

PLANNING AND TRANSPORTATION COMMITTEE

Tuesday, 10 January 2023

Minutes of the meeting of the Planning and Transportation Committee held at the Guildhall EC2 at 10.30 am

Present

Members:

| | |
|---|----------------------------|
| Deputy Shравan Joshi (Chairman) | Alderman Ian David Luder |
| Deputy Alastair Moss (Deputy Chairman) | Antony Manchester |
| Deputy Randall Anderson | Alderman Bronek Masojada |
| Brendan Barns | Deputy Brian Mooney |
| Emily Benn | Deborah Oliver |
| Deputy Michael Cassidy | Alderwoman Susan Pearson |
| John Edwards | Deputy Henry Pollard |
| Deputy John Fletcher | Ian Seaton |
| Jaspreet Hodgson | Luis Felipe Tilleria |
| Amy Horscroft | William Upton KC |
| Deputy Edward Lord | Alderman Sir David Wootton |
| Deputy Natasha Maria Cabrera Lloyd-Owen | |

Officers:

| | |
|----------------|---|
| Gemma Stokley | - Town Clerk's Department |
| Dipti Patel | - Chamberlain's Department |
| Fleur Francis | - Comptroller and City Solicitor's Department |
| Matt Baker | - City Surveyor's Department |
| Gwyn Richards | - Department of the Built Environment |
| David Horkan | - Department of the Built Environment |
| Rob McNicol | - Department of the Built Environment |
| Gordon Roy | - Department of the Built Environment |
| Ian Hughes | - Department of the Built Environment |
| Peter Shadbolt | - Department of the Built Environment |
| Peter Wilson | - Department of the Built Environment |

1. APOLOGIES

Apologies for absence were received from Ian Bishop-Laggett, Anthony Fitzpatrick, Deputy Marianne Fredericks, Alderman and Sheriff Alastair King, Deputy Graham Packham and Judith Pleasance.

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 1 November 2022 and approved them as a correct record.

4. **ANNUAL REVIEW OF TERMS OF REFERENCE**

The Committee considered a report of the Town Clerk setting out the current Terms of Reference for the Planning and Transportation Committee.

The Town Clerk highlighted that the Terms of Reference contained some minor amendments since the April 2022 Court approval to reflect recent changes in terms of the addition of a new Planning Applications Sub-Committee and a job title change.

RESOLVED - That the terms of reference of the Committee (as set out at Appendix 1 to the report) be approved for submission to the Court of Common Council in April 2023.

5. **DISTRICT SURVEYORS BUILDING CONTROL, BUSINESS DEVELOPMENT OPPORTUNITY**

The Committee considered a report of the Executive Director, Environment, requesting consent to develop and implement a proposal to allow the District Surveyors Office to act as a central HUB, and initial single point of contact, for all London Building Control departments when being requested to provide Building Regulation services by the Building Safety Regulator.

The District Surveyor introduced the report by highlighting that, since the Grenfell tragedy in 2017, the Government had been looking at fire safety across all buildings but particularly high-rise, residential buildings. Since then, there had been a number of changes to fire safety legislation and building regulations with the Building Safety Act receiving Royal ascent last year. Part of this would see significant changes to how building control was delivered nationally with building control surveyors having to register with the Building Safety Regulator and a new Building Safety Regulator looking at the fire safety and general safety of all buildings. This would be part of the Health and Safety Executive. It would also see the Building Safety Regulator becoming a Building Control Authority for high-risk buildings (residential buildings over 18 metres or 7 storeys high). Those wishing to construct a building of this type would therefore be required to submit an application to the Building Safety Regulator as opposed to a Local Authority Building Control Department or a private Building Control Company.

The District Surveyor went on to explain that the Building Safety Regulator, under Section 13 of the new Building Safety Act, had the power to approach a local authority department to help them carry out their duties under the building regulations. This would result in the Building Safety Regulator having to consult with over 300 different local authorities and so they had now asked that local authorities group together and form a single point of contact for them. It had been agreed nationally in England that the single point of contact will be the Local Authority Building Control Company – a members' organisation that would deal with matters outside of Greater London. The London building

controls had requested, through the London District Surveyors' Association, for a London local authority to act in this same way as a single point of contact for the regulator and had approached the City Corporation to play this role. It was highlighted that this would put the City Corporation at the forefront of fire safety across the whole of Greater London and would also see the organisation working with the other boroughs in terms of high-rise, residential buildings.

The Chair stated that he felt that this was a great opportunity for the City to take a lead on this matter.

