

Committee(s)	Dated:
Planning and Transportation	13 April 2021
Subject: Declaration of 100 Bishopsgate city walkway (Clerk's Place and Wrestlers Court)	Public
Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?	2, 3, 4, 12
Does this proposal require extra revenue and/or capital spending?	N
If so, how much?	£nil
What is the source of Funding?	n/a
Has this Funding Source been agreed with the Chamberlain's Department?	n/a
Report of: Director of the Built Environment	For Decision
Report author: Lucy Foreman	

Summary

The new walkway at 100 Bishopsgate has now been constructed and conforms to the City Corporation's standards for new city walkways. It is now considered appropriate for the City Corporation to declare the new walkway to be a city walkway. This is therefore recommended to your Committee to resolve.

Recommendation(s)

I recommend that the Committee:-

1. By resolution declare to be a city walkway the new walkway at 100 Bishopsgate named Clerk's Place and Wrestlers Court, on a date to be determined, in the terms of the resolution set out at Appendix 1 to this report.
2. Delegate authority to the Deputy Transportation and Public Realm Director to insert an appropriate date for the declaration to come into force.

Main Report

Background

3. 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 subject to planning obligations being entered into.
4. Following the entering into of a Section 106 agreement which included 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), followed by a further planning permission pursuant an application under section 73 of the TCPA 1990 granted on 30 March 2012.

5. On 9 January 2018 your committee resolved to 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 the report.
6. The walkway secured through the city walkway agreement dated 9 April 2018 was a partial replacement public right of way for the previous public rights of way through the site. The previous rights of way were 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 3).

Current Position

7. The permitted redevelopment has now been completed including the construction of the new walkway, providing public access from Bishopsgate to Saint Mary Axe (west to east), and from Camomile Street (north to south) to Bishopsgate and Saint Mary Axe via the west to east route (see Appendix 2).
8. The completed new walkway at 100 Bishopsgate conforms to the City Corporation's standards for new city walkways.
9. This report seeks your approval to declare the walkway as city walkway.

Proposals

10. It is therefore now considered appropriate for the City Corporation to declare the new walkway to be a city walkway.
11. Appropriate wording for a resolution to effect this declaration (Appendix 1), including a plan of the walkway to be declared (Appendix 2), is appended to this report. The resolution specifies limitations and conditions affecting the public right of way to give effect to reservations, limitations, or conditions in the city walkway agreement.
12. The plans can also be e-mailed to any Member and to any other person who wishes to receive them so that they can be viewed more conveniently using the viewing tools in Adobe Acrobat or similar document viewing software.
13. Notice of the passing of the resolution declaring the city walkway describing the extent of the city walkway must be published in one or more newspapers circulating within the city and displayed for a period of not less than 28 days in

a prominent position in the city walkway. The date for the coming into force of the declaration must not be earlier than the date of first publication of notice of the resolution.

Corporate & Strategic Implications

Strategic Implications

14. Declaring the new walkway to be a city walkway, thereby enabling the new walkway to be used as of right by the public, serves to assist in delivering the City Corporation's Corporate Plan 2018–2023. The declaration of the city walkway will help to meet the Corporate Plan aims to 'Contribute to a flourishing society' and 'Shape outstanding environments'.

Financial Implications

15. The city walkway agreement in place requires the owner of the land to undertake all maintenance, repair, drainage, cleansing and lighting of the city walkway, which will remain in the ownership of the owner in perpetuity. Therefore the costs to the City Corporation of the city walkway would be minimised and able to be contained within the Director of the Built Environment's local risk budget.
16. As above, the owner shall be responsible for the proper cleansing, maintenance, repair, drainage, cleansing and lighting of all surface and structural elements and any other structure forming part of the new city walkway to the reasonable satisfaction of the City Corporation and in accordance with a Maintenance Specification. However, should the owner default in his obligations and the City Corporation need to exercise its step-in rights to ensure adequate maintenance of the city walkway, and it was not possible in the circumstances to recover the costs of doing so from the owner, there could be additional costs for the City Corporation. This is considered to be unlikely, but if it such a situation arose the costs involved may not be able to be contained within the Department of the Built Environment's existing revenue budgets.
17. The declaration of Clerk's Place and Wrestlers Court as city walkway is anticipated to have limited financial implications on the City as the developer will meet most costs of advertisement. Under section 6A of the 1967 Act (as amended) where the Corporation receives a request to pass a resolution under section 6 (declaration of city walkway) and the Corporation complies with that request, it may make and recover from the person making the request charges in respect of the costs and expenses incurred in passing the resolution and advertising it locally. The cost of advertising in the Evening Standard will be invoiced to the developer.

Resource Implications

18. Officers have undertaken the preparation of this report and will proceed in accordance with the resolution should this committee agree the recommendations.
19. The resource implication incurred includes the officer time in preparing this report, and the time associated with advertisement and declaration.

Legal Implications

20. Wording for the resolution is included in Appendix 1 for Committee's approval. Schedule 2 sets out the limitations which affect the public right of way and of access thereon which are required to give effect to reservations, limitations or conditions contained in the city walkway agreement. The declaration of city walkway will take effect from a date to be inserted by the Deputy Transportation and Public Realm Director.

Equalities Implications

21. The width of city walkway is 3m, which is in line with our minimum recommendations for new city walkway. The new city walkway is step free and accessible for all.
22. The declaration of the city walkway complies with our Public Sector Equality Duty 2010 by creating an accessible route for all regardless of age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership and pregnancy and maternity.

Climate Implications

23. The declaration of the city walkway serves to build climate resilience by protecting streets and public spaces, as set out in the City of London Corporation's Climate Action Strategy.

Security Implications

24. The proposed city walkway at 100 Bishopsgate benefits from natural surveillance on all sides due to the nature of the walkway dissecting the development. Therefore there are no concerns relating to crime, disorder and anti-social behaviour.

Conclusion

25. The new walkway at 100 Bishopsgate has now been constructed and conforms to the City Corporation's standards for new city walkways and the city walkway agreement. It is therefore now considered appropriate for the City Corporation to make a resolution declaring the new walkway be a city walkway.

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