

## PLANNING AND TRANSPORTATION COMMITTEE

Tuesday, 30 March 2021

**Minutes of the meeting of the Planning and Transportation Committee held via Microsoft Teams at 10.30 am**

### **Present**

#### **Members:**

Deputy Alastair Moss (Chair)	Michael Hudson
Munsur Ali	Alderman Robert Hughes-Penney
Randall Anderson	Deputy Jamie Ingham Clark
Douglas Barrow	Shravan Joshi
Peter Bennett	Alderswoman Susan Langley
Mark Bostock	Natasha Maria Cabrera Lloyd-Owen
Deputy Keith Bottomley	Deputy Brian Mooney (Chief Commoner)
Deputy Peter Dunphy	Deputy Barbara Newman
Alderman Emma Edhem	Graham Packham
John Edwards	Susan Pearson
Helen Fentimen	Judith Pleasance
Marianne Fredericks	Deputy Henry Pollard
Tracey Graham	James de Sausmarez
Graeme Harrower	William Upton QC
Sheriff Christopher Hayward	Alderman Sir David Wootton
Christopher Hill	

#### **Officers:**

Angela Roach	- Assistant Town Clerk
Gemma Stokley	- Town Clerk's Department
Antoinette Duhaney	- Town Clerk's Department
Polly Dunn	- Town Clerk's Department
Shani Annand-Baron	- Media Officer
Bukola Soyombo	- Technology Support Partner
Simon Owen	- Chamberlain's Department
Fleur Francis	- Comptroller and City Solicitor's Department
Alison Bunn	- City Surveyor's Department
Gwyn Richards	- Interim Chief Planning Officer and Development Director
David Horkan	- Department of the Built Environment
Elisabeth Hannah	- Department of the Built Environment
Paul Beckett	- Department of the Built Environment
Ian Hughes	- Department of the Built Environment
Bhakti Depala	- Department of the Built Environment
Peter Shadbolt	- Department of the Built Environment
Toni Bright	- Department of the Built Environment
Gemma Delves	- Department of the Built Environment

Lucy Foreman	- Department of the Built Environment
Kieran Mackay	- Department of the Built Environment
Kathryn Stubbs	- Department of the Built Environment
Emmanuel Ojugo	- Department of the Built Environment
Rachel Pye	- Department of Markets and Consumer Protection
Jake Tibbetts	- Open Spaces Department

### **Introductions**

The Town Clerk opened the meeting by introducing herself and stating that the Committee was quorate.

A roll call of Members present was undertaken.

The Town Clerk highlighted that the meeting was being recorded as well as live streamed and would be made available on the City Corporation's YouTube page for a period of time after the meeting had concluded. With this in mind, it was confirmed that participants in the meeting had all individually agreed and given their consent to being recorded and that all personal data would be processed in accordance with the Data Protection Act 2018. The Town Clerk highlighted that, for further information on this, viewers could contact the City Corporation using the details provided on the public webpages.

The Chair then introduced himself and welcomed all those in attendance and viewing the meeting via YouTube.

#### **1. APOLOGIES**

Apologies for absence were received from Oliver Sells QC (Deputy Chairman), Alderman Robert Hughes-Penney and Oliver Lodge.

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

Susan Pearson declared an interest in a Motion that was to be proposed at Item 16 (Any Other Business) and stated that she would not therefore be participating in this item.

Sheriff Christopher Hayward declared an interest in agenda Item 4 as a member of the Capital Buildings Committee and stated that he would not therefore be speaking or voting on this matter.

Alderman Sir David Wootton declared an interest in agenda Item 4 as a member of the Capital Buildings Committee and stated that he would not therefore be speaking or voting on this matter.

Deputy Keith Bottomley declared an interest in agenda Item 4 as a member of both the Police Authority Board and the Capital Buildings Committee and stated that he would not therefore be speaking or voting on this matter.

Douglas Barrow declared an interest in agenda Item 4 as a member of both the Police Authority Board and the Capital Buildings Committee and stated that he would not therefore be speaking or voting on this matter.

Deputy Jamie Ingham Clark declared an interest in agenda Item 4 as an ex-officio member of the Capital Buildings Committee and stated that he would not therefore be speaking or voting on this matter.

Peter Bennett declared an interest in agenda Item 4 as a member of the Capital Buildings Committee and stated that he would not therefore be speaking or voting on this matter.

### 3. **MINUTES**

The Committee considered the public minutes and summary of the meeting held virtually on 9<sup>th</sup> March 2021 and approved them as a correct record.

