

Tuesday, 18 February 2020

Minutes of the meeting of the Planning and Transportation Committee held at the Guildhall EC2 at 11.00 am

Present

Members:

Deputy Alastair Moss (Chairman)	Tracey Graham
Rehana Ameer	Graeme Harrower
Randall Anderson	Alderman Robert Hughes-Penney
Adrian Bastow	Deputy Jamie Ingham Clark
Peter Bennett	Deputy Brian Mooney
Mark Bostock	Graham Packham
Henry Colthurst	Susan Pearson
Peter Dunphy	Judith Pleasance
Alderman Emma Edhem	Deputy Henry Pollard
John Edwards	James de Sausmarez
Marianne Fredericks	Alderman Sir David Wootton
Alderman Prem Goyal	

Officers:

Gemma Stokley	- Town Clerk's Department
Jenny Pitcairn	- Chamberlain's Department
Dipti Patel	- Chamberlain's Department
Fleur Francis	- Comptroller and City Solicitor's Department
Alison Bunn	- City Surveyor's Department
Carolyn Dwyer	- Director of Built Environment
Gwyn Richards	- Interim Chief Planning Officer and Development Director
David Horkan	- Department of the Built Environment
Elisabeth Hannah	- Department of the Built Environment
Gordon Roy	- Department of the Built Environment
Zahur Khan	- Department of the Built Environment
Paul Beckett	- Department of the Built Environment
Paul Monaghan	- Department of the Built Environment
Bruce McVean	- Department of the Built Environment

1. APOLOGIES

Apologies for absence were received from Sheriff Christopher Hayward (Deputy Chairman), Munsur Ali, Deputy Keith Bottomley, Sophie Fernandes, Christopher Hill, Shravan Joshi, Oliver Lodge, Natasha Lloyd-Owen, Andrew Mayer, Sylvia Moys, Oliver Sells QC and William Upton QC.

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

There were no declarations.

3. **MINUTES**

The Committee considered the public minutes and summary of the meeting held on 28 January 2020.

MATTERS ARISING

Beech Street Transport and Public Realm Improvements (page 2) – The Member who had raised this issue at the meeting on 28 January asked the minute be expanded on to also include the points she had made about children at local schools being particularly at risk from cars doing U turns, the Sub-Committee having information about the displacement of road traffic and pollution but seeming to ignore it and what she believed to be a problem with democratic accountability in the City Corporation with the perceived undermining of the ward committee structure making this matter worse.

The Chair was content for these points to be added and the Town Clerk undertook to expand upon the minute of the previous meeting accordingly.

Another Member requested an update on local consultation on this project. Officers reported that the traffic order would be in place in mid-March 2020. To date, 10,000 letters had been sent to local residents and businesses and that information available via GPS tracking showed that these had been successfully delivered to all addresses. Further to this, the first of seven scheduled drop-in sessions was scheduled to take place this afternoon with another set to take place later this evening and a further two next week.

Officers went on to report that they had also presented on the scheme at a public meeting of the Barbican Association which had been attended by approximately 120 people. The concerns raised at this meeting were noted and would form part of the review of the scheme with any necessary amendments made in line with these once the scheme was in place.

The Member commented that he had been one of those in attendance at the public meeting referred to and commended Officers for presenting here. He stressed that the monitoring of and ongoing consultation around this scheme would, however, be critical. The Member questioned whether there were any Key Performance Indicators attached to the scheme to provide clarity on what outcomes were desired and how success against these would be monitored.

Officers commented that they had produced a summary of all points made at the recent public meeting and that these would be added to as subsequent sessions took place. They undertook to share these comments with relevant Ward Members as well as with members of the Streets and Walkways Sub Committee so that they could understand the issues raised. A Member commented that it would be helpful to have a fuller update at the next meeting of the Streets and Walkways Sub Committee meeting.

Traffic & Parking Service Programme 2020-2022 (page 8) – A Member clarified that the trial referred to in New York City concerned incentivising the public to report engine idlers as opposed to parking offenders. The Town Clerk undertook to amend the minute accordingly.