A Member queried why the cut-off point was buildings above 7 storeys and also questioned how many high-rise residential buildings there were within the City within this category. The District Surveyor commented that, within building regulations, there was criteria for buildings at 11 metres, 18 metres, 30 metres and 50 metres. Central Government had consulted on this point and concluded that 18 metres was to be the defined height in this case, Officers reported that, traditionally, the Fire Brigade had indicated that they could rescue somebody from a building of less than 18 metres height. The District Surveyor went on to report that, in the City, the Housing Department had calculated that there were approximately 67 residential buildings which stood at 18 metres or above. Across London, this figure was approximately 6,000.

Another Member questioned what the reputational damage of the City taking this role might be should significant issues arise within another borough. He also queried to what extent this would stretch existing resources. The District Surveyor responded to state that this shouldn't stretch resources. He explained that stringent procedures would be in place and that local authorities would be nominated to lead on buildings within their own or surrounding boroughs wherever possible. In response to a further question on what would happen if this did not prove possible within the defined timeframe, the District Surveyor reported that there would be further options whereby other local authorities in the area could be approached, the City Corporation could choose to carry out the work themselves or it could be referred back to the regulator who would then decide on what steps to take next.

A Member questioned whether this would cover new builds only or would also apply to refurbishments. Secondly, he questioned where the 18 metres was measured from – he queried this in the context of the Barbican Estate where particular properties began beneath podium level. The District Surveyor clarified that this would cover all work that required building control consent (both new builds and refurbishments). In terms of the 18-metre height measurement, this was taken from ground level and not podium level.

A Member congratulated Officers on this approach as it showed great confidence in their capabilities. He went on, however, to question the politics of this and what might happen, for example, if there were to be an incident with a building in Canary Wharf, under Tower Hamlets, that called upon the City's experts and what they could do if they had concerns that they were not taking certain risk aspects seriously enough. The District Surveyor reiterated that this proposal would see the City Corporation operate as a single point of contact

that could then refer various matters to relevant local authorities to take up with the regulator.

Another Member questioned how this related to the planning process and fire safety considerations. The District Surveyor clarified that this proposal did not impact upon the planning process whereby any major planning application submitted already came to the District Surveyor's Building Control Team for comment on fire safety elements. In terms of high-rise residential buildings, any applications were consulted on with the Building Safety Regulator by way of a process that had already been on operation for the past 12 months. This proposal would leave this unchanged.

A Member asked that a list of all residential buildings within the City above 18 metres be circulated to the Committee for information. The District Surveyor undertook to liaise with colleagues in Housing to collate and circulate this information outside of the meeting.

Another Member questioned what value the City Corporation could genuinely add to the process in terms of being a single point of contact and essentially acting as a post box. Secondly, he questioned what the concern might be as to requests for assistance going to private building control approvers. The District Surveyor responded to report that the Building Safety Regulator had to appoint a building control body to work on their behalf with regard to building regulations. He stated that those in local authority building control had been under huge strain both financially and in terms of bringing surveyors into the profession. He stressed that the Regulator had an option and that their first port of call under this was to go to a local authority building control department to provide assistance. If, however, they did not get this assistance, they would inevitably revert to a private building control operator. The concern with this scenario is that it could lead to a loss of people from local authority to the private sector, thereby resulting in lower standards in local authority building control. He went on to state that he wanted local authority departments to be in a position to deliver the best possible checking and inspection processes in terms of public safety and for local authority building control to be at the very heart of this move. With regard to why the City would want to act as the single point of contact, the City Surveyor stressed that they were keen to undertake this work as a means of retaining and developing staff and also attracting additional income whilst providing the very best public service.

RESOLVED – That Members approve the proposal for the District Surveyors Building Control office to form the LDSA (London District Surveyors Association) HUB to provide a single point of contact for London, for the Building Safety Regulator, when the Regulator requests assistance under Section 13 of the Building Safety Act 2022.

6. INFRASTRUCTURE FUNDING STATEMENT CIL/S106*

The Committee received a report of the Planning and Development Director presenting the City's Community Infrastructure Levy (CIL) and Section 106 (S106) infrastructure Funding Statement as at 2021/22 which summarised the City's CIL and S106 balances at the end of the financial year.

RESOLVED – That Members note the content of this report for publication on the City's web site.

7. CITY PLAN OFFICE FLOORSPACE DATA & TARGETS*

The Committee received a report of the Planning and Development Director responding to a request from Members for information on office development trends and the office evidence base being developed to support the City Plan.

The report outlined the methodology used to arrive at the City Plan office floorspace target, recent employment projections for the City, office development trends and progress towards meeting City Plan targets. It also outlined the scope of consultancy work that is being commissioned to look at future office needs and demand, including the impacts of hybrid working and demand for lower graded office stock.