#### **MATTERS ARISING**

**Daylight/Sunlight – Alternative Guidelines (page 11)** – A Member highlighted that, as the minutes record, he had first raised the use of radiance studies as the most effective way for this committee to assess the loss of daylight and sunlight two years ago. He reminded Members that he had raised it once again at the last meeting and asked that Officers undertake that when an application is received which entails a loss of daylight or sunlight to a neighbouring property, the developer be asked to provide radiance studies to assist this Committee in assessing the loss and to seek access to an effected neighbouring property to obtain precise data for this purpose, only relying upon reasonable assumptions should such access be denied. He had also suggested that, if a developer failed to provide these studies, Members should draw an adverse inference from this omission. Officers had undertaken to provide a response to that suggestion at this meeting and the Member therefore pressed for this undertaking to be given to the Committee. Officers responded to state that they had been waiting to see if BRE were going to update their national guidance before reporting back to this Committee with any further suggestions however, it was reported that there was still no definitive timeline from BRE on this. With this in mind, Officers stated that they could nevertheless progress a further report to bring back to Committee responding to specific queries and providing a more general update on daylight/sunlight issues. In the meantime, Officers reassured Members that they would continue to work with applicants on providing radiance assessments wherever necessary.

The Member responded to clarify whether the position going forward would now be that, when a loss of daylight or sunlight is an issue in a planning application in the view of Officers, an applicant will be asked to provide radiance studies to assist this Committee in assessing that loss and advised that they should try to seek access to affected properties to collate precise data. The Chair responded to state that his view would be that the Committee should await the forthcoming

report before directing Officers on this matter. The Member highlighted that the expert consultant had already advised this Committee that radiance studies were the most effective means of measuring any loss of daylight and sunlight. Officers reported that radiance studies could be requested of applicants going forward and commented that it certainly had been done in the past but underlined that it could be difficult to insist on this as, as the Member had already acknowledge, it did require access to individual properties and some applications involved hundreds of these. The Chair asked that a report be brought back to the Committee as soon as possible setting out all of the possible options before a decision was formalised.

Another Member highlighted that the City had a 3D model and suggested that it would be a very useful tool for Members to be able to look at this and view development holistically and to see the cumulative impact of this, particularly in terms of daylight and sunlight. She questioned whether this tool could be utilised by Members when considering future applications. The Interim Chief Planning Officer and Development Director confirmed that this was a tool currently used by Officers and one which they hoped to develop further. He reported that there was a training session for Members already scheduled on 3D modelling and its potential use in decision making. He added that Officers still requested details on cumulative impact in daylight and sunlight assessments and often in independent verification of these assessments too.

**Member Training (page 12)** – A Member noted that there were currently no training sessions planned for the Committee on the subject of Whole Life Carbon Impact and questioned whether Officers could provide an update on this as she was aware that it had been the subject of various discussions outside of meetings. The Interim Chief Planning Officer and Development Director confirmed that this was a key focus for Officers and that they were currently scoping the opportunities for training for Members around this which would be led by Kerstin Kane.

**Awareness of Planning Applications/Stakeholder Engagement (page 14)** – A Member thanked Officers for providing her with further information on consultation ahead of today's meeting.

**Construction Works** – A Member reported that Officers had been in touch with her to provide further information around whether conditions could be added to the development of a site and when this commenced. She highlighted that she had first raised this matter two years ago.

#### 4. **ESTABLISHMENT OF A SPECIAL SUB-COMMITTEE**

The Committee considered a joint report of the Town Clerk, the Interim Chief Planning Officer and Development Director and the Comptroller and City Solicitor concerning the establishment of a special sub-committee to consider a forthcoming planning application by the City of London Corporation involving a significant area of public highway and therefore engaging the restrictions in Regulation 10 of the Country and Planning General Regulations 1992 by reason of the Committee's responsibility for public highway.

The Town Clerk reminded the meeting that those Members who had declared relevant interests in this item at agenda Item 2 would not be able to participate by either speaking or voting.

A Member spoke to state that she understood that the site in question was owned by the City of London (City Fund - freehold and leasehold) and noted that, although the Property Investment Board was a non-local authority committee, its role was to manage the organisation's property investment portfolio and to encourage development in the City of London. She therefore questioned whether the City's management of the site and members of the Property Investment Board who managed its investments and also sat on this Committee also created a conflict of interests, what the public perception of this might be and whether this could lead to challenge further down the line.

