

London Assembly Planning and Housing Committee
Private/Public Space Investigation
Evidence Received

Investigation: Private/Public Space

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PPS001 Land Use Consultants

Sent: 26 October 2010 11:51

To: Alexandra Beer

Subject: investigation into management of publicly accessible space in London

Dear Alexandra

I am replying on behalf of my colleagues ... at Land Use Consultants.

Thank you for inviting comments on your letter 18th Oct.

We have some general points :

- a) We understand that this is a study by the office of the Mayor of London , but suggest that the references to spaces that are used by Londoners it might be more inclusive to think about 'users of Public Spaces in London '.
- b) The descriptions of what is meant by Publicly Accessible Space are general . For the purposes of this study we suggest that Residential space may need to be considered distinctly from other public realm. eg the need to provide ' defensible space ' around public housing .
- c) Applicable to a number of the questions : what is the space for & what is it intended to provide ? Different types of publicly accessible space provide necessarily different facilities. Similarly - think about the presentation of the space , its appearance & condition - there is often a 'requirement' in project briefs to ensure ' Highest Quality ' . This is an over-used & meaningless phrase - a space should provide the things & experiences appropriate for its location & audience - eg some city green space should be wild & unkempt to provide habitat for birds & insects, etc.

The Questions :

- 1. Respect for fellow humans & being able to find, get into & use the space for the purpose intended .
- 2 . Is the space managed for its users or for the convenience of management ?
Is it managed to enhance the Quality of Life or for cost benefit reasons ?
- 3 . -
- 4 . BIDs - if used appropriately are a really good tool - unfortunately the original concept developed in the USA has become complicated & relatively difficult to apply.

Think about the type of space, what it is to be used for & who is going to look after it .

Think about an appropriate 'level' of maintenance - rather than the loose term ' highest quality'.

5 . Focus on what the function of the public space is & consider what it should provide - trying to make ALL public realm provide everything waters down the idea of diverse places . Focus is good .

6 . Our experiences show that the more successful outcomes from involving communities happen when the Community

is enabled to work with the landowner & their professional advisers .

7 -

8 -

We hope this is helpful

PPS002 Potters Fields Trust

Management of publicly accessible space in London

London is justifiably proud of its excellent reputation for public space and particularly green space and to have such areas as the Royal Parks and Hampstead Heath so close to the city centre is a remarkable benefit of our history and London's development. The tradition of developing and improving those spaces has continued into the 20th century with areas such as Mile End Park and Burgess park both of which came about as a result of WW2 and the need for slum clearance. London has a complex government structure which could lead to a dysfunctional approach to public space.

However due to either people power or far sighted political thinking the tradition of quality public space continues both in publicly and privately owned land. A lot of privately owned open land is accessible. This is intentional on the part of the landowners who are either benevolent or see a commercial benefit from allowing access or it is covered by s106 arrangements. A good example of this is More London, where there is good access and activities provided on a very well run estate. While they More London tries to control some forms of access such as cycling this is done on the biases of safety and consideration for all users. Much of the privately owned public space in London is maintained, presented and interpreted to a very high standard probably better than publicly owned space, this is for commercial reasons, the lack of "political" interferences and better funding. Potters Fields Park Management Trust is a good example of semi private management of public space. The park belongs to LB Southwark and is leased to a Trust. The Trust is made up of local land owner, local residents groups, the council, GLA and the business improvement district. This board makes it accountable to the local community whilst it operates under a lease and services level agreement with the council. The benefits are the Trust can raise its own funds to maintain the park and can and respond to the needs of an area with a very high footfall. Where as previously the income generated was not ring fenced for the park and the quality of the space suffered due to insufficient maintenance. In the case of Potters Fields Park the funds are raised by holding events, not all of which are enjoyed by all of the people all of the time and there is a need to keep a balance between commercial and community use and open access. The Trust system only works where there is potential to raise funds and or be financially independent. However there may be opportunities through s106 agreements to set up Trusts, with local support.

It is likely in the current economic climate that funding for accessible space will be reduced and to mitigate the effects of reduced funding a partnership approach should be adopted as well as encouraging income generation on publicly owned land. This may sometimes cause frustration when areas of parks etc are fenced off for events such as concerts, such as Hyde Park and Kenwood House; however it is far better to have the occasional event and allow quality access the rest of the time.

It is often possible to raise funds for open space through such activities as filming which are often not intrusive and take place early in the morning. The result also helps to publicise the location and the city. The financial situations of both Castle Howard in North Yorkshire (Brideshead Revisited) and Lyme Park in Cheshire (Pride and Prejudice) have been transformed by becoming film/TV stars.

Private owners of publicly owned accessible space will normally have a vested commercial interest in allowing free public access.

There may be some occasions where private owners will act selfishly in not allowing access to public space. However this small minority should not be seen as the norm, most see benefits from allowing access. In my view it would be a mistake to try and legislate. It could cause a backlash and less privately owned public space would be created. The way forward is through cooperation and partnership using the planning process to find positive solutions with land owners and accepting in these difficult times we have to be more creative in our approach to income generation so that we can maintain quality open space in London.

