

PLANNING AND TRANSPORTATION COMMITTEE
Tuesday, 5 November 2024

Minutes of the meeting of the Planning and Transportation Committee held at Livery
Hall - Guildhall on Tuesday, 5 November 2024 at 10.30 am

Present

Members:

Deputy Shравan Joshi MBE (Chairman)
Graham Packham (Deputy Chairman)
Michael Cassidy
Mary Durcan
Deputy John Edwards
Deputy John Fletcher
Deputy Marianne Fredericks
Amy Horscroft
Alderwoman Elizabeth Anne King, BEM JP
Deputy Natasha Maria Cabrera Lloyd-Owen
Deputy Charles Edward Lord
Eamonn Mullally
Alderwoman Jennette Newman
Deborah Oliver
Alderman Simon Pryke
Ian Seaton
Hugh Selka
Shailendra Kumar Kantilal Umrada
William Upton KC
Jacqui Webster

Officers:

Simon Owen	- Chamberlain's Department
Isobel Tucker	- City Surveyor's Department
Ian Hughes	- Environment Department
Rob McNicol	- Environment Department
Bruce McVean	- Environment Department
Aggie Minas	- Environment Department
Gwyn Richards	- Environment Department
Katie Stewart	- Executive Director, Environment
Peter Wilson	- Environment Department
Callum Southern	- Town Clerk's Department

1. APOLOGIES

Apologies were received from Ian Bishop-Laggett, Jaspreet Hodgson, Deputy Brian Mooney, Deputy Henry Pollard and Judith Pleasance.

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

No declarations were made.

3. **MINUTES**

The Town Clerk suggested the removal of the yellow highlighting on paragraph 3 of Item 8, removing Zoe Lewis and adding Blair Stringman as the clerk and adding the conclusion time of the meeting of 2:25pm. The Committee agreed to the amendments.

RESOLVED – That, the public minutes of the previous meeting held on 04 October 2024 be approved, subject to agreed amendments, as an accurate record.

Matters Arising

A Member raised concerns about lighting displayed the night before from 22 Bishopsgate as residents in the London Borough of Southwark had complained and queried whether the 24/7 noise complaint line dealt with the issue of light pollution. The Member indicated that, if it did, it needed to be advertised on the website. Officers indicated they had received similar complaints with videographic evidence and Officers were investigating it. Officers also clarified that, while the 24/7 line was there to deal with noise complaints, unusual occurrences or other disturbances should be followed-up on.

Another Member indicated that the events phonenumber and email address for the 22 Bishopsgate building was not maintained 24/7 and a number of people had complained about it the night before. Officers indicated they were meeting with representatives of 22 Bishopsgate that afternoon and assured they would raise the issues discussed.

4. **TFL LOCAL IMPLEMENTATION PLAN FUNDING APPLICATION 2025/26 - 2027/28**

The Committee received a report which covered the City of London Corporation's application for Transport for London (TfL) Local Implementation Plan (LIP) funding for financial years 2025/26, 2026/27 and 2027/28. The report sought approval to submit an application for £5.4m to TfL for LIP funding over the three-year LIP programme, which included £1.575m for the 2025/26 financial year. £480,000 was formula or base funding and a further £1,095,000 was within TfL 'discretionary' funds which required a business case to be submitted to TfL. The report also sought approval to spend the 2025/26 allocation if it was approved by TfL in March 2025.

Officers told the Committee that it was the three-year submission to TfL that would set out what the Corporation would do with the money allocated to it and there was an amount of base funding. There was also an additional pot of

money which could be bid for, particularly under road danger reduction criteria and cycling network criteria.

A Member referred to ongoing effort to combat public urination at Fann Street and queried whether public urination prevention could be built into the proposed Healthy Streets Scheme as it would be welcomed by Officers and residents alike. Officers indicated they were aware of the issues on Fan Street and were in discussions with cleansing colleagues about preventative measures.

Another Member asked whether the increasing road safety on Ludgate Hill and the public realm work planned for the junction at Old Bailey were aligned. Officers confirmed that the designs for Old Bailey/Ludgate Hill would consider anything else planned in the area so as to not undermine public realm works.

A Member expressed they were delighted with the cycling provision detailed in the report but asked what the cycling training referenced to would entail as there were regular reports of dangerous cycling and reiterated the need for cyclists to develop good behaviours. Officers stated they were actively working with the police on the road danger reduction action plan to try to target those who were not voluntarily behaving well. The training was aimed primarily at those who were willing to behave better.

The Committee heard a number of a responses from Officers in response to a Member's questions pre-Committee. The Member had asked if the cycling infrastructure on Queen Victoria Street would be compatible with the Puddledock SPD. Officers confirmed it would be. He had also asked why the funding for the micro parking had seemed low. Officers had explained that it was allocated by TfL and they were in the process of securing more funding for additional micromobility parking.

It was raised by a Member that the City had focused on training for cycle use on the road but had not discussed bike repair and maintenance and emphasised the value of it, especially as other local authorities had focused on it. Officers indicated there had been Dr Bike training provided at roadshows with the police and committed to publicising that more widely.