Another Member commented that one of the headlines of the Lisvane Governance Review was that the City Corporation already has too many Committees, Sub-Committees, Consultative bodies etc. He suggested that it therefore seemed counter intuitive that Members were being encouraged to recommend yet another Sub-Committee and, further down the line, another four Sub-Committees in the form of Planning Panels – a proposal set to be considered by the Court of Common Council in the coming months. The Member stated that he felt that there was something particularly odd about this proposed Sub-Committee as the plan was that the full Committee meet as scheduled on the morning of 22 April and that, at the conclusion of this meeting, a number of Members leave with the remainder then adopting different hats to form part of the Special Sub-Committee to decide a planning application that would normally be decided upon by the full Committee. He commented that this would appear unintelligible to the public and those outside of the organisation and stated that he believed that these contortions were required to preserve the ability of a small group of Members to continue to be able to sit on some of the more 'important' Committees simultaneously (in this case the Capital Buildings Committee and the Planning Committee). He added that the public were of the view that this gave rise to a perception of bias and highlighted that a petition signed by over 1,200 people saying just this had been lodged earlier this morning. The Member went on to state that, in case anyone were to object to the fact that these proposed procedural 'somersaults' would result in the seven members of this Committee and the Capital Buildings Committee not participating in the planning decision – this was only by accident as it just so happened that this application included significant public realm and highway works and it also just so happened that this Committee had such matters within its Terms of Reference. This combination of circumstances meant that the strictures of legislation, as interpreted by a high Court case last Autumn, meant that this could not be avoided and that those members were prevented by law from participating in the planning decision. If, however, this application had not included significant public realm and highway works, the report inferred that all Members of this grand Committee would have been able to participate regardless of any public perception. The Member concluded by stating that he felt that this report therefore demonstrated how unfit for purpose the City's current planning process was. The Member stated that he would not

be opposing the recommendations set out within the report but that his vote in favour would be based on pragmatism and not principle.

Another Member spoke to make the point that the application in question did not involve an investment property and did not therefore fall within the remit of the Property Investment Board. He added that he and other members of the Property Investment Board who also sat on this Committee were already well aware of this and that the point raised by the Member was therefore of no relevance.

The Comptroller and City Solicitor responded to the various points made by stating that, as set out within the report, what Regulation 10 required was to avoid any conflict of interest between those who are deciding the application and those who are bringing forward the proposals. Members were informed that this obviously had to be applied to the local authority situation and the Comptroller and City Solicitor commented that it was not unusual for all tiers of an authority to have been involved in an application or the principle of funding of an application at various stages of a development. She added that the Court of Common Council itself had been involved in this particular application at a very early stage but stated that the organisation had to take an approach that allowed for some flexibility but was also sufficiently robust. With this in mind, Officers had turned their minds to identifying who could be considered as having promoted the application to date – this had been determined to be the Capital Buildings Committee with the Police Authority Board also having a clear, vested interest. She concluded by stating that interpreting things too widely hindered the ability of the local authority to function properly and to take any decisions on its own planning applications which was expressly provided for in law.

**RESOLVED** – That the Planning and Transportation Committee:

1. Adopt the Handling Note in the Appendix to this Report.
2. Establish a Special Sub-committee with the following Terms of Reference: to determine planning application reference: 20/00997/FULEIA and associated Listed Building Consent applications ref: 20/00998/LBC and 20/00996/LBC.
3. That the Special Sub-committee sits at the rising of the Planning and transportation on 22 April 2021.
4. That the Special Sub-committee be constituted of all Members of Planning and Transportation Committee other than those who are also Members of Capital Buildings Committee and Police Authority Board.

5. **BARBICAN AND GOLDEN LANE CONSERVATION AREA CHARACTER SUMMARY AND MANAGEMENT STRATEGY - DRAFT SUPPLEMENTARY PLANNING DOCUMENT**

The Committee considered a report of the Interim Chief Planning Officer and Development Director in relation to the draft Barbican and Golden Lane Conservation Area Character Summary and Management Strategy.

The Interim Chief Planning Officer and Development Director introduced the item by reminding the Committee that they had designated the Conservation

Area in October 2018 and agreed the boundary. He added that local authorities were statutorily obliged to publish proposals for the preservation and enhancement of conservation areas. He reported that this area already had the very highest level of protection in these estates - most of which were listed (Grade 2 and 2\*) and, as such, were subject to listed building management guidelines as referenced in the documents. They were also designated landscapes and scheduled ancient monuments. Ultimately, it was intended that this document be adopted as a supplementary planning document and would therefore be a material consideration in the assessment of any proposals affecting the Conservation Area.

The Interim Chief Planning Officer and Development Director reported that, in line with protocol, three Barbican Committees (the Barbican Estate Residents Consultation Committee in November 2020, the Barbican Residential Committee in December 2020 and the Barbican Centre Board last week) had already considered the draft document ahead of this meeting and feedback from these committees had been received and collated into the draft SPD presented today.

As an overview, it was reported that the structure of the document was fairly clear in that it provided an understanding of the significance of the Conservation Area by analysing principal characteristics and set out proposals for the preservation and enhancement of the special architectural and historic interest of the Conservation Area. It was now recommended that the Committee agree that the document be issued for a 6-week period of public consultation.