Chief Executive
Potters Fields Park Management Trust
27 October 2010

PPS003 Thorn Hill Bridge Community Gardeners

Sent: 01 November 2010 15:28

To: Alexandra Beer

Subject: RE: London Assembly - Investigation into the management of public space

Hi Alex

I am attaching several documents for you to look over at your leisure. The first one is a general display about TBCG

They all explain about my group **and answer many of the questions posed in pdf.** about management of public space.

- Previously Thornhill Bridge Community Gardeners received a Green Pennant award 2010/2011 (see attached report)
- Photo at GLA taken last Monday <http://www.flickr.com/photos/52558332@N08/5114679573/in/set-72157625115399373/>
- Thornhill Bridge Community Gardeners received award "RHS It's Your Neighbourhood" we got Thriving (Level 4), attached is the RHS report, we only missed the top category by 8 points.
- Link to video about Thornhill Bridge Community Gardeners <http://www.vimeo.com/11788323>

1. What rights should Londoners have in public space and how can these rights be maintained through the planning and development process? **Londoners can form FoG's or Friends of Groups and join LPGSF to have a say**
2. What models are there of managing public space in London and what benefits and disadvantages are there to the different ways of managing public space? **Please consult with LBI Greenspace team for models. My group is one the first ones set up in LBI in 2003 but there are many fine examples in our borough**
3. In privately owned or managed public space and what concrete evidence there is of exclusionary design or management practices? **Please refer to attached documents**
4. How can "good" and inclusive public space be delivered and maintained via S106 and management agreements between the private and public sector? Which details need to be set out in such agreements and what are the necessary skills for planners in this process? **Part of S106 should go to public realm besides the usual streets and highways, planners need to get to know the work of FoG's and be on alert for S106 money they can apply for. This has been successfully implemented in many of my groups projects (10 altogether)**
5. What lessons can be learned from any recent London examples you are aware of/involved in? What are the major challenges for upcoming projects in terms of public realm design and management? **Currently involved in implementing 100K of BIG lottery money, if there was a London-wide funding stream that small community groups could access for running costs, they would be more inclined on embarking on long application process for BIG Lottery money.**

Only 4 London groups including mine applied for funding and only 2 were successfully awarded lottery money. All this work has been done voluntarily and involves vast amounts of time and effort.

6. When and how can local communities be involved in the decision making to ensure public space is not an afterthought? **Please refer to work David Morris on the LPGSF (See attached copy of email)**

7. How are Borough policies and the Mayor's policies having an impact on the quality and accessibility London's public realm? Are any amendments or new policies, guidance or other advice needed and why? **Value of public realm is being eroded with all the spending cuts.**

Please refer to CABE document on <http://www.cabe.org.uk/files/community-green.pdf> this document shows the value of public realm especially to BAMER

8. Are there any other measures or actions the Mayor (or others) should pursue? **All of London Waterways**

should be thought of as London's largest public realm greenspace and more funding and resources need to be put into it. Maintain Waterways commission

Thanks

Thornhill Bridge Community Gardeners
GREEN PENNANT AWARD WINNER 2010/11

[PPS003 Attachment]

To: London's Friends Groups Network
Subject: London's green spaces and the elections - time to speak out!
London Parks & Green Spaces Forum:
www.lpgsf.org.uk
London Green Spaces Friends Groups Network:

April 13th 2010
To all London's Green Spaces Friends and Community Groups
Dear Friends

Now is the time to speak out and to lobby your prospective Councillors & MPs about the importance of investing in your local parks & green spaces

Local and national elections will be held in London on May 6th. Please use this opportunity to air your views widely, for example to the local press, and to contact your local politicians standing for election to highlight issues that are important to you in relation to your local parks & green spaces. Hopefully you will be able to raise the profile of parks, the need to protect and improve them, to manage them well, to involve local communities and park users, and to try to address any deficiencies in the amount of open space. Your efforts can influence those who will make key decisions about these matters. Please do not miss this opportunity to make your green spaces a priority.

We have noted below some useful facts and figures you may wish to cite in support of your case:

- 91% of people say that parks & public spaces improve people's quality of life
- CABE Space found that 'Access to nature promotes lower blood pressure, reduces stress and improves mental well being. ['The value of public space' 2004.]
- A recent CABE Space report - <http://www.cabe.org.uk/publications/urban-green-nation> - found that:
 - Almost nine out of 10 people use parks and green spaces, and they value them
 - If people are satisfied with local parks, they tend to be satisfied with their council
 - The provision of parks in deprived areas is worse than in affluent areas
 - People from minority ethnic groups tend to have less local green space and it is of a poorer quality
 - The higher the quality of the green space, the more likely it is to be used.
- More information can be found at: <http://www.cabe.org.uk/public-space>
- Visit <http://www.londoncouncils.gov.uk/elections2010/default.htm> to access useful statistics on the political make up of your London borough.

Thank you for your support for London's green spaces.