Another Member commented that he had made the point at the last meeting that any increase in income attributable to fixed penalties was undesirable and that Officers should look to minimise these. With the Chair's permission, he asked that the Town Clerk add to the minute to underline this point.

RESOLVED – That, subject to making the amendments requested, the public minutes and summary of the meeting held on 28 January 2020 be approved as a correct record.

4. PUBLIC MINUTES OF THE LOCAL PLANS SUB COMMITTEE

4A. 14 JANUARY 2020

The Committee received the public minutes of the Local Plans Sub-Committee meeting held on 14 January 2020.

RECEIVED.

4B. 3 FEBRUARY 2020

The Committee received the public minutes of the Local Plans Sub-Committee meeting held on 3 February 2020.

MATTERS ARISING

Smithfield and Barbican (page 26) – A Member expressed concern at the reference to the amending Strategic Policy S23. to restrict future uses of the market building by saying that these should be 'appropriate to its status as a Grade II listed building'. The Chair stated that the Sub-Committee had been keen to make this addition and underlined that all members of this Committee would have an opportunity to review the Plan in full at their late March 2020 meeting.

Officers confirmed there was a policy presumption that any future use of the Market buildings ought to recognise their character and listed building status.

Another Member questioned whether the reference to the future, long-term viability of Citigen in the minutes was in relation to environmental viability as opposed to the viability of the company. The Chair clarified that it was the former and asked the Town Clerk to clarify this further in the published version.

RECEIVED.

5. **OUTSTANDING ACTIONS**

The Committee received a report of the Town Clerk detailing outstanding actions.

Members requested that actions be assigned target Committee dates as opposed to seasons and that Officer titles as opposed to named individuals also be used going forward. The Town Clerk undertook to make these changes for future reports.

RECEIVED.

6. **TERMS OF REFERENCE AND FREQUENCY OF MEETINGS**

The Committee considered a report of the Town Clerk relative to their terms of reference and frequency of meetings.

In response to questions, the Town Clerk reminded the Committee that appointments to and the terms of reference for their various Sub-Committees would be considered at their first meeting of the municipal year, after the April Court of Common Council meeting – on 14 May 2020. The Town Clerk went on to report that whilst the grand Committee's terms of reference were reported upwards to the Court of Common Council, the way in which its Sub-Committees operated and the matters delegated to those Sub-Committees was very much for the grand Committee to determine. Members were informed that, should the grand Committee be of the view that any one issue, project or scheme was sufficiently important or controversial for example, they were able to call that matter in from any Sub-Committee and request that only the grand Committee be able to take a final decision on it. Equally, Sub-Committees could refer matters of sufficient importance upwards to grand Committees. The Town Clerk provided the Committee with some examples of where this had already happened in the past.

A Member made a request for the start time of these meetings to remain consistent going forward. He also suggested that two meetings per annum might be held in the evening and dedicated to matters of residential interest, affording local residents a better opportunity of also being in attendance.

Another Member suggested that the meetings could be held in the afternoon going forward.

A third Member asked that consideration be given to live streaming future meetings in the way that some other local authorities already did.

The Chair commented that he had already met on a one to one basis with many members of the Committee regarding the format of these meetings but added that he now intended to consult on this in a more formal manner, consider feedback and request that the Committee then meet informally to discuss this in more detail in the coming months.

A Member stated that she felt that the status and accountability of this Committee as a Ward Committee was diminished by delegating powers to the

Streets and Walkways Sub-Committee(where not all Wards were represented) to take decisions on major projects. She added that the advantage of a Committee having all Wards represented was to make it more difficult for a group of influential Members to dominate decision making in the Corporation. She explained that this protection was very limited, because only 20% of members represented residential wards, whose interests were typically different from those of other wards, but she believed it was better than nothing, and without it she would not now be addressing this Committee. With this in mind, she proposed a motion as follows:

MOTION: That paragraph (q) of the terms of reference be amended to read as follows:

“The appointment of such Sub-Committees as is considered necessary for the better performance of its duties including a Streets and Walkways Sub-Committee, but in order to respect the status of the Planning and Transportation Committee as a Ward Committee, the Streets and Walkways Sub-Committee will not have delegated power to make decisions on delegated major projects”.