RESOLVED – That, Members:

- Approved the contents of the LIP funding application covering the years 2025/26 – 2027/28, as set out in Table 1 of the report.
- Approved the spend total up to a maximum of £1,575,000 for 2025/26, as set out in Table 1, subject to final allocation decision from TfL in March 2025.
- Authorised the Executive Director Environment to approve minor changes to the submission following informal feedback from TfL in January 2025.
- Authorised the Executive Director Environment to reallocate the TfL grant between the approved LIP schemes, should that be necessary during 2025/26, up to a maximum of £250,000.

5. **DOMINANT HOUSE FOOTBRIDGE FUTURE OPTIONS - GATEWAY 6 OUTCOME REPORT**

The Committee received a Gateway 6 project report which sought the closure of the project to repair a fault on City Walkway footbridge over the highway which had led to spalling on footbridge support.

Officers informed the Committee that the project had suffered time delays, partly due to poor performance of the contractor and due to the procedures in advance of works which led to a loss of TfL funding.

A Member questioned who had been burdened by the cost of the delay. Officers explained some of the cost had been pushed back to Conway, but the increase in prices and the total cost had come from the Off-Street Parking Fund.

The Member emphasised the need to push contractors hard when they fell short of completing projects and ensure they know they are expected to make reasonable compensation.

The Chairman noted there was a conscious political decision, on the City's part, for the delay as there was a projects review at the time to ensure there was a good understanding of where the City was at. A Member suggested a note be added to the paper to reflect that a decision had been taken to delay. Officers assured that they pushed back on the cost from the contractor, but the real issue was programme delays and poor management from sub-contractors. Offices confirmed they were not able to make any penalty charges as a result.

RESOLVED – That, Members approved:

- That the project was closed.

6. **BUSINESS AND PLANNING ACT 2020, AS AMENDED BY LEVELLING UP AND REGENERATION ACT 2023 - ALFRESCO DINING POLICY 2024**

The Committee received a report that sought approval of the Alfresco Eating and Drinking Policy and noted it had been out to consultation from 16 September to 13 October 2024 following a decision on 23 July 2024 by the Planning and Transportation Committee to consult with the public and responsible authorities for 4 weeks.

Officers presented the report and noted there were proposals to amend the policy as a result of the consultation in regard to the provision of free pre-application advice to applicants and noted there were some comments made by responsible authorities, including counterterrorism advisors and the City Corporation's legal advisor. Officers also noted there were issues raised around accessibility, music and noise and special areas for consideration, but they were covered in the policy.

The Chairman suggested there was a broader piece of work of alfresco dining being carried out by HM Government at the time. Officers confirmed that the Home Office had carried out a consultation looking to align pavement licensing with premises licensed for alcohol sales. Consultation responses were currently under analysis and Officers had not heard anything back yet.

A Member expressed concerns with the policy's application in residential areas where the start time and end time was 7:00am – 11:00pm as it was a narrow window for residents to get 8 hours sleep and stated that if set up of furniture occurred before 7 and the storing away of furniture after 8, the potential noise from moving furniture could eat into the 8-hour sleep window in residential areas.

A Member moved a motion to amend Appendix 1, Paragraph 3.7 on Page 43, Appendix A of Appendix 1, Paragraph 4 on Page 55, and Appendix A of Appendix 3, Paragraph 4 on Page 104.

MOTION: A Member proposed an amendment that Paragraph 3.7 on Page 43 stipulate at the end of the paragraph that “the setting up and clearing away of furniture must be carried out within the licensing hours.” The Member also proposed another two amendments on Paragraph 4 on Page 55 that read before the existing text “Furniture must not be set up on the pavement before the permitted start time of the pavement licence” and after the second sentence “Where an earlier end time is specific, the furniture must be removed from the highway before the permitted end time.” The Member also proposed another two amendments on Paragraph 4 on Page 104 that read before the existing text “Furniture must not be set up on the pavement before the permitted start time of the pavement licence” and after the second sentence “Where an earlier end time is specific, the furniture must be removed from the highway before the permitted end time.”

A Member seconded the Motion.

The Chairman opened the floor to debate the Motion.

A Member stated it was a bit of a wider issue than just residential areas as noise sensitive areas were also important and noted the consultation results indicated that 52% of respondents wanted the policy hours to remain the same while 48% wanted the policy change. The Member also highlighted that 58% of respondents thought the City Corporation could do more to prevent noise nuisance on pavement areas and 66% of respondents felt some areas of the Square Mile needed special consideration. The Member emphasised the need to balance business and residents' interests better and understood why some premises may wish to have earlier or later opening and closing hours, but stated that the current licensing policy ensured that residents had an expectation of a good night's sleep from 11:00pm to 7:00am inside the premises. The Member noted the issue was there was nowhere to store outdoor furniture in many premises unless they're out on the pavement, so whilst closing hours might be 9:00pm, that would make a racket at 11:00pm dragging these things in. The Member indicated there needed to be something

in the paper to make it clear to applicants that they would not have carte blanche from 7-11 and there should be special consideration for noise sensitive areas – given consultation responses support that change, we should be looking at that change.

