

## PLANNING AND TRANSPORTATION COMMITTEE

Tuesday, 11 October 2022

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

### Present

#### Members:

Deputy Shравan Joshi (Chairman)	Deputy Natasha Maria Cabrera Lloyd-Owen
Deputy Alastair Moss (Deputy Chairman)	Alderman Ian David Luder
Deputy Randall Anderson	Alderman Bronek Masojada
Brendan Barns	Deputy Brian Mooney
Emily Benn	Deborah Oliver
Ian Bishop-Laggett	Deputy Graham Packham
Deputy Keith Bottomley	Deputy Susan Pearson
Deputy Michael Cassidy	Judith Pleasance
John Edwards	Deputy Henry Pollard
Deputy John Fletcher	Luis Felipe Tilleria
Deputy Marianne Fredericks	Shailendra Kumar Kantilal Umradia
Jaspreet Hodgson	Alderman Sir David Wootton
Alderman and Sheriff Alastair King DL	

#### Officers:

Gemma Stokley	- Town Clerk's Department
Tim Fletcher	- Media Officer
Fleur Francis	- Comptroller and City Solicitor's Department
Matt Baker	- City Surveyor's Department
Gwyn Richards	- Planning & Development Director
Peter Shadbolt	- Department of the Built Environment
Bruce McVean	- Department of the Built Environment
Rob McNicol	- Department of the Built Environment

#### 1. **APOLOGIES**

Apologies for absence were received from Anthony Fitzpatrick, Martha Grekos, Antony Manchester, Ian Seaton, Alethea Silk and William Upton KC.

#### 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 of the meeting held on 20 September 2022 and approved them as a correct record.

#### MATTERS ARISING

**Traffic Order Review** (page 7) – A Member commented that he did not feel that the minute here gave sufficient weight to the fact that some Members had stressed that it was important not to lose sight of what this was fundamentally about and the importance of some discussion amongst senior members on the matter before it was formally presented to the full Court next week to ensure that the focus at this juncture was correct.

He went on to refer to recent press coverage this week on the Taxi Drivers' Survey which had suggested that between 60-80% black taxi drivers intended to completely avoid Bank Junction and to avoid coming to the City and Bishopsgate because of the previous complications. The Member stated that, in portraying the review as an enormous, 700 item piece of work, two fundamental points were being missed – firstly around Destination City which was all about injecting life back into the City and secondly the matter of black cabs not being treated as public transport and the consequence of this.

**Public Lift Report** (page 11) – A Member thanked the City Surveyor for having provided her with details of those other lifts/escalators within the City that were not currently captured within the public lift report (four in total – 200 Aldersgate 1 London Wall, London Wall Place and 125 London Wall). The Member went on to state that she was keen to receive an update on these and, moving forwards, they be included in the public lift report. The City Surveyor responded to clarify that details of these lifts which were leased to and maintained by others would also be included within future reports. He referred specifically to the lift at 125 London Wall which had initially prompted this discussion and stated that Officers had continued to press those responsible for maintaining this for an update on its performance since the last meeting of this Committee but were still awaiting a response. They stated that they would continue to press this matter and would appreciate any support from Members to help add some weight to this request.

**Consultation Notices** (page 13) – A Member stated that she had raised an issue as to out-of-date notices in place at Stanley Cohen House at the last meeting and reported that, two weeks thereafter, she had visited the Golden Lane estate and was disappointed to see that these were still in place. She added that some notices had now been removed by residents but that these had caused some damage to the paintwork of poles that they had been stuck on throughout the estate.

Officers responded to state that they too had visited the estate last week. It was reported that photographs were taken when such notices were put up as proof that these had been posted. Members were informed that the damage reported had been caused by some form of industrial tape which was not utilised for these notices. Consultation notices were put up using double sided tape which did not damage the paintwork. That being said, Officers were now discussing the matter with various London boroughs to discuss the most non-invasive and sustainable way of posting this information going forward. In the meantime, it was confirmed that string would be utilised for this purpose.

Finally, Officers confirmed that it was standard for such notices to be removed within a month of the consultation period ending. It was reported that the location of all such notices was now being tracked to ensure that this remained on track.