Yours sincerely
Director
London Parks & Green Spaces Forum
And Chair, London Green Spaces Friends Groups Network

[PPS003 Attachment –Thornhill Bridge Community Gardens Brochure including images –not included here

[PPS003 Attachment: Thornhill Bridge Community Garden 'It's your Neighbourhood' Assessment –included below]

Section A - Community Participation (40% or 40 points)

<p>The group is working towards things such as:</p> <ul style="list-style-type: none"> Being inclusive of local people Local ownership and direction Making a difference to local people Involving local people with planning, decision-making, communication & implementation Representative of the local community Getting support (e.g. from local council, grant aid, sponsorship, in-kind aid etc.) Planning for the future Working in partnership with other organisations (i.e. police, community support officers, environmental groups etc.) 	
Total points assessed for Section A (out of 40)	35
Section B - Environmental Responsibility (30% or 30 points)	
<p>The group is engaged in environmental activities such as:</p> <ul style="list-style-type: none"> Conservation (e.g. resources, heritage, wildlife, built environment) Composting Recycling Creating, maintaining or improving green space Sharing knowledge and skills <p>The group is engaged in addressing environmental issues such as:</p> <ul style="list-style-type: none"> Fly-tipping Fly-posting Litter Graffiti Dog fouling 	
Total points assessed for Section B (out of 30)	20
Gardening Achievement (30% or 30 points)	
<p>The group is employing good gardening practices appropriate to the area, such as:</p> <ul style="list-style-type: none"> good plant choice Good maintenance, presentation and management Creativity Innovation Overcoming site difficulties Enhancing the area through gardening 	
Total points assessed for Section C (out of 30)	22
GRAND TOTAL POINTS ASSESSED	77
LEVEL ACHIEVED	Thriving

Areas of achievement:

Under the strong and dynamic leadership of Lisa Tang this project is a wonderful example of how partnership working can result in positive benefits to the community. The canal-side site at the rear of Kings Cross station was once uninviting and lacking in interest but is now being transformed into a safe and accessible community space. A number of grant awards have been forthcoming to make the transformation of the sites possible, and in particular the recent £100k Heritage Lottery Fund which will allow the next phase of the programme. Community consultation is seen as an essentially tool, and work has been conducted through the involvement and contribution of local children, corporate volunteers and organisations such as Groundforce. A close working relationship with the London Borough of Islington and British Waterways has ensured continuity of the project and ongoing practical support. Funding sources continue to be explored, both locally and nationally, and evidence of more recent phases of the scheme were witnessed in the community vegetable space, the creation of nesting islands on the canal, and the much admired artwork on Thornhill Road Bridge.

Areas for development:

Lisa is among the first to identify areas of weakness amongst the early phases of the project, and it is encouraging that some solutions will be applied through the next stage of the project funded by the successful HLF bid. Misuse of the small garden to the east of the bridge by a section of the community remains a challenge to be overcome. Some of the existing planting is suffering due to the dry and in places, shady conditions, and advice should be sought on species that are more appropriate to such conditions. The part-time gardener is conducting some fine work, and it is encouraging that the public see a regular and welcoming face on the site. Perhaps one or two volunteer action days over the winter months may allow some of the outstanding horticultural work to be caught up with, and also lead to an increased ownership of the sites?

Results

Level	Description	Points
Level 1	Establishing	0-35
Level 2	Improving	36-52
Level 3	Developing	53-68
Level 4	Thriving	69-85
Level 5	Outstanding	86-100

PPS003 Attachment: Thornhill Bridge Community Gardens Green Pennant Award Doc

Thornhill Bridge Community Gardens Thornhill Bridge Community Gardeners Green Pennant Award 2010/2011

Status – PASS

Score bandwidth – 75-79

Field assessment Comments

Criteria	Strengths	Recommendations
Welcoming Place		
Good and safe access	Clear signage from the road and the tow path, promoting the gardens as community places. The new steps to the tow path have increased visibility and access to the gardens. The group are keen to make as much of the exits onto the tow path as possible to encourage people on to it, for example by wanting to open up a locked open space on an estate near York Road.	
Welcoming	The gardens are small spaces with simple path layout and visibility into and out of the spaces. Mosaics add interest to the planting which has a natural feel.	
Signage	The current signage is a mixture of the standard council entrances notices and bespoke educational boards which have suffered vandalism. Graffiti is dealt with by Islington's mobile team.	The group recognise that the damaged or missing signs will need more robust replacements such as the British waterways finger posts that are missing. If the educational signs are to be replaced, they should be consistent with the council or BW signage.
Equal access for all	The children's garden is accessible. Due to the incline down to the tow path and limited space it has been necessary to include steps. All the spaces feel welcoming and open to the public.	
Healthy, Safe & Secure		
Personal security	Use of the tow path has increased due to the environmental improvements and is well overlooked by surrounding homes and offices. During the visit there was a constant stream of walkers, joggers and cyclists. There is a local neighbourhood watch which has seen a reduction in the crime in the area, although it persists.	
Safe equipment and facilities	The tools are locked in a secure box on site. Risk assessments are carried out.	
Appropriate level of facilities	The gardens and the tow path provide respite from the surrounding busy main roads, providing contact with nature.	
Dog fouling	None seen on the day of the visit and not reported as a nuisance.	
Clean & Well maintained		
Litter and waste management	Litter clearance has remained a duty of the council's contractors and there was evidence of cigarette butts in the	If not done already, the site should be monitored regularly to check that litter picking is being carried out accordingly.