The Chairman sought clarity from Officers over whether the cutoff time for serving at venues meant the furniture would have to be cleared up at the cutoff time or merely have stopped serving. Officers explained it depended on individual circumstances and there was a standard condition for all furniture to be removed by 11:00pm.

The Chairman queried if furniture could still be left outside until 11:00pm if there was a cutoff for alfresco dining of 7:00pm and whether point 3.7 of the policy would be activated in areas considered sensitive. Officers explained furniture could be left outside if there was no condition which required that condition to be brought in and confirmed the policy would be activated in areas considered sensitive.

A Member expressed caution about applying rigid rules concerning noise as there were some places in the City where permission had been given for enclaves in areas, where there were traditionally no residents, for food and beverage provision and a few residents moving to the area could change the rules which was not the same situation as areas which had traditionally always had residents.

Another Member discussed the agent of change principle and explained that if a large number of residents moved into an area and requested a long-standing business or public house be closed down early, they would not be able to do it as the agent of change principle which was called out in the Local Plan prevented that.

The Member also clarified that the alfresco policy stated that the furniture must be removed from the authorised area by the license holder by 11:00pm unless an earlier time was specified on the license and the furniture must be stored off the highway every evening and the Member felt this covered the issue of furniture being left out before 11:00pm. Officers agreed it did and explained, with regard to earlier start times, that Environmental Health was one of the consultees and they had access to all the noise complaints. If Environmental Health were aware of sensitive receptors nearby, they would comment on that and Officers would be in a position to set a condition of a later start time on the premises near a residential area or sensitive noise receptor. Officers also explained they could condition the time on when furniture would be put out or brought in for storage and that time could be set later than 7:00am or earlier than 11:00pm.

A Member indicated there was a difference between policy and the application of policy on the ground and wanted to ensure that businesses were not buying furniture without understanding that they may need to store them inside after service has stopped outside. The Member stated it needed to be made clear that there were caveats to the 7am – 11:00pm alfresco dining license related to

residential areas and sensitive areas and emphasised the need for applicants to be clear that an agreed license could have caveats.

The Member also sought clarity on policy regarding outdoor heaters and stated they were in conflict with policy and against the City Corporation's climate change agenda.

The Chairman queried whether any concerns were raised at Licensing Committee the week before on the alfresco licensing policy presented to the Committee. Officers confirmed no concerns were raised.

A Member explained, as a Member of the Licensing Committee, that they wanted to ensure Officers had as much flexibility as possible on the alfresco dining policy and felt it would produce the happiest outcome for all stakeholders.

The proposing Member sought clarity that the item was 'For Information' when discussed at Licensing Committee. Officers confirmed the report was 'For Information' when discussed at Licensing Committee.

The proposing Member indicated their proposal was to provide further clarity for residential areas and sensitive areas and ensure that, should pavement licenses be granted between 7:00am and 11:00pm, receive a clear 8 hours of rest.

The Town Clerk read out the proposed amendments made by the Member.

Having fully debated the Motion, the Committee proceeded to vote on the Motion to Amend before them.

Votes were cast as follows: IN FAVOUR – 11 votes
OPPOSED – 5 votes
There were 0 abstentions.

The Motion to Amend was therefore carried.

The Chairman brought the discussion back to the substantive item.

A Member emphasised the need for the licensing condition to be about the mutual flourishing of business and residential and, while the historic context was important, importance also had to be placed on what was happening in the present day.

Another Committee Member raised concerns and sought justification regarding free pre-application advice as it did not have funding and suggested it would be appropriate to include a fee given businesses were applying for licenses to earn revenue or, at the very least, be net neutral in terms of staff cost or actual expenditure. Officers explained it was an outcome from the consultation and pre-application advisory sessions which had led to streamlined applications. Currently, Officers did not know the cost of the service at this stage, but

committed to a full cost analysis and that would scope in how many requests had been received for pre-application advice.

The Member followed up and queried why pre-application advice should be provided at cost by the City Corporation planning team. Officers suggested the use of the word 'free' was not quite accurate and stated they were not charging up front, but the cost was scoped on a cost-recovery basis.

The Vice Chairman noted that the consultation results were not referenda, but believed that informal discussions needed to be encouraged to ensure time was not wasted on both sides, but agreed that substantive effort should not be expended on pre-application advice without charge. Officers explained that 87% of the respondents lived in the area, 74% worked in the area and only 16% had a business in the area.

The Chairman suggested he was comfortable backloading the pre-application advice cost into the actual application if Officers could confirm costs were recovered during the actual application, especially as it may encourage SMEs into the Square Mile.

A Member drew attention to a condition which required licence holders to clean the authorised area regularly to prevent staining by anything done pursuant to the licence and suggested it must be better defined what applicants had to do ensure the authorised area was clean and what the cost would be if the City did it. Officers explained it would be difficult to define as it would be different for each business, but Officers confirmed they actively engaged with licensees. Officers confirmed they would ask staining to be cleaned if found and there were some recharges back from the cleansing services which were incorporated in the cost recovery calculations.