The motion was seconded.

Members debated the motion before them.

A Member spoke in favour of the motion underlining that any decision on a major project going forward ought to be referred to the grand Committee on which all Wards were represented.

A Member spoke to disagree with the narrative that the City Corporation was undemocratic. He added that other local authorities such as Islington did not operate a ward committee system for Planning matters. In this respect, the City Corporation was the anomaly. He went on to report that any elected member was able to attend and, with the permission of the Chairman, contribute to meetings of the Streets and Walkways Sub Committee. He added that stakeholders went beyond residents and that it was, as the Town Clerk had already articulated, for this Committee to take control of any major or contentious projects as necessary.

Another Member spoke to agree with the previous speaker and stated that she found the motion problematic, particularly the reference to ‘major projects’ and how these were to be practically defined.

An Alderman also spoke against the motion, agreeing that there were no democratic deficiencies in the way in which this grand Committee and its Sub-Committees operated. He added that the proper role of ward Committees was not to ensure that all Wards were represented – if that were the case, all Committees would be Ward Committees. He added that the purpose of ward Committees it was to ensure a spread of power amongst ward members.

Another Member spoke to disagree with the motion. He added that several Ward Committees successfully operated a Sub-Committee system and delegated certain decisions to them – the Community and Children’s Services Committee had similar arrangements with its Housing Sub-Committee for example. He concluded by stating that the proposed amendment made the operation of the Streets and Walkways Sub-Committee difficult in practice and he, too, underlined that the grand Committee had the ability to call in individual issues/projects as it saw fit.

A Member reminded the Committee that an overarching Governance Review was also forthcoming and individual Members could also submit any particular concerns they might have as to the way that grand/Sub-Committees operated to the Town Clerk as requested. He added that, in his view, the real problem was in the Planning and Transportation Committee operating as a Ward Committee. He suggested that it should, instead, be constituted in a similar way to the Licensing Committee going forward. He concluded by stating that ward Members were required to take decisions on planning applications without prejudice and that there was a strong case for appeal if that were not the case and members were predetermining matters based on their Ward representations.

Several other Members spoke to raise concerns over how major projects would be defined under the proposed amendment.

A Member stated that he was unaware of any other local authority that had such a large Planning Committee membership. He added that he felt that the Sub-Committee model as it currently stood operated successfully.

A Member spoke to state that, in the past, there had been no issue with the management of major projects, with the grand Committee presented with an overview of them and then delegating the detail of these to relevant Sub-Committees. Relevant Ward Members would also be engaged and kept informed by Officers, regardless of whether or not they served on the Planning and Transportation Committee. She suggested that this approach needed to be reinstated. She added that this Committee received the minutes of the Streets and Walkways Sub-Committee as a matter of course and could interject on any matters if necessary. She questioned whether the ability to call in matters as the grand Committee saw fit could be explicitly referenced within the Sub-Committee terms of reference going forward.

A Member spoke to note that other authorities, such as Islington, that did not operate Ward Committees, had 100% of Councillors voted for by residents. In the City of London, that figure was just 20%. He referred to the motion proposed and suggested that definition of the term ‘major’ would require a common-sense approach. This proposal was too late to address concerns around the Beech Street project where a decision had already been taken by the Streets and Walkways Sub-Committee, but it was hoped that it would be a means of preventing other major decisions from being made without relevant Ward input. With reference to the Governance Review, the Member stated that he believed that this was likely to be delay this decision unnecessarily and that

the simplicity of this proposal would mean that it could be made now. In response to the Alderman who suggested that all Committees would be Ward Committees if all wards were to be represented, the Member pointed out that ward representation was only important on Committees that had the most important functions, which the Ward Committees generally had. In response to the Member who advocated that the Planning Committee should cease to be a Ward Committee because of prejudice and predetermination on the part of resident councillors, the Member pointed out that this could equally, or more so, be said of councillors representing business wards.

Another Member spoke to suggest that approving this motion could set a horrendous precedent. He added that any alteration to a grand Committee's terms of reference ultimately required the approval of the Policy and Resources Committee and the Court of Common Council. He stated that, although he represented a 'business ward', his recent ward list showed a 25% increase in electors, the majority of whom were residents. The Member went on to express concern around the fact that the term Ward Committee seemed to be being conflated here and underlined that it was not intended as a means for members to solely represent their own ward issues.