A Member noted that there had been a very helpful question and answer session on the document at the Barbican Estate Residents Consultation Committee meeting at which someone had asked about the extent to which the Climate Action Strategy would be taken into account in the new Conservation Area and that the response had referred to the fact that the Barbican had a heavy carbon footprint, its reduction fell within the Climate Change Strategy, and there would be a balance of the benefits of proposed changes. He therefore asked whether Officers could report back and confirm that their instructions to the consultancy working on the design of the Barbican Podium repair had been amended to ensure that the recommendations reflected the Climate Action Strategy. The Interim Chief Planning Officer and Development Director reported that, in terms of the paving on the highwalk, a meeting had taken place yesterday and that part of the brief for the project team was to look at the City Climate Action Strategy and respond to this, especially in terms of embedded carbon within existing materials. He added that the approach to conservation of the estate was entirely compatible with the Climate Action Strategy in terms of retaining fabric and the like. He confirmed that the first emphasis here would be on repair with a second option of scoping and replacing with second-hand tiles, a third option of utilising materials manufactured from old tiles with all other options only explored thereafter.

Another Member welcomed the draft document but added that he was sure that this Committee would want to ensure that the draft issued for consultation was

factually correct and minimised any typographical errors. He added that the Barbican Association Planning Group and the Barbican Wildlife Garden Group had spent a lot of time reading the draft document appended to this report and had sent some suggested changes to him which he in turn had notified the Interim Chief Planning Officer and Development Director of. Officers had since agreed to correct a number of factual errors, but the Member stated that he remained concerned that there were still others within the document – one, for example, relating to Blake Tower. The Member requested that Officers therefore undertake a further, detailed review of the draft document to ensure that it was factually correct prior to consultation commencing. The Member highlighted that many residents had already expressed opinions on the document, but he accepted that these ought to be lodged as part of the formal consultation process. The Interim Chief Planning Officer and Development Director confirmed that he had been in correspondence with the Member on this matter and stated that he was very grateful for any errors being brought to his attention so that these might be addressed. He went on to state that some of the points raised increased the emphasis on certain terms or were more nuanced/general commentary and it was felt that the most appropriate forum for these to be raised was via the public consultation process.

Another Member questioned whether, bearing in mind the crossover with the Climate Action Strategy and the points made around Beech Street, Officers had considered whether reference to cycle parking for residents should feature within in the document in terms of protecting the area and air quality. Secondly, the Member stated that not only was this document set to go out to public consultation for a six-week period, but also the City Plan 2036 had just been released for public consultation which would close on 7 May 2021. She noted that, due to current circumstances, it was proposed that these consultations take place online only and raised concerns that this would disenfranchise a large number of residents in terms of their awareness of these. The Member therefore questioned whether other forms of promoting these could be looked at, particularly considering that this was a document which affected estates which broadly covered a large swathe of the City's resident population. The Interim Chief Planning Officer and Development Director stated that he believed that cycle parking sat outside of the scope of this document as this was focused on the character of the Conservation Area. In terms of consultation, Members were informed that there would be a public meeting and that, at present, it was anticipated that this would take place virtually but any options around holding a physical meeting would be explored as restrictions were gradually lifted. The Member responded to question how the virtual public meeting would be advertised and questioned whether any thought had been given to producing a paper document notifying residents of both this and the City Plan 2036 public consultations. The Interim Chief Planning Officer assured Members that the public consultation would be widely publicised, and that Officers would proactively use all of the existing resources available to them for this purpose. He added that they consider issuing paper copies of the documents and a place for people to come and view these as restrictions lifted in May 2021.



A Member questioned what would happen at the conclusion of the consultation process in terms of any further scrutiny of the document. The Interim Chief Planning Officer and the Development Director that a further report would be put to this Committee itemising every response received under the public consultation alongside Officer responses to these. An amended version of the draft document absorbing the responses received would then be put to Members of this Committee for approval before being adopted.

Another Member commented that she had also seen a number of track changes to the document from residents and questioned how many of these proposed changes had been made in the draft version of the document presented to Members today or whether these would be picked up as part of the broader consultation before inclusion. In terms of the comments received to date, the Interim Chief Planning Officer and Development Director cautioned that care needed to be taken to provide a level playing field to all consultees. He added that some of the responses already received were slightly pre-emptive of the formal consultation process and that it was important not to disadvantage other stakeholders who may take an opposite view. It was therefore felt that the best approach was to collate all of the responses received as part of the formal consultation process and report these to Committee within a single report.

**RESOLVED** - That Members approve the draft text of the Barbican and Golden Lane Conservation Area Character Summary and Management Strategy SPD, appended as Appendix A to the report, and agree to it being issued for public consultation for 6 weeks from March 2021.

6. **SHORT STAY CYCLE PARKING IN THE CITY OF LONDON**

The Committee received a report of the Interim Chief Planning Officer and Development Director setting out proposals to increase the number of short stay cycle parking spaces in the City of London to be funded by future developments which do not meet the London Plan standards.