	children's garden on the day. The rest of the site was clean.	This could be topped up by encouraging local people to be responsible for their own litter.
Overall standard of maintenance	The paths were clear and in good condition.	The children's garden looked tired; the planters were dirty and the paint work faded. The group recognises that the current design isn't as good as it could be and has identified it as an area that needs improving, as does the wildlife garden which has now got funding.
Graffiti and vandalism	Given Graffiti and vandalism is a perpetual problem in inner city sites, there was relatively little on the day.	
Sustainability		
Peat use	None.	
Pesticide use	None.	
Sustainable materials use	The play equipment and new steps are made of wood. The group are currently establishing a new food growing area.	
Waste recycling and minimisation	All green waste is recycled onsite.	
Biodiversity & Heritage		
Conservation of landscape & historic features	The group are working hard to improve the environment of the canal towpath to revitalise it as a historic, strategic route across the borough.	
Conservation of biodiversity	There is an enthusiasm for biodiversity, reflected in the aims of the group. The tow path is seen in it's strategic context as one of the area's most important 'green spaces' that extends into the neighbouring boroughs. A nesting platform was built for the canal, the planting is intentionally very natural. They have recently built a green wall.	
Community Involvement		
Promotion of green space / project	The group have produced a booklet about the gardens, and a video. The group are well connected locally and promote their work through word of mouth and events.	
Links to the wider community	The gardeners are linked to other local groups including a local neighbourhood watch scheme, the Friends of Regents canal and nearby local education centres such as Camley Street. They are proactively trying to engage with nearby	

	estates not yet involved.	
Involvement in decision making	The gardeners group have a good working relationship with London Borough of Islington and currently split the maintenance of the gardens and also with British Waterways.	
Involvement in operations	The management plan includes the maintenance responsibilities of the community gardeners who are responsible for the turf, shrubs, and trees.	
Appropriate provision for the community	The site meets it's objective as set out in the management, to provide a safe and secure space for quiet enjoyment and recreation.	
Management / achievements		
Innovation and creativity	The gardeners group are very ambitious and have created a series of improved space for local people to enjoy, in a challenging location. They are strategic in their approach, not limiting their energies to the two small gardens in isolation but thinking of the relationship with the tow path and all other spaces along it, no matter who owns them.	
Resources secured / used	They continue to expand their activities to utilise a wide variety of funding from gained Edible Islington money to establish a food growing plot on the bridge using BTCV volunteers to a climate change grant to build a green wall and £100K of community spaces funding to transform the wildlife garden.	Overall: keep up the good work!

[End PPS003]

PPS004 British Land Company

Sent: 08 November 2010 15:36

To: Alexandra Beer

Cc:

Subject: RE: London Assembly - Investigation into the management of public space

Dear Alex,

Please see below comments on the questions put forward by Nicky Gavron .

1. British Land recognises the importance of public realm in encouraging a strong cohesive community. We fundamentally believe in the importance of publicly accessible space which is properly and sensitively managed.
2. British Land develops and manages a very high standard of public realm across our London portfolio. As a model of good practice we refer you to our Regent's Place development as an excellent example of inclusive management of a privately-owned public space. The benefits of well managed public space are a more welcoming environment for occupiers and residents, and a coherent, inclusive community which adds value in the long term. There are challenges surrounding the management of all publically accessible space related to potential security, which if well managed can be overcome.
3. We are not aware of any such examples.
4. Regent's Place is an excellent example of inclusive, privately-owned, public space which has been incorporated into the Masterplan as a defining principle of the scheme. We have worked closely with Camden Council and the local community, including resident arts charity Diorama Arts, to ensure this principle has been enshrined both through the design process, and in our events programme. Regent's Place initiatives include an annual summer festival programme of free events including a 'community day' with performances put on by local community groups. More recently we have introduced a weekly farmers market. We are currently constructing the North East Quadrant (NEQ) phase of Regent's Place which includes the enlargement of the Regent's Place Plaza.
5. Additional Regent's Place initiatives we have undertaken include a public art project we ran in conjunction with final year students at the nearby Slade School of Fine Arts (University College London) in 2009. The students were invited to participate in a competition to design and create a permanent piece of artwork to be displayed on Longford Street, just to the north of Regent's Place. The winning artwork 'A couple of ripe, ornamental pineapples' by Siôn Parkinson was selected by a panel including local representation following public consultation.
6. We ensure that the local community is consulted and involved in the design process from the outset, and considered within our events programme. We were also a founder member of the West Euston Partnership in 1992 and continue to be an active member.
7. We endeavour to ensure practices are inclusive, thorough, practical and sensitive. We place a large emphasis on the importance of public art and are pleased to comply with, and where possible, exceed standards. The Pavilion by Carmody Groarke, selected through an architectural competition, was recently recognised with a 2010 RIBA Award. We have also found that a key point in encouraging the use of privately-owned public space is public awareness. We conduct a range of initiatives as detailed above, and through our communities programmes with local schools to encourage usage.
8. Recommendations of good practice are a useful tool but we are not aware of any evidence to suggest that further policy measures are required at the sub-regional level.