Another Member stated that, whilst he represented what was classed as a 'business Ward' he had approximately 400 residents on the electoral roll for his Ward and added that they accounted for 95% of his casework. He reiterated that the Beech Street project was an experimental scheme that had yet to be implemented. It could therefore be 'called in' by this Committee at any point going forward.

A Member spoke to suggest that this motion was not now proposed in relation to Beech Street given that the decision on this matter had already been taken. Rather, it was intended as a safeguard against similar decisions on major projects being taken out of the hands of the grand Committee. He added that the few residents in his business Ward accounted for 100% of his casework and that this, alongside the comments made by previous speakers, supported his view that the disengagement of business voters was immense.

An Alderman spoke to say that he did not support the motion for the same reasons already outlined by others. He went on to question why paragraph (q) as currently drafted made specific reference to the Streets and Walkways Sub-Committee which seemed unnecessary.

The Chair spoke to underline that the Beech Street project was very far from a closed book and would remain open for consultation – any impression otherwise was false. He reiterated that, as well as relevant Officers, he and the Deputy Chairman would be happy to receive feedback on the scheme and were approaching this with genuinely open minds. He recognised that it was important for Ward members to remain on top of relevant Ward issues and to address/appear in front of Committees on these however, whilst Planning and Transportation was a Ward Committee, its role was to have full oversight of relevant matters and to consider these strategically.

The Committee proceeded to vote on the Motion before them. Votes were cast as follows:

IN FAVOUR – 4
OPPOSED – 18
ABSTENTIONS – 1

The Motion was therefore not carried.

7. LONDON COUNCILS TRANSPORT AND ENVIRONMENT COMMITTEE - DELEGATION FOR CO-ORDINATION FUNCTIONS RELATING TO ELECTRIC VEHICLE CHARGING INFRASTRUCTURE

The Committee considered a report of the Director of the Built Environment seeking approval for a proposed amendment to the London Councils Transport and Environment Committee agreement which would have the effect of delegating to them certain regulatory functions relating to the coordination and installation of Electric Vehicle charging points and associated infrastructure.

RESOLVED – That, Members:

- Agree the proposed amendment to Agreement as set out in full in Appendix 1; and
- Authorise the Town Clerk to sign and return the letter as set out in Appendix 1.

8. TRANSPORT STRATEGY UPDATE: QUARTER 3 2019/20

The Committee received a report of the Director of the Built Environment updating Members on Quarter 3 of 2019/20 (October – December 2019) of delivering the City of London Transport Strategy.

A Member referred to a matter sent directly to all Members of this Committee regarding a proposal to expand Liverpool Street Station to incorporate an additional five new platforms. He asked that Officers provide the Committee with further information on the proposals. Officers stated that they were currently looking into the details of this matter further and understood that Network Rail had deferred to the Department of Transport for a decision on this. The Member added that he felt that this was something that the City Corporation should take a view on. Other Members agreed that Officers should report back to the Committee with further information on this and how feasible the proposals were.

A Member commented on the cycle route Quietway 11 upgrade – a project that was currently reporting a red RAG status. She thanked Officers for the information provided to date on the Queen Street cycle track proposals but requested further information as soon as this was available to feedback to voters. Officers clarified that this had been put on hold as a result of TfL asking the City to revise their designs. It would, however, be revisited next year.

Another Member referred to the All Change at Bank project which indicated that a Capital bid decision was expected in January. He therefore requested an

update on this matter. Officers confirmed that the project had been through the Capital Bid process and had been allocated approximately £4million to progress through to the next Gateway.

The same Member referred to the Last mile delivery hubs project, specifically the noise assessments for the Barbican and Middlesex Street sites. He questioned whether the Barbican site was the service area for the health centre/gym as he felt that there were real practical difficulties with this site. The Officers confirmed that the site in question was adjacent to the Virgin Active Gym.