A Member thanked Officers for collating this report and stated that she understood the tone of it but highlighted that the London Plan requirements were a minimum and the reality was that the City had met less than 50% of these. She felt that this ought to be readily acknowledged within the report. She added that she was grateful to see solutions broadly set out towards the end of the report and asked whether, bearing in mind that the long stay cycle provision was only marginally above the required standards and clearly did not address the City cultural offering and use outside of office hours, Members could have an update on the proposed solutions in 2-3 months' time when people would be steadily returning to the City.

Another Member commented that she was a cyclist who used short stay cycle spaces and stated that she found this report quite depressing and was disappointed that this Committee had allowed this deficit to happen. She was pleased to see that there was now a proposal to ask developers to make a financial contribution to address this deficit but she stressed that it was vital that spaces were provided where they were needed and not like those recently

installed in Golden Lane because there was space to accommodate these but where they were not really required. The Member questioned whether the Committee could be provided with a map indicating where spaces were and where they were most required. She added that she was also concerned that the report did not include things like the parking provisions for electric bikes or scooters and requested that any future report also make reference to this.

Another Member agreed that he did not feel that this report was very explicit in terms of taking tangible measures to address the problem. It spoke of developing a proposal to ask developers to make a financial contribution to meet the cost of any deficit but he felt that the real problem was that there was a lack of space outside of these developments to site these spaces and he was therefore unclear as to how this might be beneficial. He therefore also requested a further paper in the near future setting out tangible proposals for addressing this problem.

The Interim Chief Planning Officer and Development Director commented that he felt it would be reasonable for Officers to report back to the Committee in 3 months' time on this matter. He added that the Committee would be considering schemes before this time that would exceed requirements in terms of short stay cycle parking requirements and would also include some of the elements identified such as cycle hubs within developments. He therefore felt that this was an increasingly positive picture. In terms of widening the brief of the report as suggested, Officers undertook to look into this and report back. It was, however, underlined that this was an immense challenge as the authority were trying to provide generous pavements for pedestrian movement, areas for al fresco dining and retail elements which open on to the street and that all of these were real and unique challenges for the City when compared to other parts of London. He added that his personal view was that Officers had done well to achieve what they had but, nevertheless, the concerns of Members had been noted and these would be addressed in future schemes coming forward that would not only meet but exceed requirements as well as within a future update report.

A Member commented that the Committee were very well aware that there was a lack of space on the City's streets and that this had always been the case. She felt that, for this reason, the City should have been enforcing requirements around cycle parking provision within the developments themselves to meet their own in-house demands. The Member also felt that the proposed financial contributions from developers were not an effective solution. She suggested that it might be useful to undertake a survey of City developments to ascertain how many of the cycle spaces within their units were actually utilised and whether or not these could be made available for use by the public. Finally, the Member sought assurances that any financial contributions that developers might be asked to make toward the funding of cycle spaces going forward would be ringfenced solely for this purpose.

Another Member agreed that Member focus and oversight was needed here and supported the request for a further report on this within the next 3 months. He added that, with people due to return to the City after the lifting of lockdown,

this was a key time to address the matter as this would be when provision was most needed. Secondly, on the issue of proposed financial contributions from developers, the Member stated that it was spaces that were required and not funds. He also questioned how any financial contributions would be calculated and what the basis of this would be. The Interim Chief Planning Officer and Development Director reported that Officers were currently working up a proposed formula to present to the Committee for consideration and underlined that the proposed financial contributions were just one of a number of solutions.

Another Member stated that any future report to Committee should make a firm proposal on any financial contributions given that the implementation of this could be a lengthy process. He added that it was clear that the most likely potential solution would involve bringing back into use any subterranean spaces that were not currently in use and that there would be real costs associated with this. He therefore proposed that any future policy should make it more expensive to developers not to provide sufficient cycle space than to meet the requirements.

The Interim Chief Planning Officer and Development Director accepted the points made around the historical imbalance in particularly short-term cycle parking spaces. He did, however, highlight that three of the most significant schemes that had been considered by this Committee over the past year had all exceeded standards in terms of both short and long term cycle parking spaces and it was felt that this was evidence of an improving picture. He assured the Committee that the team would now liaise on a strategic level to provide a future report to the Committee. He confirmed that this could also include a map detailing where current cycle spaces were situated in the City.

The Chair commented that it was clear that the Committee wanted to take a hard line in terms of insisting that short stay cycle space standards were met and would be keen to ensure that any financial contributions decided upon going forward did not make it cheaper or easier for developers to avoid meeting these. He agreed with the Interim Chief Planning Officer that things were now on the right trajectory. He highlighted that there was actually a 104% compliance rate in terms of long stay cycle spaces as opposed to just 41% for short stay spaces and that the balance here needed to be addressed with the current pandemic serving to further highlight the importance of this.

**RESOLVED** - That Members note the report and request a further report on the matter within the next 3 months.

## 7. **BIODIVERSITY ACTION PLAN UPDATE**

The Committee considered a report of the Director of Open Spaces setting out the background and production of the Draft Biodiversity Action Plan (2021-26) (BAP).