The Member queried why small premises would be punished and why a cost for the whole service would be implemented as a result of recharges back from the cleansing services.

The Chairman sought clarification on the policy paper and indicated the generic terminology gave Officers freedom to regulate more specifically on individual applications. Another Member suggested the policy should explicitly state the need for generic terminology.

RESOLVED – That, Members:

- Noted the report, and the changes made to the Alfresco Eating and Drinking Policy (Appendix 2) having considered the comments of Responsible Authorities.
- Agreed the proposed changes, contained in the Consultation Analysis (Appendix 3), with the agreed amendments as stated in the approved Motion.
- Approved the Alfresco Eating and Drinking Policy (Appendix 1), with the agreed amendments as stated in the approved Motion.

7. PUDDLE DOCK PLANNING BRIEF

The Committee received a report which recommended that approval was granted to commence the drafting of a Planning Brief for the area known as Puddle Dock and noted that the Planning Brief would, upon adoption, constitute a Supplementary Planning Document (SPD) in line with the Local Plan 2015 and the forthcoming City Plan 2040.

A Member indicated something needed to be done in the area and highlighted it was the site of the single largest rough sleeping location in the City. The Member noted that due consideration needed to be given to this as it was a very sensitive area that needed to be recognised in any work done. Officers informed they would work cross-corporately on all solutions going forward before development commenced.

Another Member suggested it was an exciting development opportunity and emphasised the need for the planning brief to ensure the City could engage effectively with prospective developers and ensure the various needs of all the stakeholders, particularly the schools, were met.

The Committee also heard a response to a Member's question over whether there would be an emphasis on preservation and public display of any historic building remains. The Member confirmed they had been informed by Officers that was the intention.

It was suggested by a Member that Officers considered adding two explicit mentions to Paragraph 6, Page 121 of housing and culture. Officers explained that the current 2015 Local Plan had a generic Thames policy area that discussed the City's boundary with the River Thames itself and Officers indicated that Key Areas of Change had been approved by the Committee previously. Officers noted one of these was Blackfriars and policy S18 within the draft City Plan 2040 did set out the desire to promote the comprehensive redevelopment and refurbishment of existing buildings to provide new high-quality office and commercial accommodation. Officers further noted that the policy encouraged new cultural, leisure and recreation facilities and culture was very much front and centre of any plan that would complement S18 and Officers expected that to be adopted through EIP next year. Officers stated that the SPD would be complimentary to that policy if it were adopted, and it did not include housing to be delivered on the site as it was not designated as a residential area and the policy was explicit that the location was a strategic commercial and office development location.

The report was welcomed by a Member as a starting point for the future of the paddle dock and was surprised not to see reference to the possibility of relocating the City of London School for Girls to the site and suggested the current site of the Girl's School would make for a good addition to housing in an

area which was already designated for housing. The Member asked Officers to bear this in mind and also indicated there was an opportunity for sporting facilities at the paddle dock site that could be used by the schools and the general public. Officers explained the consultant would be appointed to consider a broad range of land uses within the scope of the then adopted or emerging policy and indicated they were mindful of the opportunity the site provided for a number of riverside sporting opportunities that may, or may not be, deliverable. Officers stated they could not speak for the Corporation's ambitions for the Girls or Boys school but noted the point made and suggested that the sports facilities currently at the Boys School were located next to White Lion Hill which would most likely need to be replaced through the development and could be an opportunity for the facilities to be made more public.

The Chairman declared that he was a Board Member of the City of London Girls School.

A Member indicated the Committee could confidently expect that there would be very substantial CIL (Community Infrastructure Levy) receipts which would go toward affordable housing and felt it would be a much more effective way of providing affordable housing than trying to establish affordable housing where land prices were very high. The Member stated this was the reason why the Committee should continue to look at the commercial side looking at the project. Officers explained that CIL was not used for affordable housing but affordable housing contributions were taken through Section 106 payments from commercial developments.

A Member supported the need to maximise the potential of the site and noted the area at South Bank was a successful example that had a significant cultural involvement and suggested that if housing in the area enabled the City to raise money for the provision of better-quality housing in other parts of the City, that might be a smart option.

The Chairman sought clarity to ensure anything agreed at Committee still fit within the City Plan, still recognised the areas identified for office space and housing, and was not a bypass of the Plan. Officers confirmed a policy was not being established by this decision and the policy had already been established with the Key Area of Change and the adopted Plan policy that advocated an office and commercial-led development on the site. Officers noted that some of these sites were some of the most valuable commercial office sites as they were river-facing and that was the basis of the policy agreed by the Court of Common Council.

A Member asked for a more visionary approach with regard to the office development-led sites and what else the site might be able to provide as cultural, sporting benefits or any other developments that may come forward during a planning briefing stage so opportunities were not ruled out at the early stage while acknowledging it was an office development-led approach. Officers indicated there were substantial elements of office building on the site and were aware of the potential for redevelopment and refurbishment. They also noted that the site had a number of opportunities, potentially scope to improve and

connectivity and experience of the station, and had significant vertical constraints such as valuable archaeological finds and St. Pauls heights which will drive viability of what was deliverable on the site. Officers explained that the pre-eminent opportunity was to revitalise the area through the removal, remediation or improvement of the 1970s highways works, but the brief that would go forward would align itself with the draft policy which included provision for culture, arts and public realm enhancements. Officers clarified that the policy stated it was to provide new high-quality office and commercial accommodation.