A Member questioned why the City Cluster Vision – Phase 2 project was currently on hold given that there was lots of local support for this. Officers reported that the project had been deferred by the Resources Allocation Sub Committee but that a report would be submitted to the Streets and Walkways Sub Committee later this month seeking to introduce peak time closures at St Mary Axe on an experimental basis. Officers added that they were confident that they could keep the project moving and progress with feasibility studies.

A Member requested that an explanation of RAG status be included in future update reports. Officers explained that the RAG status used here differed from the RAG status assigned to corporate risks and that they would ensure greater clarity around this in future reports.

A Member referred to the appointment of a team of consultants to develop design proposals for streets and public spaces around Smithfield and stated that he had hoped that this had been done in co-operation with the architects appointed to look at development opportunities for East and West Smithfield.

A Member questioned whether it would be possible to provide an overview of milestones achieved in any given quarter as opposed to on an annual basis. Officers stated that, whilst they would be happy to provide this, progress made on a quarterly basis was sometimes not particularly significant. The Member also requested a general update on progress against the Transport Management Plan that Members could report to their Wardmotes which were scheduled to take place next month. Officers undertook to provide Committee members with this information and also stated that they would be happy to attend Wardmotes where possible to speak on transport issues.

A Member questioned why some of the seemingly low-cost projects such as the Streets Accessibility Programme and Disabled parking bays could not be progressed with greater speed.

RESOLVED – That, Members note the report.

9. **BRIDGE HOUSE ESTATES RIVER CROSSINGS ANNUAL UPDATE REPORT ON STRUCTURAL INSPECTION AND MAINTENANCE**

The Committee considered a report of the Director of the Built Environment providing Members with a general overview of the structural inspection and

maintenance regime for the Bridge House Estates river crossings and associated structures during the 2019/20 financial year.

A Member questioned the somewhat vague four-year timescale referred to in terms of 'starting date' for parapet repairs and painting works to Blackfriars Bridge. Officers stated that the tender for these works was currently in the process of being finalised and would be put out next month. He added that the starting date for the works was, at this stage, deliberately vague although it was hoped that works could commence by October 2020.

Another Member picked up on the reference to Blackfriars Bridge referring to what were, in some spots, gaps of up to 20mm in the paving which were a trip hazard. Officers reported that TfL were the highways authority for the Bridge and, as such, were responsible for any surface issues/repairs.

In response to a question regarding the Illuminated River project, Officers reported that this had neither helped nor hindered any inspections or maintenance to date.

A Member questioned progress on the River camera project. Officers reported that this was being led by the City of London Police.

RESOLVED – That Members note the report and that 2019/20 was the sixth and final year of the inspection contract carried out by AECOM. A new six-year programme of inspections will commence in 2020/21 under a new contract following a competitive tender process.

10. DELEGATED DECISIONS OF THE CHIEF PLANNING OFFICER AND DEVELOPMENT DIRECTOR

The Committee received a report of the Chief Planning Officer and Development Director detailing development and advertisement applications determined by the Chief Planning Officer and Development Director or those so authorised under their delegated powers since the report to the last meeting.

RECEIVED.

11. VALID PLANNING APPLICATIONS RECEIVED BY DEPARTMENT OF THE BUILT ENVIRONMENT

The Committee received a report of the Chief Planning Officer and Development Director detailing development applications received by the Department of the Built Environment since the report to the last meeting.

RECEIVED.

12. QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE

The Tulip – Appeal

A Member referred to an update circulated to all Members of the Committee in advance of today's meeting and questioned the reference within the update to the applicant being willing to contribute the necessary funding for the City

Corporation's participation at the Inquiry. The update suggested that this was appropriate in the circumstances provided the City Corporation is transparent about this but the Member went on to question this statement and how the City Corporation could reconcile its quasi-judicial role as a planning authority with the proposal that it should actively support an appeal made by a developer in relation to an application that this Committee had previously considered.

The Chair highlighted that he had received an email setting out similar concerns from a Member who had been unable to attend today.

The Comptroller and City Solicitor reported that Counsel's advice had been sought on this point and that the advice received had been as set out within the update to Members. She undertook to take the views of Members onboard but highlighted that the cost of participating in the Inquiry could equate to hundreds of thousands of pounds.