**City Plan** – The Chair reported that the Local Plans Sub-Committee had now met on various occasions to discuss the redraft of the Plan. He reported that there was a strong desire from Members of the Sub-Committee to have a much more thorough consultation period and a more in-depth analysis of various aspects of the Plan as it emerged. Taking this into account, it was recognised that the timetable originally envisaged for this work was no longer feasible. The Chair reported that he had therefore now tasked Officers with coming back to this Committee at its next meeting on 1 November with a rescheduled timetable for delivery of the Plan as well as an engagement strategy and list of stakeholders.

#### 4. **APPROVAL OF DRAFT REVISED STATEMENT OF COMMUNITY INVOLVEMENT AND DEVELOPER ENGAGEMENT GUIDANCE FOR PUBLIC CONSULTATION**

The Committee considered a report of the Planning & Development Director seeking approval for the Statement of Community Involvement (SCI) and the Developer Engagement Guidance for public consultation.

Officers began by speaking on the Statement of Community Involvement, highlighting that this was a document setting out how the City Corporation will consult and engage with its various stakeholders including residents, development, community, businesses, workers and others on planning matters (policies, applications and other consents). The intention was that the document should set out what these stakeholders could expect from the Corporation in terms of the baseline of the consultation that the organisation would carry out. It was highlighted that the SCI was a statutory document with the requirement to produce and keep this up to date by reviewing it every five years set out in primary legislation. It was recognised that there was now no requirement to consult on the SCI, however, Officers were of the view that consultation was critical in order to gauge how stakeholders wanted to be consulted and what they might want.

The Committee were informed that, as a result of the pandemic and various lockdowns, the City's existing SCI was now over five years old and that it was therefore timely to now consult on this effectively. Officers went on to underline that there had been lots of lessons learned previously that could be factored into this iteration of the document. For example, they had observed that putting more information online, streaming meetings through YouTube and using different forms of communication had made decisions of this Committee much more visible and enabled many to better understand how decisions were made and galvanised them to want to get more involved in planning and planning matters. Members were informed that the intention was to ensure that this was inclusive and enabled all to engage in the process and respond to consultations. This SCI would set out a series of consultation and engagement principles that the organisation would abide by – essentially ensuring that every

consultation that takes place is accessible with all able to access documentation on the form that they require, ensuring it is inclusive so that all stakeholders have an opportunity to have a say in the planning process, that a variety of consultation methods will be used, that the information set out will be clear and informative and that it will set out very clearly what is expected from the community in terms of consultation. It was also reported that consultation would be appropriate in terms of time, scheduling and scale. Consultation would be undertaken early and continuously. Finally, comments received would be considered and it would also be demonstrated how they had been taken account of with these comments made publicly available.

Officers went on to state that legislation required that key stakeholders to be consulted were identified. The document set out those such as the Mayor and neighbouring boroughs, but it was highlighted that there was a requirement to produce a list of specific and general consultation bodies. In the past this had been included within the document but, going forward, this would be made available on the City's website given that a number of these bodies changed contact details fairly regularly. Members were informed that this list was currently being updated as was the City's Consultation Database which currently featured approximately 500 individuals and organisations.

It was noted that the SCI did provide some guidance as to how consultation would be undertaken and the methods that would be used. Some of these were more traditional such as via letters and public meetings but would now also include digital engagement and bringing on board a consultation software package.

Finally, it was reported that Officers did not necessarily intend to wait a further five years before looking at how they consult. If, as time progressed, new or more effective methods of consultation were to become apparent then these would be adopted, and the SCI updated.

Officers next focused on the Developer Engagement Guidance – a new planning advice note for the City Corporation setting out the expectations that the organisation had of developers and applicants as to how they engage with communities. Crucially it asked developers to undertake this at an early stage, in the formulation of their development schemes so that stakeholders had the opportunity to have their voices heard right from the outset.

A Member spoke on paragraph 4.35 of the draft SCI highlighting that this was sometimes seen as a lacuna in the consultation process. In relation to consultation on revised proposals, this suggested that 'comments are conveyed to applicants and, *where significant revisions* are made, the City Corporation will notify those it considers would be affected by the revisions and who have commented on the proposal, in writing or by email, as appropriate'. He stated that he believed that, where significant revisions were concerned, new (non-statutory) notices should be erected to notify all of this and flag a new deadline for any further comments. Officers undertook to amend this point and clarify that full reconsultation would take place on revised proposals.