RESOLVED – That, Members:

- Approved the commencement of a draft Puddle Dock Planning Brief.

8. INFRASTRUCTURE FUNDING STATEMENT CIL/S106 2023-24

The Committee received a report which presented the City's Community Infrastructure Levy (CIL) and Section 106 (S106) planning obligations infrastructure funding statement at the end of the financial year 2023/24.

A Member indicated it was not clear in the report as to what extent there were plans for future expenditure, especially as Section 106 contributions could be claimed back if they were not used. Officers explained they were commitments to spend on, and develop, affordable housing under S106 agreements on various estates that the City Corporation owned and were happy to speak to colleagues who reported to the Community & Children's Services Committee to share information with Members.

RESOLVED – That, Members:

- Noted the content of the report and approved the infrastructure list at paragraph 19, repeated at section 4 of the Infrastructure Funding Statement, for publication on the City's website.

9. CITY FUND HIGHWAY DECLARATION: 65 GRESHAM ST, LONDON, EC2V 7NQ'

The Committee received a report which sought approval to declare a volume of City Fund owned airspace 26.16 sq ft / 2.43 sq m situated at 65 Gresham St, London, EC2V 7NQ, to be surplus to highway requirements to allow its disposal in conjunction with the consented development. The report noted that the consented development included the provision of a doorway canopy on the corner of Aldermanbury and Love Lane.

RESOLVED – That, Members:

- Resolved to declare a volume of City Fund owned airspace totalling 26.16 sq ft sq ft situated around 65 Gresham St, London EC2V 7NQ, to be surplus to highway requirements to enable its disposal upon terms to

be approved under the Delegated Authority of the City Surveyor
SUBJECT TO

- the City Surveyor and Deputy Director of Transportation and Public Realm first determining the relevant ordnance datum levels to suitably restrict the vertical extent of the leasehold airspace demise.

10. *** RISK MANAGEMENT UPDATE REPORT**

The Committee received a report which sought to provide assurance that risk management procedures in place within the Environment Department were satisfactory and met the requirements of the Corporate Risk Management Framework.

No questions were received.

RECEIVED.

11. *** ANNUAL ON-STREET PARKING ACCOUNTS 2023/24 AND RELATED FUNDING OF HIGHWAY IMPROVEMENTS AND SCHEMES**

The Committee received a report on action taken in respect of any deficit or surplus in its On-Street Parking Account for a particular financial year.

No questions were received.

RECEIVED.

12. *** FINANCE PROGRESS REPORT (Q2 JULY - SEPTEMBER) 2024/25**

The Committee received a report which provided an update on the Planning and Transportation Committee's 2024/25 local risk budget position as at the end of September 2024.

No questions were received.

RECEIVED.

13. *** TO NOTE THE DRAFT MINUTES OF THE STREETS AND WALKWAYS SUB-COMMITTEE MEETING HELD ON 01 OCTOBER 2024**

The Committee received the draft minutes of the Streets and Walkways Sub-Committee meeting held on 01 October 2024.

No questions were received.

RECEIVED.

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

A Member raised a question regarding a build-up of Lime and Forest bikes at the junction of London Wall and Bishopsgate and queried whether they were considered an obstacle. The Member also suggested a conversation needed to be had on how to deal with the obstructions and referred to actions taken by other Local Authorities who had taken them off the highway and stored them and considered whether there were existing powers for removal as there were with the removal of furniture under the pavement licensing scheme. Officers noted they appreciated the challenges of dealing with the issue of dumped bikes and reported that the legal position of the Comptroller and City Solicitors had been consistent that there was currently no statutory power to regulate dockless bike parking and, therefore, could not prevent the companies from operating. Officers explained there were other routes through statutory legislation, but measures such as prosecution through obstruction would be a magistrate's court issue and such a measure would be against an individual who had dumped the dockless bike, not the operator. Officers further explained, with reference to the street furniture enforcement process, that the process targeted the individual and, as street furniture did not tend to move, the enforcement could easily be carried out. However, by the time notice was to be given on dumped dockless bikes, they had usually been moved, and the giving of notice was not equivalent to removal. Officers stated there was room in legislation to allow for immediate enforcement if there was deemed to be a danger and removal and storage costs could be recouped, although evidence had to be gathered for that action. Officers indicated there was a question over how feasible and effective that would be and informed Members that the experience across the board from local authorities, who had tried the immediate removal approach, was that operators would not pay for the release of the bikes and would not bother to reclaim them as the scale of the fleet would be unaffected by such an operation to remove the bikes. Officers noted they had tried a similar operation before Covid which led to storage areas filling up before the operations of dockless bike operators were affected and there had been occasions where the legality of such removals had been challenged. Officers stated that Local Authorities were looking to strengthen their hand in discussions with the operators and immediate removal had only been used to deal with immediate issues and to fund an immediate removal process at the City would entail a significant cost that sat outside of the current resource allocation. Officers stated that it was also not an income generation opportunity as the City could only legally recover its own costs. Officers informed the Committee that over 20 London Boroughs were in discussions about a pan-London contract which was led by London Councils and Transport for London that would enable more control, better management and more constraints on operators. Officers discussed the expanded number of bays they had provided to address the problem, from 17 bays with 204 spaces in 2023 to 87 bays with 660 spaces currently and an additional 300 spaces would be installed by March 2025 and an extra 700 by the end of next year, with funding contributed by the operators. Officers also stated a new communications route was also going to be launched to ensure members of the public and Members could report issues which would then be reported to the operators. Officers drew attention to a recent success outside Bishopsgate Plaza where the geofencing process used