A Member commented that this plan was very much needed at a time when a biodiversity crisis was happening but added that she was surprised to see no reference to this crisis within the document. Officers responded by stating that some of the legislation that laid down why an Action Plan was necessary

referred back to the Rio conference and the biodiversity crisis but accepted that this could also usefully be referenced within a future draft of the document itself prior to releasing it for consultation.

**RESOLVED** - That Members of the Planning and Transportation Committee recommend for onward approval to the Open Spaces and City Gardens Committee, the draft Biodiversity Action Plan 2021/2026, subject to the incorporation of reference to the biodiversity crisis.

**8. DEPARTMENT OF THE BUILT ENVIRONMENT RISK MANAGEMENT - QUARTERLY REPORT**

The Committee received a quarterly update report of the Director of Built Environment detailing risks managed by the Department of the Built Environment that fall within the remit of the Planning and Transportation Committee.

A Member referred to the two red risks noted (the All Change at Bank public consultation and recommendations for on-street measures to enable the safe return of the City's workforce and support COVID-19 recovery to come to this Committee in April). She questioned whether there was any risk of confusion when responses to the all Change at Bank public consultation were received as she confessed that she had looked at the consultation and had found it quite difficult to understand which temporary measures may or may not be in place as this came into place. She added that she had written separately to Officers on this point. She understood that the consultation was on the basis that temporary measures around COVID would be removed and she sought assurances that Officers had now made this abundantly clear as part of the consultation. Officers reported that the Bank consultation was now live and was going out in parallel with a review of the COVID on-street measures which had been in place for a while now. Some of these measures would be retained whilst others would not and a report on this would be submitted to the next meeting of this Committee. Officers did, however, reassure Members that both sets of works were being managed by the same team so that any potential overlap/conflict would be part of the assessment between what could be accommodated at Bank and in terms of any other measures that would be delivered. It was added that the key message here was that Bank still remained a priority location for this Committee and any on-street COVID measures would therefore have to accommodate whatever was needed at Bank Junction.

Another Member commented on the new presentation of the Risk Register and cited Risk 'DBE-02 Service/Pipe Subways' as an example of where this could be confusing given that the objective here was to 'reduce' the risk and yet the current and target risk rating and score remained the same. Officers highlighted that this risk had been on their register the longest as they were being managed as a confined space and commented that it was a valid point to make that, provided that appropriate management protocols were being followed, the risk should be 'accepted'. Officers therefore undertook to review this risk in further detail after today's meeting.

Another Member questioned why COVID-19 risk number 27 – ‘failure to deliver the New DBE Finance (RECOVERY)’ had a higher target risk score than the exiting risk score when the aim here was to ‘reduce’. He added that other forums had been using heat maps to show how the overall risks had moved so that all risks could be assessed against one another on a single grid and questioned whether it would be possible for this Committee to have similar going forward. Officers commented that this particular risk had a higher target score than the current score as the advice being taken from the corporate risk manager on this was that the risk had been set at the higher level this time last year where the organisation had listened to government guidance and had expected around 30-35% of their workforce being too sick to work due to COVID. After emerging from the second wave of the virus, this score had been reduced but the target had been kept where it had originally been set as it was recognised that there was currently still the potential of a third wave and this therefore needed to be kept under review. It was reported that the COVID related risks were currently reviewed every fortnight as part of the Public Service Silver Group’s work. With regard to heat maps, Officers undertook to include these as part of the next quarterly update.

The Chair referenced Risk CR20 – Road Safety Reduction which currently had no owner listed. Officers reported that the Assistant Director (Highways) was now the new owner of this risk.

**RESOLVED** – That Members note 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.

9. **OUTSTANDING ACTIONS**

The Committee noted a report of the Town Clerk regarding the outstanding actions of the Committee.

**Member Training**

The Interim Chief Planning Officer and Development Director reported that it was envisaged that Whole Life Carbon Training would be provided to the Committee in June 2021.

**RESOLVED** - That Members note the report.

10. **PUBLIC LIFT REPORT**

The Committee received a public lift report of the City Surveyor for the period 20/02/2021 – 12/03/2021.

A Member raised a question relating to the Millennium Inclinor stating that he could recall from prior service on this Committee that a lot of money had been spent, firstly on repairing the old Millennium Inclinor and secondly on installing a new Inclinor in time for the 2012 Olympics. He noted from this report that the Inclinor seemed to only be operational for 90% of the time and questioned when this matter would finally be resolved. Officers recognised that

there were ongoing issues with the Inclinor and that this would eventually be replaced with a normal, vertical lift as part of the Millennium House development. It was expected that this would happen at some stage this year and discussions were ongoing with the developer around this.