A Member questioned whether webinars could be added to the list of consultation and engagement techniques within the SCIs given that developers were being asked to utilise these. He also questioned the process for approving a Neighbourhood Plan after the inspector's report. With regard to the Conservation Area Advisory Committee (CAAC), the Member stated that it would be helpful if the constitution and further information of groups such as these could be added to the document. It was noted that the SCI referred to minor developments and the fact that these would not require a site notice. The Member questioned what type of changes would be acceptable in these instances and what other form of push mechanism would be considered for stakeholders here as opposed to reliance on the website only. In terms of advertisement consent, the Member questioned whether large-scale advertisement hoardings were permitted in the City. With regard to energy efficiency, Officers were asked as to whether this referred to the trade-off between embedded carbon caused by proposed development and the operational energy usage. Finally, in terms of changes of use, the Member noted that there was also no method of communication here whereas certain scenarios here, such as a property becoming a licensed premises, could be of great concern to local stakeholders.

Another Member referred to hyperlinking, a Member commented that it was essential to link to information such as the list of general consultees and the list of policy documents and timetable for their preparation ahead of this document going out for consultation and, generally, to ensure that the pages linked were up to date and easy to navigate. The Member went on to query whether presentations could also be referenced in terms of accessibility and lack of technical jargon. The Members asked whether consideration could be given to removing physical consultation notices two weeks after the conclusion of a consultation period and whether this might helpfully be set out within this document. Finally, the Member stated that she was pleased to see reference to 3D modelling within the documents as it was felt that this helped people to better visualise bulk and scale. However, she questioned when it was advised that this take place and hoped that this would be ahead of the consultation period closing. She also called for parity between photographs/illustrations depicting the current situation and future proposals and asked that this be set out within the developer guidance document.

Officers responded to the various points raised. They confirmed that they would be happy to include reference to webinars within the SCI as well as the terms of reference of the CAAC and other similar groups mentioned specifically. With regard to approving a Neighbourhood Plan after it had gone through examination, the SCI set out what the City Corporation were required to do and that, after inspection, the Neighbourhood Plan then went back to the Neighbourhood Forum to take forward and hold a referendum as to whether or not it should be adopted. Officers undertook to go back and clarify whether there were any additional points on this that might need to be included within the draft SCI. Officers went on to state that they were aware that the document did not yet cover Neighbourhood Development Orders and highlighted that this would also be added to reflect the legislation on this.

Officers reported that there was generally a restrictive approach to large scale hoarding advertisements. Members asked that this therefore be made clear within the documents. With regard to energy efficiency and the list of things that could be taken into consideration, Officers stated that this could be made clearer to indicate that there were broader issues around carbon and some of the trade-offs that might be necessary. In terms of change of use, it was reported that firm requirements were not currently set out for particular forms of engagement on this as they tended to vary quite significantly depending on the nature and scale of these. However, it was suggested that applicants/developers may undertake things such as leafleting and interactive digital engagement. Officers stated that they were content to reconsider this and whether it ought to be expanded for certain, particularly sensitive, changes of use.

Officers agreed that it would be helpful to include relevant hyperlinks wherever possible. It was also suggested that the inclusion of a glossary of technical terms at consultation stages could also be considered. Officers stated that they would be content to remove site notices two weeks after consultation had concluded. Finally, they commented that they were in agreement with the point made as to parity of images/illustrations used and would seek to emphasise this with applicants/developers and include this requirement within the document.

A Member asked Officers to set out the consultation process for both of these documents and sought reassurances that all stakeholders would be engaged during the various consultations, using various mediums and forms.

Another Member commented that he was grateful to see the new planning advice note for Developer Engagement and was of the view that this addressed a genuine problem that had been ongoing for some time now. He went on to question how enforceable this was.

Another Member thanked Officers for their work here and for having taken on board the comments previously made by Members. She went on to speak of the need for consistency in terms of things such as minimum consultation periods and use of language in terms of 'may' versus 'will'. In terms of advisory groups, the Member questioned how these would be formulated and who would ensure that all were represented here. She went on to state that she was of the view that minor developments should also require site notices given that, although some were small developments, they may be major in terms of impact on the local area.