was effective and resulted in a considerable number of bikes being moved and then prevented from returning. Officers informed the Committee that a curb space review was underway and Officers were lobbying the Government for new legislation, alongside working with London Councils on the pan-London contract of which a reduction in the dockless bike fleet was key to the negotiations. Officers also stated they were pressing for more data from the operators on how they were running their systems and were looking to conduct cycle campaigns to press the need for considerate parking of cycles by users. Officers explained that they would not rule out blitzes of enforcement and were also looking at the use of environmental enforcement powers rather than obstructions to hold operators to account.

Officers emphasised the need to engage with operators as they could not enforce their way out of the problem and current legislation made it very difficult to do as it did not currently allow them to simply remove bikes off the street, store them, and then recover the costs. Officers noted that Members raising questions about the issue was ensuring operators were reminded of the issue.

The Chairman asked Officers to prioritise the actions that could be taken and set them out for approval at the Streets and Walkways Sub-Committee so Officers could move on enforcement. The Chairman also indicated the suggested actions needed to be graded in order of severity. Officers confirmed this could be done.

A Member discussed the issue of geofencing, and highlighted London's bicycle hire scheme was not a problem as there was a limited number of racks and suggested the companies had the ability to determine how many bikes could be in a particular spot and block once a limit was reached. Officers explained the City had geofenced parking areas for cycles since 2019 and the challenge was the demand far outstripped the parking available which was why it was crucial to work with operators to improve the existing parking bays available. Officers noted the systems put into place by operators did not always operate as they should do and once operators began to fine users for dumping dockless bikes, the situation would likely resolve itself. Officers suggested that bikes being required to be left in designated bays and geofencing those bays was the right basis to build upon and that would likely be the basis on which the pan-London contract would be formed. Officers stated it was important to improve the effectiveness of the fining mechanism to increase compliance and get operators to improve their response to situations rather than waiting for them to be reported.

Another Member suggested that the use of an enforcement surge may be helpful to send a clear message to operators and reassure concerned members of the public.

The Member welcomed the increase in parking bays and asked what assessment had been made, by Officers and operators, of the appropriate number of parking bays that would be needed in the City to address the problem and queried how the current and pipeline number of bays compared with such an assessment. Officers confirmed work was underway to determine

that and explained all available curb space had been examined to see where parking spaces could be provided. Officers also explained they would maximise the number of parking spaces and stated that operators would have to match the size of their fleets to the availability of parking as, currently, there was a mismatch between the two. Officers noted this would be addressed in the pan-London contract and there should be enough capacity should the parking bays planned be delivered.

It was noted by a Member that geofencing had been installed on the high walks as cycling at the Barbican was prohibited, but they still came across dumped cycles occasionally and suggested there was something that did not work quite right. Officers explained that dockless bike user could choose to end their ride wherever they wanted and may well get fined for that. If it was in the no parking area, those users would continue to be charged for a period of time. Officers noted the high walks were a good example as they had worked with operators on that, but there was always potential for bikes to be left somewhere and would either take a financial hit, or would not be aware of the restriction and would not do it again once the fine has been received. Officers indicated Bluetooth technology may be able to assist in future, but there was some drift with GPS which was why tolerances were in there and they were particular issues around certain areas of the City with taller buildings.

The Chairman questioned how much a one-off purge would cost and requested a decision be put before Members on it.

A Member requested the need for a more up-to-date approach to enforcement as, while the bikes were welcomed in themselves, were causing a significant reputational and health and safety problem and that had to change. The Member questioned whether there was an ability to use monies from the on-street parking account to support an enforcement option. Officers explained they would look at the prioritisation aspect of actions for Streets and Walkways Sub-Committee and confirmed they had estimates from contractors of what would be required and would discuss appropriate funding with the Chamberlain's Department.

Another Member stated that the initial introduction of dockless bikes into the City by providers included a limit on the number of bikes. Providers also paid for the parking bays, the bikes were restricted to ensure anything parked outside would be removed in 20 minutes or the hirer would be fined, there was geofencing, and the speed could be limited in certain areas. The Member suggested this showed that it was known what needed to be done and stated that the operator needed to understand that health and safety was important to the City. The Member suggested that when fines were imposed, the City of London could receive 50% of the amount. Officers believed the fines were inconsistently applied and were trying to identify when users were being fined.