A Member questioned the scope of the consultation outlined within the report which failed to refer to City residents. She therefore asked that the scope be clarified and spoke on the impact of increased office floorspace in primarily residential parts of the City as well as the importance of including reference to the impact on residents in the behavioural aspects of the study. Officers responded to state that the study was largely intended to look at the need and demand for office floorspace and to respond to a number of questions posed by Members (through the Local Plans Sub-Committee in particular) as to the impact of the pandemic and changes in working patterns on this. The focus of this piece of work was therefore to try to establish what quantum of office floorspace is required in the City going forward to meet likely employment projections as well as to ensure that the City's economy could continue to flourish and thereby support the regional and national economy. The scope set out within the report explained what outcomes Officers were hoping to achieve as opposed to how this would be done. That being said, Officers undertook to discuss this further with the consultants to see if there were different patterns emerging across different parts of the City and thereby different requirements for office floorspace in different parts of the City. There would be an opportunity for Members to assess the results of the study and to discuss these with the consultants at the end of the process. Ultimately, the results would also feed into and steer the City Plan in terms of need and demand.

Another Member noted that GLA predictions indicated an increase in employment of 176,000 between 2016-2041 but noted that this time period had been extended by five years with previous projections indicating an increase of 116,000 but from 2016-2036. Secondly, she referred to the net gain set out within the report and asked Officers to clarify whether this was in relation to already completed buildings and live office space but not to those projects that had already been approved but not yet commenced or completed such as the large number of applications approved by this Committee in 2020-22. Thirdly, she questioned the pipeline and the typical percentage that Officers might foresee coming online in relation to what had been approved and how long it typically took for those projects to progress from approval to completion. She clarified that it would be useful to have these estimations in order to try and see

roughly where that would place the City in terms of its target for 2036 as set out within the first draft of the new City Plan. Officers clarified that the projections set out here were for the period until 2041 whereas previously they were until 2036. The growth in employment was expected to be steeper during the 2020s before levelling off although the final figure was still expected to now be higher over the period than previously projected pre-Covid. Officers went on to state that paragraph 15 of the report set out the completed floorspace (a net gain of just under 700,000 square metres from 2016-2022) with paragraph 16 detailing floorspace in the pipeline and currently granted permission or currently under construction. It was reported that some of the applications granted by the Committee in 2021-22 had not yet worked its way through to permission as S106s were still being worked through for example and, as a result, these were not reflected within the figures presented. In terms of typical timescales from permission to completion, Officers assumed that this was generally a three-year period for building to at least commence but recognised that larger developments could take much longer periods of time to complete. It was generally assumed that permissions granted to date would all reach completion by the end of the 2020s or sooner. The Member thanked Officers for this clarification and asked that the Local Plans Sub-Committee also receive further information as to this other tranche of office floorspace not yet factored into these figures.

The same Member questioned whether the consultant engaged here was the same consultant undertaking similar work on behalf of the applicant for London Wall West. She also stated that this was due to form part of the Climate Action Dashboard and asked Officers to ensure that this was part of the information that came before the Local Plans Sub-Committee to enable them to properly analyse and balance out these points. Officers responded to state that they were not aware that the consultants engaged here were also undertaking any work in relation to London Wall West but undertook to follow up on this point. Secondly, Officers confirmed that a separate piece of work on embodied carbon and Whole Life Carbon was being undertaken alongside this office study for reporting into the Local Plans Sub-Committee.

The Chairman highlighted that the engagement of consultants for any piece of work followed a recognised and approved procurement process and was not a political decision.

A Member spoke to recognise that this piece of work could have a huge impact on things going forward and that the conclusions could be controversial. He added that Officers therefore needed to be very conscious, in presenting this data, of the use that could be made of it were it to be too leading in its conclusions. The Member therefore suggested that a spread of outcomes according to certain basic assumptions be presented in due course. He urged particular caution when considering the working from home assumptions in the medium to longer term. Officers responded to state that they agreed in that any study for the planning system involved considering long time frames and that this study would involve looking up to 2051 in terms of employment statistics and translate this into what sort of square meterage of office space might be needed and what sort of demand there might be by that stage. It was therefore

difficult to reach a level of specificity. Officers explained that, typically, planners opted for the upper mid and lower ranges depending on numerous variables. This study would build in a number of different options and assumptions based on different potential patterns of home working to come up with a scenario-based range of results. The study would set out how conclusions had been reached and the assumptions that sat behind these.