The Member went on to thank Officers for the draft Developer Engagement Guidance document highlighting that it clearly set out how they ought to engage with both Members and, more importantly, the community. However, she went on to state that she felt that, when developers met with Ward representatives, this should be minuted/recorded if happening virtually with these then posted to the Planning Portal in order to ensure transparency. The Member went on to question who determined who the City's key stakeholders were and stressed that it was critical for developers to engage with all from the outset. Finally, the

Member suggested that a 'crib sheet' of sorts setting out the key points and timescales for responses would be extremely helpful in terms of how people could engage. She also suggested that there might be further information as to how people could engage at key points in the planning process generally such as examples of how to write an objection or representation letter and how to address the Committee within their allotted timeframe should they wish to register to do so.

In terms of the consultation process for these two documents, Officers highlighted that they would be seeking to undertake at least a six-week engagement exercise and would be seeking input from those including residents, community groups, businesses, workers and developers and also considering how best to reach these groups. Thought would also be given to how this would be done alongside consultation on the City Plan and the programming of this to avoid consultation overload. With regard to the enforceability, Officers reiterated that the SCI was a legal document but that there were no legal powers to force developers to undertake particular pieces of engagement although there was a clear shift within the planning system for them to undertake more engagement and at an earlier stage. It was felt that adopting this new planning advice note would provide developers with a clear steer as to what the City Corporation expected of them, and this would also be commented upon and considered within future Committee application reports and taken into account by Officers considering applications under delegation.

With regard to consistency in terms of consultation periods, Officers reported that it was set out in this way within the SCI to reflect national legislation. For planning policy documents, a six-week consultation period was necessary apart from supplementary planning documents which were just four weeks. That being said, Officers stated that they would be happy to extend this so that all matters required a six-week consultation period if that was the wish of the Committee. In terms of consistency of language, Officers undertook to review the draft and set out what was and may be required and to try to avoid the interchangeable use of these.

Officers went on to speak on advisory groups – the CAAC on conservation areas and the City of London Access Group (COLAG) on access arrangements. They reported that they would be happy to reconsider the makeup of these groups to ensure adequate representations and would also seek to involve Members, residents or businesses where necessary. However, Officers cautioned that it was difficult to give a hard and fast view as to who ought to be involved at this point as it would depend upon the nature of what Officers were seeking advice on.

Officers highlighted that they were working on the presentation of the SCI when they went out for consultation, and it was hoped that it would be a clearer, easier document to understand and navigate. In terms of meetings between Members and developers, it was highlighted that Planning officers would also be present in these instances and would take notes of these meetings which were publicly available. Officers also accepted that those meetings taking place virtually could be recorded with this also made publicly available and useful points fed back to those who had been consulted in the form of a 'you said, we

did' stage of the consultation process to ensure that they were kept informed throughout.

A Member questioned what might be considered as a material change to a scheme and suggested that this might be made clearer within the SCI. Officers reported that this would be a judgement call for planning officers but underlined that they would take into account the representations received and whether the change had any bearing on these.

**RESOLVED** – That the Planning and Transportation Committee approve the Statement of Community Involvement and the Developer Engagement Guidance for public consultation, subject to the inclusion of the amendments discussed.

5. **BUSINESS PLANS 2022/23: PROGRESS REPORT (PERIOD 1, APRIL-JULY) \***

The Committee received a report of the Executive Director, Environment providing an update on progress made during Period One (April-July) 2022/23 against the High-Level Business Plan 2022/23 for the service areas of the Environment Department which fall within their remit.

A budget monitoring update was also included in the report.

A Member noted that a lot of the underspend reported here was as a result of posts not being filled and questioned the impact of this on workloads and what, if anything, was not being delivered to programme as a result. The Chief Planning & Development Director reported that it was a very fluid situation in terms of planning and development workforce across London with frequent turnover of staff in various authorities. The City's planning team had recently had a number of retirements and seen various staff move on to other authorities. Members were assured that it was intended that all of these posts would be filled and that there was a very vigorous recruitment campaign underway at present to recruit into and backfill any vacancies as well as new posts created as a result of the Target Operating Model. Officers reported that recruitment was going well but that there were some specialisms such as sustainability and transport planning where they were seeking to recruit within a very competitive market. It was anticipated that the underspend relating to vacant posts would close within the next three to four months as posts were filled. It was reported that there had been no impact upon the pace, quality or deliverability of planning projects and applications as a result of posts remaining unfilled.

A Member noted the 99.18% compliance with the Bank on Safety Road Danger Reduction Team reported here and commented that this was exceptional. She added that Members of the Port Health and Environmental Services Committee had also recently been informed that air pollution had improved drastically around the Bank Junction roads.