Members stressed that, despite the reassurances of Counsel, this was not a legal point but a political and reputational one. Members recognised that the City Corporation had a statutory duty to engage with the appeal and defend the position they had taken on the application but were of the view that they should do so independently in terms of costs.

In response to further questions, the Comptroller and City Solicitor confirmed that costs were already being incurred after engaging Counsel. She undertook to discuss with the Town Clerk how best to take forward a report to the Policy and Resources and/or Finance Committee to secure a budget for the City Corporation's participation in the Inquiry and report back to this Committee in terms of next steps. She added that the costs set aside by the Mayor of London for this purpose were £350,000 and it was anticipated that the City Corporation's costs would equate to between £100,000-£200,000.

Members were informed that this was the first case that had been refused in the City as a result of a Mayor's direction and the first to be appealed – there was therefore no precedent as to how the matter should be dealt with.

The Chair received assurances from Officers that no funding had yet been received from the applicant and asked that they be notified of the Committee's desire to fund the City Corporation's participation in the Inquiry independently.

The Director of the Built Environment thanked the Committee for a helpful steer but confirmed that any funds would need to be sought from elsewhere as there was no available local risk or contingency budget. She suggested that the Chair and Deputy Chairman of this Committee would therefore need to be sighted on the potential costs associated with this before a formal request was put before the Policy and Resources and/or Finance Committee.

Barbican/Golden Lane Conservation Area

A Member questioned progress on the production of the Barbican and Golden Lane Conservation Area summary and Management Plan documents. The interim Chief Planning Officer and Development Director reported that it was

hoped that a draft of both documents would be brought to the Planning and Transportation Committee in late 2020.

13. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**
PUBLIC LIFT REPORT

The Committee received a report of the City Surveyor containing details of the five public escalator/lifts that were working for less than 95% of the time. The report, with the Chair's permission, had been separately circulated as a late item.

A Member questioned whether the sensors for the London Wall West lifts were now stored as parts. The City Surveyor reported that the fault with this lift had now been identified and corrected. She added that sensors were kept in stock as critical spares.

The same Member also questioned why the London Fire Brigade had forced the release of the lift door at Blackfriars Bridge. The City Surveyor reported that those stuck inside the lift had called 999 to be released as opposed to using the emergency button within the lift. Signage was now in place informing those using the lift of the correct procedure in the event of any lift failure.

RECEIVED.

Housing Delivery Test

Officers reported that the Government's national figures against the Housing Delivery Test had been published last week. The City Corporation had scored particularly poorly at just 32% of the housing requirement, however, this figure was being challenged by Officers on the basis that it did not take in to account the development at Sugar Quay – its inclusion would have resulted in the City Corporation achieving approximately 90% of the housing requirement. Representations had now been made to the Ministry of Housing who were currently considering their response.

The Chair highlighted that the City Corporation's score had already attracted some negative press and hoped that the figures could be corrected in line with the representations made.

Interim Chief Planning Officer and Development Director

The Chair formally reported that Gwyn Richards had been appointed as interim Chief Planning Officer and Development Director and would therefore be undertaking the role of Annie Hampson for a period of 6 months following her retirement at the end of March 2020. The Chair, on behalf of the Committee, congratulated Mr Richards on his appointment and stated that he looked forward to working with him in his new capacity. Members were informed that there would be a future opportunity to suitably thank Annie Hampson for her work ahead of her departure.

14. **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 the Schedule 12A of the Local Government Act.

<u>Item No(s).</u>	<u>Paragraph No(s).</u>
15	3
16	1 & 3
17-18	-

15. NON-PUBLIC MINUTES

The Committee considered and approved the non-public minutes of their meeting held on 28 January 2020.

16. WRITE-OFF OF OUTSTANDING DEBT - TFL SURFACE TRANSPORT

The Town Clerk informed the Committee that consideration of the report of the Director of the Built Environment relative to the write-off of outstanding debt was to be deferred on the basis that it required additional legal input.

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

There were no questions in the non-public session.

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

There were no additional, urgent items of business for consideration in the non-public session.

The meeting closed at 12.50 pm

Chairman

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