With best wishes

Community Executive
The British Land Company plc

PPS005 CABE

Alexandra Beer
City Hall
The Queen's Walk
London
SE1 2AA

16 November 2010

Dear Alexandra

Investigation into the management of publicly accessible space in London

CABE welcomes the investigation into the management of publicly accessible space in London and has the following comments on the questions posed:

1. What rights should Londoners have in public space and how can these rights be maintained through the planning and development process?

Public space should be free to access by all and should be planned, designed and maintained to be welcoming and accessible to all sectors of society in line with inclusive design principles. Local and neighborhood planning policies should ensure a network of high quality public spaces are provided for and maintained in new development and existing public spaces are maintained and supported. Planning policies should also ensure that a variety of public spaces are provided and maintained to meet different people's needs, such as children's play space, formal parks and gardens, spaces for wildlife and biodiversity and spaces for sport and recreation. The joint GLA/CABE best practice guidance to open space strategies sets out how to ensure the quantity, quality and accessibility of public open space is planned effectively across an area.

2. What models are there of managing public space in London and what benefits and disadvantages are there to the different ways of managing public space?

Public space quality tends to suffer from a fragmentation of ownership and management. Research for CABE by the New Local Government Network shortly to be published examines how the structure and organisation of green space services affect the performance of that service, as there is such variety across local authorities. Green space services which separated their day-to-day maintenance functions from the overall management found it harder to deliver good quality and efficient services, than those that unified them. Separation can lead to competing priorities, communication failure, lack of familiarity with day-to-day operations and reinforce silo mentality. When services are integrated, priorities are more likely to be shared and better advocacy of the interests of the service achieved. The role of green infrastructure in helping places adapt to climate change requires managing green spaces as a network, which is more easily achieved when the spaces are managed by one organisation. Both the Royal Parks and the Corporation of London provide examples of good practice in public space management in London.

Overseas, cities that have the best quality public realm tend to have dedicated management organisations responsible for the whole network of public spaces such as in Copenhagen.

Whilst different models of management can produce high quality spaces, an essential component of any organisation is the right skills and experience of its staff. CABE's work on improving green space skills has highlighted the shortage of people with horticultural and landscape design skills across England and a skills gap in existing green space workers in aspects such as working with the community, financial management and managing for sustainability, (see <http://www.cabe.org.uk/publications/green-space-skills-2009>) This problem is being exacerbated by the current budget cuts to councils.

3. In privately owned or managed public space and what concrete evidence there is of exclusionary design or management practices?

CABE's research into the impact of attitudes to risk on public space quality considers the effects of privatisation of spaces, where risks can be displaced into other areas, (<http://www.cabe.org.uk/publications/living-with-risk>). A 2006 Royal Institution of Chartered Surveyors report has illustrated how this creates the phenomenon of highly regulated,

low-risk, affluent public spaces displacing problems such as anti-social behaviour and drug abuse on to neighbouring poorer areas, (Royal institution of chartered surveyors (006) What kind of world are we building? London: RICS).

4. How can “good” and inclusive public space be delivered and maintained via S106 and management agreements between the private and public sector? Which details need to be set out in such agreements and what are the necessary skills for planners in this process?

Planning agreements with developers need to set out the quantity, quality and accessibility of public spaces in new developments, referring to local standards which should be developed as part of local planning policies. London-wide standards such as the GLA’s benchmark standard for children’s play and national benchmarks such as the Green Flag Award standard for parks and green spaces should also be used where appropriate. Planners need to understand the strategic framework for public open space but should work with council landscape architects and green space managers to ensure planning agreements adequately address the need for high quality public space provision, design and management.

5. What lessons can be learned from any recent London examples you are aware of/involved in? What are the major challenges for upcoming projects in terms of public realm design and management?

From our work with local authorities we know that the key to successful spaces is on-going dedicated management with adequate resources. Some of the best parks and green spaces are those which have been restored with a Heritage Lottery Fund grant which requires a 10 year management plan or which successfully generate an income to boost public funding, such as the Royal Parks. Bankside Open Spaces Trust is a good example of an organisation which adds value to council managed spaces through community involvement and social projects.

6. When and how can local communities be involved in the decision making to ensure public space is not an afterthought?

Evidence shows the popularity and high public use of public spaces, (<http://www.cabe.org.uk/publications/urban-green-nation>) and many people are already involved in decision-making through friends of parks groups, open space forums and volunteering. Local communities should be involved in developing an open space strategy for an area, setting planning policies for the provision of open space and in decisions about improvements to individual spaces. Ideally councils should encourage the development of borough-wide and neighbourhood open space forums to provide a focus for community involvement as well as site-based friends groups. CABE’s Spaceshaper tool (<http://www.cabe.org.uk/publications/spaceshaper>) should be used to engage with users of a site to help prioritise any changes and develop a suitable brief for improvements. Spaceshaper 9-14 can be used to engage children and young people in the process effectively. CABE’s guide for community groups wanting to improve their local spaces, Its our space, is another useful tool, (<http://www.cabe.org.uk/publications/its-our-space>). Council staff who have responsibility for public space should be trained in working with community groups and volunteers – an area identified as a current skill gap by many organisations.