Another Member stated that substantial surveys had now been undertaken with employers as to working from home patterns and underlined the importance of therefore basing this study on reality versus hope. The Member went on to refer to opportunities to repurpose older or inefficient office stock and questioned whether Officers hoped to simply identify stranded assets or to opine upon the ways in which those might be repurposed generally. Officers clarified that the consultant was not being asked to identify individual buildings but to provide a broader feel to the extent to which there were stranded assets in the City. Where stranded assets existed, Officers were looking to get a feel for whether it was viable to repurpose these for office or alternative use. In terms of alternative use, it would be for the Local Plans Sub-Committee to determine what the most appropriate alternative use would be.

A Member stated that it would clearly be useful for the Local Plans Sub-Committee to have as much information as possible. She went on to note that the report commented on the spread of development over the period identified and showed that 2026 showed a period of 'levelling off'. She added that, with the permissions already granted, the figures at the beginning of 2023 were over 1.25 million square meters with a target of 1.5 million square meters up until 2026. She therefore questioned whether it would be appropriate for the Local Plans Sub-Committee to discuss these targets further and whether there should be a stretch target given that it would appear, from applications still in the pipeline, that this 2026 would be well exceeded way in advance of this date. Officers explained that the targets set out were not hard and fast targets but were intended to act as a guideline. They added that the targets were frontloaded because Officers were aware of what applications were coming forward over the next 5-10 years but not necessarily of much beyond this. They added that some of the permissions already granted may also still fail to come forward within the timeframe anticipated or indeed may not come forward at all. Officers went on to speak of the Eastern Cluster highlighting that, with the demolition of a building there, the City's figures would show a net loss on that site. Officers stated that, in due course, they would seek to present figures over a longer period of time to the Local Plans Sub-Committee which would demonstrate that, taking into account demolitions and other changes, targets were never actually met or exceeded.

The Chairman noted that it was important to realise that these targets were also driven by market forces.

A Member questioned whether the Committee might have, on a bi-annual basis, data setting out which schemes were currently under construction, which schemes had been commenced but paused, which schemes had been consented by this Committee but not yet commenced and also details of the

impact of any demolitions. It was felt that this would better demonstrate the fact that this was always a moving target. Officers highlighted that they already published a variety of monitoring reports on an annual basis setting out this type of information and were currently in the process of reviewing how they did so. They stated that figures could be shared with Members on a more regular basis going forward.

RESOLVED – That Members note the report.

8. **AWAYDAY**

The Chairman updated the Committee on the forthcoming awayday set for 27th January.

He explained that the day would focus on four distinct areas of Policy (Sustainability and Climate Action, Policy Framework, Destination City and Infrastructure) and encouraged as many as possible to attend in person on the day to contribute to discussions in a more informal setting. He reported that Professor Peter Sharratt would be facilitating and leading the day.

RECEIVED.

9. **BUSINESS PLANS 2022/23: PROGRESS REPORT (PERIOD 2, AUGUST-NOVEMBER) ***

The Committee considered a report of the Executive Director, Environment providing an update on progress made during Period Two (August-November) 2022/23 against the High-Level Business Plan 2022/23 for the service areas of the Environment Department which fall within the remit of this Committee.

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

10. **PUBLIC LIFT REPORT***

The Committee considered a report of the City Surveyor outlining the availability and performance of publicly accessible lifts and escalators monitored and maintained by City Surveyor's, in the reporting period 3 November 2022 to 14 December 2022.

A Member referred to the London Wall West lift and highlighted that the report suggested that a fault was rectified in November 2022 with the lift running successfully since that time. He stated that, unfortunately, this was not his experience and that, whilst the doors opened, the lift failed to move. He therefore questioned how these statistics were gathered and whether they were dependent upon the lifts 'self-reporting' faults. The City Surveyor reported that a further fault had been identified on the London Wall West lift which had now been rectified rendering the lift fully operational once more. He commented that there was an ongoing issue with gaining access to this particular lift motor room within 1 London Wall when faults arose. With regard to the wider question on reporting figures and the system generating these, the Officer undertook to gather further information on this before reporting back.

RESOLVED – That Members note the report.

11. **OUTSTANDING ACTIONS***

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

Member Training

Officers reported that the Member training programme that had run previously was now to be reinstated and would focus on a variety of technical and live issues relating to Planning. The programmes would be run on a quarterly basis and would be offered using both in-house and external expertise where appropriate. Officers undertook to present a more detailed plan to Members at the March Committee.

A Member asked if a link to the SharePoint site that contained recordings of all previous training sessions could be shared with the Committee in advance of the launch of the new programme. The Town Clerk undertook to circulate this information to all.

RECEIVED.