Another Member raised a question relating to the escalator on London Wall noting that the public seemed to vandalise this by turning it off and asked if Officers had any proposed solutions to this problem. Officers clarified that it was an emergency stop button that was being activated and that this had to be readily accessible should there be a problem on the escalator. However, they undertook to look again at this and see if a workable solution could be found. The Member questioned whether a camera could be installed here to deter any future vandalism. Officers undertook to look at this and the remote monitoring of the site.

Another Member commented that emergency stop buttons were in place in lots of locations and that there were very hefty fines attached to activating some of these in non-emergency situations. He questioned whether the City had any powers to fine those who used the buttons improperly. Officers undertook to investigate this further and report back.

**RESOLVED** - That Members note the report.

**11. DELEGATED DECISIONS OF THE CHIEF PLANNING OFFICER AND DEVELOPMENT DIRECTOR**

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

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

**12. VALID PLANNING APPLICATIONS RECEIVED BY DEPARTMENT OF THE BUILT ENVIRONMENT**

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

**RESOLVED** - That Members note the report.

**13. RESOLUTION OF THE HEALTH AND WELLBEING BOARD RE: HEALTH IMPACT ASSESSMENT GUIDANCE NOTE**

The Committee noted the resolution of the Health and Wellbeing Board on 19 February 2021 regarding the Health Impact Assessment Guidance Note.

**RESOLVED** - That Members note the resolution.

14. **STREETS AND WALKWAYS SUB-COMMITTEE - PUBLIC MINUTES**

The Committee received the draft public minutes of the Streets and Walkways sub-committee meeting held on 18 February 2021.

**RESOLVED** - That Members note the draft minutes.

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

There were no questions.

16. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT  
COLPAI Development - Motion**

A Member commented that, as the Committee were already aware, he wished to propose a motion. He clarified that he had already circulated an email to all members of the Committee on this matter alongside some relevant background.

**MOTION** - That application 20/00748 for the discharge of Conditions 43 and 46 relating to the delivery and servicing plan for the school, and application 20/00747 for the discharge of Condition 44 relating to the delivery and servicing plan for the residential / commercial part of the project, both be determined by this Committee instead of under delegated authority, as the contentious nature of these applications makes it appropriate for them to be determined by elected members.

By way of background, the Member highlighted that residents of Golden Lane Estate who were his constituents were concerned that the effect of these applications if approved would be that the large refuse bins for the COLPAI development would be placed for an indeterminate time awaiting collection directly next to the entrance of a residential block where they would be unsightly and may cause smells and attract vermin and fly-tipping. Secondly, to collect this refuse, lorries would need to manoeuvre in a cul-de-sac which would be unsafe for road users and pedestrians and would block access to the estate for all vehicles including emergency vehicles. The Member encouraged others to visit the site for themselves to see the potential issues. Finally, it was noted that residents were concerned that similar arrangements would exist for all of the school's delivery lorries.

The Member went on to acknowledge receipt of a response to these concerns from the Director of Community and Children's Services which arrived shortly before this meeting began but stated that, even from a quick reading of this, he could see that there were a number of major issues of concern to residents that were still to be determined. He reported that local residents had now opposed these proposals for at least the last two years, during which time they had repeatedly pointed out that the refuse collection and servicing could all be undertaken from roads on the other side of the development where none of these issues would arise. They felt so strongly about the negative impact that these proposals would have on their lives that they had commissioned a report from a traffic planner and engineer at personal cost. In these circumstances,

the Member stated that he felt that the large number of objections lodged (almost 60 to date) should be heard and that the planning decision ought to be made by elected members and not delegated to Officers. He hoped that all Members would agree that this was appropriate and support this motion as they had done two years ago when they had supported the fact that a discharge of a condition in relation to the retention of trees on the COLPAI site boundary should be decided by the Committee and not under delegated authority.

The Motion was seconded. The Member seconding stated that there were a significant number of objections and that, had this of been a planning application, it would certainly have exceeded the threshold a number of times over. She understood that, whilst there was no reference to the number of objections received for an approved scheme of delegation, it was open to the Committee to reserve the right to call in a decision. Given the strength of feeling here, it was felt appropriate to do so in this case.

Another Member spoke to support the motion. Firstly, he recognised that there was already a precedent here concerning the discharge of the decision on the retention of trees, he also noted the number of objections received from residents and felt that it was perfectly reasonable of them to expect their elected representatives to opine and decide upon this matter. Having said this, the Member did, however, seek reassurance from Officers that this would not further delay the opening of the school beyond September 2021, noting that this was already behind schedule and that the school had already faced many obstacles to date.

Another Member also spoke in support of the motion as far as it related to COLPAI. He did, however, question why condition 44 was included here as he stated that he was not aware that the waste management for the residential tower had ever been controversial or the subject of complaint. He added that the waste would be handled straight onto Golden Lane.