**RESOLVED** – That Members note the content of this report and its appendices.

6. **RISK MANAGEMENT UPDATE REPORT\***

The Committee considered a report of the Executive Director, Environment providing them with assurance that risk management procedures in place within

the Environment Department are satisfactory and that they meet the requirements of the corporate Risk Management Framework.

The Committee considered the key risks managed by the service areas of the Environment Department which fall within their remit.

**RESOLVED - That** Members note the report and the actions being taken by the Environment Department to monitor, mitigate and effectively manage risks arising from their operations.

7. **PUBLIC LIFT REPORT\***

The Committee considered a public lift report of the City Surveyor.

A Member reiterated the point that the statistics provided within the report on lift operation did not seem to accord with their own experiences. He therefore encouraged Members to take note of instances when they were aware of any lifts that were out of operation and to report this to Officers, perhaps via a separate, dedicated email address, so that this could be monitored and compared with the data provided here going forward. Another Member suggested that use of technology and the installation of webcams and the like might be more helpful and less labour intensive for this purpose going forward.

Another Member stated that the statistics as to outages frequently presented here were reprehensible and questioned why more robust repairs were not being undertaken in response to this.

A Member commented that future redevelopments near the riverside really ought to consider level access given the frequent failure of lifts such as those at Blackfriars Bridge and to effectively design out these expensive problems.

The City Surveyor reported that the statistics within the report were being by automatic monitoring taking place on the lifts maintained by the City Corporation. It was widely accepted that the lifts maintained by the City were not operating in a way that was considered acceptable and Members were informed that the age of the lifts as well as the availability and speed of availability of parts through suppliers were both key issues here. Members were informed that Officers would seek to review the age, outages and actions required to bring each individual lift back into service and include information on this within the next report to this Committee. Officers also undertook to review the content of the report wholesale going forward to ensure that it was as useful and informative for Members as possible and generally more comprehensive.

A Member emphasised the need to rectify these issues with renewed urgency and spoke of how the Committee had frequently been told of issues around age and parts for many years now.

**RECEIVED.**

8. **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 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.

**RESOLVED** – That the report be noted.

9. **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 applications received by the Department of the Built Environment since the report to the last meeting.

**RESOLVED** – That the report be noted.

10. **OUTSTANDING ITEMS\***

The Committee received a report of the Town Clerk setting out its list of Outstanding Actions.

The Town Clerk reported that, at the request of Members, this item would feature in both the main and the 'for information' packs and highlighted that the points included here had been updated.

A Member questioned whether the Committee might set a target by which outstanding items were to be signed off going forward. Officers agreed with this but highlighted that certain matters, such as the first two listed here, were outside of their control and dependent on external timetables.

**RECEIVED.**

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

**Completion of the Riverside Walkway**

A Member requested an urgent update on this and a pledged date of completion/opening for the Riverside Walkway.

Another Member stated that she understood that there was a condition attached to an application whereby the hotel could not open until the walkway had been completed. A Member responded to state that the hotel had completed their requirements and installed a beautiful piece of walkway however, the City had failed to have the connecting parts ready which had caused the hotel some embarrassment as well as a delayed opening.

Officers undertook to provide a written update to all on these matters ahead of the next meeting.

### **COLPAI Travel Plan**

A Member commented that residents had recently raised the issue of the travel plan for the COLPAI School site with her, stating that the Plan had suggested that there should be no traffic to the site. In reality, parents were frequently driving to the site to drop off and collect their children. Residents had raised this point with Officers and been told that the level to which the constraints of the Travel Plan can be imposed on third parties such as parents and guardians was extremely limited as it was not possible to take planning enforcement action against the legitimate and legal use of the public highway. The Member therefore questioned the use/value of the Travel Plan given that most developments had third party users.

Officers undertook to provide the Member with a written response on this.

### **12. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT Building of the Year – 22 Bishopsgate**

The Chairman was pleased to report that AXA had won the Building of the Year Award at the Better Society Sustainability Awards for 22 Bishopsgate. It had been up against very strong competition with the building's approach to renewable energy and energy reduction being remarked upon specifically.

### **City Corporation's Thermal Comfort Guidelines**

The Chairman added that the City's Thermal Comfort Guidelines had been shortlisted for the RTPI Awards for Planning Excellence with the winner due to be announced at the end of November.

**The meeting closed at 12.36 pm**

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Chairman

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