7. How are Borough policies and the Mayor’s policies having an impact on the quality and accessibility London’s public realm? Are any amendments or new policies, guidance or other advice needed and why?

CABE has carried out an evaluation of the impact of open space strategies across England, including in London. We found that open space strategies are seen as an effective tool to prioritise and rationalise expenditures. For example, the London Borough of Barking and Dagenham’s open space strategy helped the parks team to increase the amount of capital funding for parks and green spaces, both from council funds and external sources. We also found that open space strategies enable local plans to successfully build environmental improvements into the development process. For example, the London Borough of Haringey’s strategy and their up to date open space standards have enabled the council to increase the level of S106 contributions for improvements to parks and open spaces in association with new development, and they now have a robust evidence base to support their negotiations. Local authorities with an open space strategy also showed a greater ability for partnership working and higher quality spaces with generally more Green Flag Awarded sites than those authorities without strategies.

...

Yours sincerely

Head of public space management and skills, CABE

PPS006 Friends of the Parkland Walk

16th November 2010

Ms N Gavron
GREATER LONDON AUTHORITY
City Hall
The Queens Walk
London
SE1 2AA

Dear Ms Gavron

Investigation into the management of publicly accessible space in London

our letter of 13th October 2010 requesting contributions under eight headings has been passed to me. I offer the following thoughts and comments in response to the last two of your eight questions, as a recent case in Islington brought the Mayor's role into sharp focus.

As a 'friends' group that defended the Parkland Walk in Haringey and Islington during the Assessment Studies of the late 1980s, we were once again galvanised to defend local open space when the Borough of Islington proposed to move a primary school. We are not against primary schools, but this would unnecessarily reduce open space in the London borough that already has the least amount of open space for each inhabitant.

In our dealings with the matter the role of the GLA was lamentable. The Friends and various groups near the school that would be moved feel there was a hiding of issues that allowed Islington, with a biased report that did not address open space issues, to grant itself planning permission to put an inappropriate use on Metropolitan Open Land. This was condoned by both GOL and the Mayor.

The emerging Replacement London Plan was out to consultation at the time. The Islington report mentioned PPG17 as important but then failed to deal with its principles and the tests it expects. We believe that had they been considered the report could not have come to the conclusion it did, allowing building on the 'in city' equivalent of Green Belt. No one acknowledged letters and representations made or gave us feedback. The Complaint we lodged did not get dealt with.

This is a betrayal of the Mayor's policies, procedures and process. I will append two letters we sent on these issues. There is little point in repeating any of the content as that speaks for itself. This should be reported to your committee as it indicates that policy and practice are not meshed together – unless it was more than just incompetence.

Yours sincerely,

Secretary

[PPS006 Attachment]

12th February 2010

GREATER LONDON AUTHORITY
Complaints and Comments
City Hall
The Queens Walk
More London
London SE1 2AA

Dear Sir or Madam,

Complaint regarding lack of response or action on letter sent 22nd October 2009.

Please find attached a letter I wrote last October and delivered by hand (and got a receipt) so I know it was not lost in the postal strikes of the time.

I circulated it widely to the named people by e mail and a paper copy was addressed to the Mayor, as you can see.

We have not had a reply from ANY of the recipients or an indication that our views expressed were reported to the Mayor. We have tried to find the report to the Mayor but it has not been apparent on your web site.

We know that in an earlier report the Mayor required considerably more work to be done by the applicant to justify the development of an inappropriate type on Metropolitan Open Land. We have heard that the Mayor allowed Islington as planning authority as well as applicant to determine its own application.

I will not revisit the arguments made in the 22nd October letter, but we wish to complain that the proposal which effectively destroys the openness of open land was not considered in a balanced way. The Islington report was biased and did not mention open space issues (although it reported that PPG17 was important and then didn't mention it again).

More worrying still, the Islington decision was made after the new London Plan emerged for consultation, and many aspirations in the Plan, particularly in Chapter 7 are breached by the proposal. Therefore, if the Mayor colluded with Islington over this matter, he effectively ignored his own draft policies. The existing plan requires MOL boundaries to be changed through the plan making process, and what has happened appears to be de-designation by stealth for no over-riding reason of the sort expected for development on MOL or Green Belt. We consider that there may have been some maladministration in this matter and ask that you investigate the process that took place and how our views were reported and why the significant issues raised were ignored.