12. **MINUTES OF THE STREETS AND WALKWAYS SUB-COMMITTEE***

The Committee received the draft public minutes and non-public summary of the Streets & Walkways Sub Committee meeting on 8 November 2022.

RECEIVED.

13. **REPORT OF ACTION TAKEN***

The Committee received a report of the Town Clerk advising Members of action taken by the Town Clerk in consultation with the Chairman and Deputy Chairman, in accordance with Standing Order Nos. 41(a) and 41(b) since the last meeting of the Planning & Transportation Committee.

RESOLVED - That Members note the action taken since the last meeting of the Committee.

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

Recycling of old building materials

A Member commented that he had recently passed the Charterhouse School site where new sash windows had been installed and had questioned those on site as to what happened to the wooden frames of the old windows. He reported that he had been disappointed to learn that these were disposed of in a rubbish skip as opposed to being reused in some manner. He therefore asked Officers to confirm whether there was a process in place to ensure that recycling of materials was happening and was enforced in any way.

Officers reported that this was monitored for major applications and was based on London Plan Policy where conditions were attached that required applicants to demonstrate that targets had been met in terms of recycling and reuse of materials at various different stages during the course of development through to occupation. Officers highlighted that they were also seeking to develop a

new condition that would help to design out construction waste on minor applications where there was substantial demolition.

(The Deputy Chairman left the meeting whilst this matter was under discussion owing to a professional conflict of interest with regard to Charterhouse School)

15. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT
40 LEADENHALL STREET S278 HIGHWAY WORKS – AMENDED LAND
ADOPTION REQUEST**

With the permission of the Chair, the Committee considered a late, separately circulated report of the Executive Director, Environment.

Officers reported that, as part of the Section 278 project at 40 Leadenhall Street, it was proposed that the City adopt a section of private highway at the corner of Fenchurch Street and Fenchurch Buildings to become public highway. Approval to alter the area of the previously agreed land adoption (originally agreed to in 2014) sits with the Planning and Transportation Committee. This report therefore asked Members to consider this amended adoption. It was reported that the other elements of the Section 278 project were being considered by the Streets & Walkways and Operational Property & Projects Sub Committees in January 2023 so that the Section 278 agreement can be signed, and funding exchanged. The amendment proposed was in order to make the area in question easier to maintain for both parties.

A Member questioned the logic of this proposal and including part of the paved area within the amended adoption. Officers stated that any pavement here was likely to be part of the overhang of the building around the private entrance. They added that the blue area on the plans circulated would be seen as public highway whether it formed part of the amended adoption or not. Officers highlighted that the green line around the development was part of the original public highway boundary. However, the building line in the new development had receded. It was now therefore proposed that the space between the red and green line be adopted which was currently private land.

Another Member questioned whether the curved line on the plan was indicative of a curb line and, if so, what the logic of adopting some of the paved area here was.

Following discussion as to the sequencing of the report, Officers explained that, as set out within the paper, this was a small aspect of a wider matter to be considered by Streets and Walkways at their next meeting later this month. It was only in drafting the report to the Sub-Committee that it became apparent that this particular aspect fell outside of the remit of the Streets and Walkways Sub-Committee. He added that, if Members were so minded, they would ask that the entire matter be delegated to the Streets and Walkways Sub-Committee to consider in its entirety. Members were unanimously supportive of this course of action.

RESOLVED – That this aspect of the wider 278 project for 40 Leadenhall Street, specifically whether to agree to adopt the amended area of private land

highlighted in Appendix 1 as public highway, be delegated to the Streets and Walkways Sub-Committee.

16. **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.

| Item Nos | Paragraph No(s) |
|----------|-----------------|
| 17 | 3 |
| 18 | 3, 5 & 7 |
| 19 | 3 |
| 20-21 | - |

17. **COMMUNITY INFRASTRUCTURE LEVY AND ON-STREET PARKING RESERVE GOVERNANCE***

The Committee received a report of the Executive Director, Environment setting out new governance arrangements for the allocation of the Community Infrastructure Levy and On-Street Parking Reserves.

18. **DEBT ARREARS - ENVIRONMENT DEPARTMENT (P&T COMMITTEE) ***

The Committee received a report of the Chamberlain informing Members of arrears of invoiced income as of 30th September 2022 and providing an analysis of this debt.

19. **NON-PUBLIC MINUTES OF THE STREETS AND WALKWAYS SUB-COMMITTEE***

The Committee received the draft non-public minutes of the Streets & Walkways Sub Committee meeting on 8 November 2022.

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

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

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

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

The meeting closed at 11.46 am

Chairman

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