The Member also asked for a public meeting at Guildhall with the operators after Christmas so resident and business concerns about the dumping of dockless bikes could be addressed. The Chairman indicated he and the Deputy

Chairman were meeting with operators in the following days and agreed to offer the opportunity to address concerns raised in person.

The Chairman invited a second Member to pose their question to the Officers.

A Member asked what guarantee the City had that any developer would build following approval to demolish. Officers explained the approach was set out by Government through the Planning Policy Guidance (PPG) which accompanied the National Planning Policy Framework and noted there had been a parliamentary debate on the issue in 2022 that led to a House of Commons briefing earlier in the year that dealt with this in relation to housing development. Officers further explained that, as a Local Planning Authority (LPA), the government guidance was clear that requirement of developments to be completed could not be imposed. While there were tests within the applying conditions, which also applied to planning obligations, there must be necessary, relevant to planning, relevant to development permitted, enforceable, precise and reasonable in all other respects. Officers quoted the government position which, within the PPG, stated that conditions requiring a development to be carried out in its entirety will fail the test of necessity by requiring more than is needed to deal with the problem they are designed to solve, such a condition was also likely to be difficult to enforce due to the range of external factors that can influence a decision whether or not to carry out and complete a development. Officers, therefore, stated it was not considered that the LPA had the power to impose completion conditions or covenants to compel a developer to bring forward a development's completion. Officers indicated they were a range of other measures that could be applied in terms of requirements and development benefits and there were different stages. Officers provided an example of a landowner situation, where the authority was in control, where through the development agreement and covenant, that could be applied to that agreement to require schemes to be built out and bonds had been used in large scale regeneration schemes where the Council owned substantial levels of affordable housing that would be demolished and, therefore, had to be replaced through the development agreement. Officers explained that was how the issue could be overcome and, in planning terms, legal agreements and conditions would secure a related in-kind public benefit at certain stages of the development. Officers noted that all permissions were subject to time condition and was usually three years which composed of the implementation in that period. Officers stated that the Levelling Up and Regeneration Act did require developers to provide a commencement notice to indicate expected commencement dates. However, that would require secondary legislation to be brought forward which had not happened to date. The Town and Country Planning Act, according to Officers, did allow for completion notices and these would threaten to remove planning permission after a specific period of time which was a minimum of twelve months. However, Officers noted that these were complex and there were ramifications to their implementation. Officers further explained that if there was a completion notice issued after that period of time, further work would be required to refresh permission, and further development would be unauthorised and could result in enforcement action. Officers stressed that this power was very rarely used at a national level, or in London, as Secretary of State consent was required for their issue and

compensation was likely to be payable and did not guarantee an unfinished development would be finished. Officers explained, therefore, that it would, in effect, be finished as, even if all of those things were considered acceptable at the end, the result would be the rescindment of the permission effectively, so the issue would not be resolved, and it would still end with an uncompleted development. Members were also informed by Officers that the Act did allow for cleanup works if a stalled development had an impact on the amenity of the surrounding area with powers to recover costs in that event. Officers noted there were other measures that would be coming forth in the law, including the potential to decline further determination of applications with a track record of not finishing developments or moving forward with them, but that would require secondary legislation.

The Member requested Officers impose a condition or obligation in the S106 agreement to state 'no demolition can take place unless the owner/developer provides proof of being able to carry out the permission in its entirety' and the Member understood this was done in many other countries and did not hinder development. The Member stated it was an opportunity to show leadership by acting in the interest of the City business and residential communities. Officers responded that they believed such a conditional obligation would be considered to fail the test set out by the Government Planning Guidance and would be something that would have to be addressed at a national level. The Member indicated unfinished developments at Fleet Street and Moorfields was unacceptable and was looking to establish what room there was for ensuring developments were not left unfinished.

Another Member considered whether it was worth reaching out to central government on whether such a condition or obligation in the S106 agreement, requiring proof that completion of development could be achieved, could be adopted. Officers explained this had been the subject of debate for some time and there were hurdles on how it would be enforced as it would be difficult to enforce a bankrupt developer to complete the work, but Officers indicated they would take the suggestion away and have a conversation with the Government when legislation was due. The Chairman queried whether it was the City Corporation's policy to promote this to Government. Officers indicated that could be included in further consultation with the Government if the Planning & Transportation Committee approved such a response.

The Deputy Chairman cautioned on the law of unintended consequences and suggested it may make developers cautious and may mean they will not commence with work until they were able to identify an anchor tenant. The Deputy Chairman suggested this could slow things down within the present system. Another Member suggested developers would not back away as the potential gains were so great and it would ensure they were absolutely serious about going forward.

At this point, the Chairman sought approval from the Committee to continue the meeting beyond two hours from the appointed time for the start of the meeting, in accordance with Standing Order 40, and this was agreed.