Yours faithfully,

Secretary

[PPS006 Attachment]

22nd October 2009

Mayor Boris Johnson
GREATER LONDON AUTHORITY
City Hall

Dear Mr Johnson,

**Islington Decision on Metropolitan Open Land contrary to Development Plan
Case: LBI No P082526. Bowlers Community Nursery 81 & 83-85 Crouch Hill; including
part of The Parkland Walk & Parking Space Area at Warlitsville Mansions, Warlitsville
Road, Islington, London, N8**

Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008 the Council must now consult you under Article 5 of the Order as it has resolved to make a draft decision on the above application to approve the development. You may decide to allow the draft decision to proceed unchanged or direct the Council under Article 6 of the Order to refuse the application. The Friends of the Parkland Walk (not Park Way as noted in your report and the Islington UDP) consider Islington's planning committee report was a flawed document effectively written by the Council as developer to favour its case. All issues were not fairly and transparently reported; some planning aspects were mentioned and not subsequently analysed, as the result would have been 'inconvenient' to their owner / developer case. Very special circumstances were claimed but are not justified.

In your document PDU/1264/01 which reported on the departure from the development plan by proposing inappropriate development on Metropolitan Open Land (MOL), it was noted that further information is required before it can be said that the applicant has demonstrated the very special circumstances by which the you may consider this development to be acceptable, as per London Plan policy 3D.10. We assert this case is not made.

Our stance is that very special circumstances are intended to cover the sort of situation when something like an electricity distribution site or water treatment installation is required in the Green Belt or MOL, without which the infrastructure of the conurbation would suffer catastrophic problems of, say, electricity supply failure or inability of water to be purified and thus people may suffer. Appendix 1 to this letter expands the arguments from our perspective.

Our original concern, conveyed to you in the summer, was that cutting that forms the Parkland Walk was included in the site area and we felt it should be blue lined as land in the ownership of the applicant and NOT part of the application site. We consider you should look carefully at the area calculations as the existing school site in Hornsey Lane meets space standards and the proposed site is under the standard. Take away the area of the linear path, cycleway, embankment and cutting from the red lined area and the calculations may be far worse and the site even more sub-standard. 'Improvements' to our Parkland Walk are mentioned, but we are concerned that it should NOT be counted as part of the development site for calculation purposes or in development proposals. If off site works are required for access by the Education service, then an undertaking or agreement can be made between the Education service and the Parks service.

Turning to the report of officers, we urge you to dissect and analyse its contents carefully. Many arguments in the report lead towards refusal. It admits that the proposal will cause moderate damage to MOL and that Police are concerned over the burden it will create for them. It then claims very special circumstances and recommends 'on balance' that the damage is justified.

FPW takes the opposite view. It is in our mission statement that we protect MOL, and we support the adopted London Plan in its policy that MOL boundaries should be changed through the plan making process. Islington clearly realise that this would not be possible so are adopting the tactic of damaging the land's openness by claiming very special circumstances. The result would be the same as de-designation and construction of an urban primary school.

The report of 8th September and repeated on 13th October with an addendum notes the damage. It makes much play of the footprint issue of the site's present structures, a former bowling green support structure and nursery building. What is NOT addressed is the land use character. It is a wholly urban use being transplanted onto land that should be kept open for sport or recreation. The footprint argument is spurious as school grounds will be enclosed, manicured and entirely different to present, past or alternative used that could be introduced to meet the needs of Islington's people (see appendices 2 & 3 to this letter).

FPW must draw your attention to three other issues in addition to the weakness of the 'very special circumstances' issue and poorly concluded and, frankly, biased report.

Firstly the processes recommended for sport and open space as set out in the assessment document that supports PPG 17 were not reported, therefore one assumes not carried out, or if carried out were inconvenient to the case for moving the school and not reported. Appendix 2 to this letter sets out the MOL and Sport and open space guidance issues in more detail. Appendix 3 reproduces diagram 1 from the Assessment Guide supporting PPG17.

Secondly, The design of the school was hardly discussed but it is a four storey structure which your officers believe (or have been told) will not show above the tree line and thus not affect the strategic view corridor. Trees are likely to mature at around 18 – 20m high. A school structure is likely to be 4.5 m from finished floor level to the next. Thus four storeys would be about the same height. It is believed that there is to be a basement taking it down a level, BUT the roof is a green eco area and outside classroom. This is not shown with any cover, but shade will be required to prevent exposure to harmful sun rays and one can expect an addition to be made to achieve this precautionary measure and that MAY then affect your strategic view corridor by additional structures poking above the tree line. We feel you must probe this issue more fully.

Thirdly, your own new plan was published the day before the case was reconsidered, thus, whilst not yet carrying the full weight of the adopted London Plan or the UDP, its publication the day before the committee met made it a material consideration. It was drawn to the attention of the committee chairman the night before the committee, together with the PPG17 issues and he was convinced the development should not go ahead and that due process had not been followed. A group of other councillors convinced that their 'dream' was right, forced the local authority's vote (as planning authority) to approve its proposal (as land owner and developer).

FPW takes the view that the matter was not roundly, completely or fairly considered from all angles and urges you as Mayor to intervene and direct refusal or call the matter in for your own determination with an Inquiry if necessary.

Yours sincerely,

{Appendix 1 – Commentary on the 'Very Special Circumstances' issue, future use of the Hornsey Lane Site and financial matters}

The circumstances claimed in this case are simply not that special, as the authority (as education authority) at one time agreed the refurbishment of the existing buildings and has received professional reports from a most reputable firm of conservation architects that state that refurbishment and adaptation to meet modern needs and standards is possible. We also believe it would be possible, heritage issues apart, to redevelop on the existing site (although more difficult and less convenient). In this case Islington are acting like a developer with a site it owns and the project to 'build new, move, dispose of old' is a more attractive solution. This approach is complicated by the status of the proposed site and the above does not constitute very special circumstances to warrant inappropriate development on, and damage to the character of, MOL.