A Member supported the motion and stressed that this development had been extremely contentious with residents. She therefore felt that the matter was worthy of discussion by this Committee/elected Members and underlined that this was a matter of public confidence and transparency.

Another Member spoke in support of the motion. He added that the substantive discussion here was around the satisfaction of the conditions around the 106 agreement which was clearly a matter of great public interest and concern. He therefore felt that it was incumbent upon this Committee to look at this matter in more detail and to ensure that the correct decision was made. He agreed that this should not, however, compromise the opening of the school in any way given that pupils and parents had already spent a considerable amount of time using temporary facilities and had expressed educational concerns around this.

With regard to the implications for the opening of the school, the Interim Chief Planning Officer and Development Director reported that it was critical that a decision was made on these matters by May 2021 and he had therefore tasked his Officers with meeting this deadline to bring the matter to Committee .With



regard to condition 44, Officers explained that this was important as a similar number of objections had been received for this application.

The Member who had proposed the motion questioned whether a virtual site tour or in-person site visit could be arranged ahead of the Committee considering these applications. Officers undertook to provide either of these in due course and in accordance with what restrictions permitted.

**RESOLVED** – That the Motion be carried and that application 20/00748 for the discharge of Conditions 43 and 46 relating to the delivery and servicing plan for the school, and application 20/00747 for the discharge of Condition 44 relating to the delivery and servicing plan for the residential / commercial part of the project, both be determined by this Committee instead of under delegated authority.

### **Beech Street Tunnel**

A Member stated that she wished to flag the issues that the Beech Street Tunnel had been causing for some residents on the Barbican Estate in terms of receiving deliveries and getting taxis as referenced within the minutes of the last Streets and Walkways Sub-Committee meeting. She noted that issues were currently being dealt with individually as and when they arose but sought some assurances from the Chair that a more holistic approach could be taken going forward so that residents were not left without vital supplies such as medication and that the Beech Street Tunnel was a success.

The Chair reported that he and the Deputy Chairman and the Deputy Chairman of the Streets and Walkways Sub-Committee were fully aware of these issues and added that he had said publicly, from the outset of this scheme, that he would not be afraid to alter and amend plans if necessary. Officers commented that they were aware that there were still some changes that needed to be made to the experimental scheme such as work to open up the central reservation which was already in train and would provide a fundamental improvement to the access controls in the area. Officers added that they were looking at moving towards a permanent scheme and that a report to the last meeting of the Streets and Walkways Sub-Committee had set out a way forward on this. Any issues raised at this stage would help inform this permanent scheme and Officers continued to work to ensure that appropriate messaging was put out to the communities and businesses that relied upon Beech Street in terms of access. They encouraged anyone with any points to raise these with the appropriate Officers.

A Member noted that Google Maps had now updated instructions for Beech Street. He added that, whilst there had been some issues with signage, the real problem seemed to be that large logistics operations relied upon electronic maps, many of which seemed to suggest that you could not enter the tunnel. Officers noted that this was a point well-made and suggested that the recent success with Google Maps could be used to encourage other providers to make similar alterations and finesse their messaging. It was noted that this remained a work in progress.

### **Low Impact Exercise Surfaces**

A Member who had raised a question on this matter at the last meeting of this Committee reported that Officers had now responded to him to suggest that they would be looking at low impact exercise surfaces and seeing whether this would fit within the City Public Realm Manual. He added that one of the aspects of this was to analyse whether this particular material was robust enough. He reported that the City Corporation already owned and had installed an athletics track on Hampstead Heath so there was corporate experience of working with this material.

A Member reported that the Department of Transport were rolling out some projects around the country and that Slough had been selected to trial 'sponge streets' in the near future. She added that this might also be welcomed in the City going forward in terms of absorbing water run-off from large buildings.

#### **17. 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>
18-19	7
20	3
21-22	-

#### **18. GATEWAY 4C ISSUE - SECURE CITY PROGRAMME (SCP) - VIDEO MANAGEMENT SYSTEM / VIDEO ANALYTICS WORKSTREAM**

The Committee received a Joint Gateway 4C Issue report of the Director of the Built Environment and the Commissioner of the City of London Police concerning the Secure City Programme (SCP) – Video Management System/Video Analytics Workstream.

#### **19. SECURE CITY PROGRAMME (SCP) - YEAR 2**

The Committee received a joint Gateway 2, Project Proposal report of the Director of Built Environment and the Commissioner of the City of London Police regarding the Secure City Programme (SCP) – Year 2.

#### **20. STREETS AND WALKWAYS SUB-COMMITTEE - NON-PUBLIC MINUTES**

The Committee received the draft non-public minutes of the Streets and Walkways Sub-Committee meeting held virtually on 18 February 2021.

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

There were no questions raised in the non-public session.

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

The Committee discussed potential arrangements for meetings post 6 May 2021.

**The meeting closed at 12.25 pm**

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Chairman

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