A Member questioned what was being done to promote more open green space suitable for trees in the City at the ground level, rather than roof gardens, as they indicated it had become increasingly difficult to find trees that could flourish in the City's public spaces as there was not enough priority imposed on developers to bring forward such greening. Officers explained that biodiversity net gain was important and the Government had introduced a 10% uplift which did not necessarily work in the City context, so a new policy was in place which had introduced for a requirement for three biodiversity units per hectare and had been working with consultants and colleagues to implement that policy on application schemes, but it would take full effect once the City Plan came through for full adoption. Officers further noted that trees had enormous biodiversity benefits and scored highly as biodiversity units, so that was something they sought to promote on the ground floor plain, as well as on upper stories and vertical greening. Another Officer indicated that they did not believe that the arboriculture officer was suggesting the preclusion of trees in a previous application, but indicated it was more a question of selecting the right species and suggested trees had been a significant challenge for decades due to the dense urban network of the City and the subterranean constraints. Officers further explained that creating ground floor space for greenery was the key focus of both the adopted and draft replacement policies and felt the Committee should be proud that 10,000 sqm of additional ground floor public realm in the last five years had been negotiated for and there had been an increase of thirty pedestrian routes and 120 new street trees. The Member noted it was a challenging environment and hoped there would be an announcement around the new forest at 120 Fleet Street and looked forward to other suggestions where the City could be innovative in spaces not currently being used for developments.

The Deputy Chairman noted that planning permission had been given recently for 65 Fleet Street and had noticed the signalised pedestrian crossing had been removed to create a pit lane in the front of the building which was an issue as that was a major desire line for pedestrians to cross Fleet Street and were now having to cross a street whilst avoiding HGVs. The Deputy Chairman suggested reaching out to TfL to potentially put in another signalised crossing further west toward Fetter Lane and, in the meantime, look at a pedestrian refuge as it was dangerous and needed to be addressed urgently. Officers confirmed they would look into it and follow-up with an update.

15. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

The Chairman informed the Committee that Michael Cassidy had recently retired from the Court of Common Council and wished for the Committee's appreciation to be noted. The Chairman told the Committee that Michael had been at the centre of a key moment in the evolution of the Square Mile over the last four decades, serving as a former Chairman of the Planning and Transportation Committee. In the run-up to the Big Bang, the Chairman noted Michael had recognised the need for the City to deliver large, well-serviced office spaces required by incoming US and Japanese banks, which resulted in Broadgate.

He had played a pivotal role in the evolution of the square mile over the last four decades and served as the chairman of this Committee during the run-up to the Big Bang. Michael identified that the city needed to provide large footplates and well-serviced offices required by incoming US and Japanese banks, which led to developments such as Broadgate. In response to London's growing competitiveness, Michael pushed for a reassessment of the need for tall buildings, resulting in landmarks like the Gherkin and the subsequent development of the Eastern cluster, which had become an iconic symbol of the city's ambition. The Chairman noted that Michael emphasised the importance of balancing modern development with preserving the city's historical character, establishing the City Architecture Forum to discuss the quality of new buildings. Michael was also instrumental in introducing the Ring of Steel interventions to protect the city after a series of terrorist attacks and advocated for infrastructure improvements and played a key role in delivering Crossrail in the Square Mile. Michael realised the need for the focused celebration and promotion of the City and he worked with Barry McEwan to set up the City Marketing Suite in the Guildhall, as well as engaging with overseas events like MIPIM. Michael had been instrumental in the City Marketing Suite reinventing itself as the City centre and, more recently, alongside New London Architecture, the fantastic new London Centre. The Chairman noted these achievements were evidence of Michael's deep understanding of the dynamic and perpetual change and evolution which defined the City and one could not find a more visionary, committed and passionate advocate of the City of London and Michael's legacy would endure long after he had stepped down from the Planning and Transportation Committee.

Officers provided an update on the City Plan and informed the Committee that they had been in communication with the programme officer at the Planning Inspectorate and had received an update regarding the timing of the examination hearings. Officers told the Committee that these were highly likely to take place in early Spring and the City Corporate website would be updated so that all stakeholders were aware of it. A formal notification would also be sent out closer to the time in accordance with the legislation. Officers reported it had been a slightly delayed compared with the planned time scale, but it potentially meant that the report could return to Committee by the end of the next calendar year for the adoption of the City Plan.

16. EXCLUSION OF THE PUBLIC

The Committee agreed not to exclude the public as no discussion was needed on the non-public items on the agenda.

17. NON-PUBLIC MINUTES

RESOLVED – That, the non-public minutes of the previous meeting held on 04 October 2024 be approved as an accurate record.

18. * **ANNUAL ON-STREET PARKING ACCOUNTS 2023/24 AND RELATED FUNDING OF HIGHWAY IMPROVEMENTS AND SCHEMES - APPENDIX**

The Committee received a non-public appendix of a report of the Chamberlain.

19. * **CITIGEN AND HEAT NETWORK ZONING - INITIAL DECISIONS**

The Committee received a report of the City Surveyors.

20. * **DEBT ARREARS - ENVIRONMENT DEPARTMENT**

The Committee received a report of the Executive Director, Environment.

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

No non-public questions were received on matters relating to the work of the Committee.

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

The Committee received no other business which the Chairman considered urgent.

The meeting ended at 12.38 pm

Chairman

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