In the GLA report noted above, the Mayor did not consider financial aspects. We ask you to ask pertinent questions on the issue of value for taxpayer's money, as we understand this move is three times more expensive than the refurbishment option. Not only is there the MOL issue, but the building that would be vacated is in a conservation area and is also locally listed. English Heritage has indicated it would not wish to see the building demolished. What is the best use for a heritage building? PPG15 indicates that the purpose for which it was constructed is best. Adaptation and modernisation is possible and there is room on the eastern side to construct a new wing to replace floorspace lost to new facilities. The curtain walling is failing and leaks heat; the roof is compressed strawboard and leaks, but both can be amended to keep the design concept. Missing lavatories and even a lift can be added to provide amelioration of the missing facilities.

We cite two examples that demonstrate change is possible and modern education can happen on tight urban sites. Castrol House on Marylebone Road was a building of similar period and sympathetically re-clad and adapted to meet more modern standards. The Hampton Gurney Primary School in Dorset Street W1 is award winning and a redevelopment on a much tighter site than this and provides modern education facilities. We therefore formed the view that refurbishment on the present site is the better option on terms of space, heritage building matters, journey to school from its catchment area and value for money. The likely objections to change of the school structure are assumed and not verified and given excessive prominence to justify the move. Without proper testing this can only be conjecture and on balance a skilful adaptation maintaining the character of the Cadbury Brown concept may be the lesser evil. This is a significant 'loose end' that needs more work.

The Mayor may also need to test how the site might be re-used or redeveloped before forming a view on the finances and best value considerations of the proposal. To what purposes would Islington put a structure built as a primary school that it has to keep for its heritage value if the objections noted in the paragraph above have any weight. As a site in community use, its first call may be a replacement community facility. This could be achieved in a converted school, but this is not the advice of PPG15 and funding is not mentioned. If cleared as replacement open space it has no receipt and demolition costs and landscaping have their price. If a housing site then the density needs to be estimated in the context of other recently permitted developments in Hornsey Lane on both sides of the Islington / Haringey boundary. If change from community / education use to residential purposes is likely to be permissible it will reveal the receipt side of the balance sheet. You need to satisfy yourself that the re-use of the site is properly considered and part of the very special circumstances equation. We are of the opinion that it has not been considered at all.

Appendix 2 - Expansion of PPG17 and London Plan issues

Metropolitan Open Land (MOL) in London is afforded the same status as Green Belt around the city. It should be kept green and open, and used for open-air activities. Friends of the Parkland Walk originally commented to the Mayor / GLA on the red line issue but enhance this matter and the mature objections of FPW are:

It is wrong to carry out an urban development on land that should stay green and open.

Whilst some development is allowable in Green Belt / MOL, it should be to support the open air uses (changing rooms for sports fields etc.) or for infrastructure without which cities would suffer (e.g. electricity sub stations / water treatment plants etc) and THESE are the special circumstances that allow for the occasional exception. BBC research released 12/10/09 notes 20 schools a week suffer from arson attacks. This land is not overlooked by houses and people and the Police are concerned it will drain their resources to deal with incidents that a school in an unsupervised place will attract. They do not support the move either.

There are sports needs and allotment needs in the area that can be served by the land.

Islington has a 10 year waiting list for allotments. Ploughing it up for such a use would be an appropriate use for the land. Sport pitches are also appropriate and several Multi User Games Areas MUGAs are possible or a mix if open air uses.

Islington is already short of open space and this move will make the shortage worse

Islington is believed to be over achieving its housing figures and is, after the City of London the most deficient in open space. Building and urban school on one of the two most precious parcels; land of Metropolitan significance in terms of its openness and linkages and as a site of importance for nature conservation (SINC) of Metropolitan importance. Building on it is not a responsible or appropriate way of managing such an asset in short supply. As the Unitary Development Plan (UDP) is replaced by the Local Development Framework, the shortcomings of the old plan (its Proposals Map did not identify areas of shortage or lack of access to nearby open space) should be addressed by the new system. The evidence to date is not good. The 2008 options for the core strategy only mentioned MOL once – that was in the context of not allowing gypsy sites on MOL. Gypsy sites are an urbanising land use – primary schools are also an urbanising use.

The planning report notes Planning Policy Guidance note 17 (PPG17) as particularly important in this case but does not go on to discuss it in the report.

Paragraph 54 of the Planning Committee Report notes PPG 17 as particularly relevant, but the latter parts of the report do not address what PPG17 advises.

If the methodology in PPG17 and its supporting assessment guide were followed, the result would be an automatic “Refuse Permission”.

There is a document supporting PPG17 called ‘Assessing needs and opportunities: a companion guide to PPG17’. This has a table that is a decision network (Diagram 1). By several routes through that decision network (Appendix 2), the result must be ‘Refuse Permission’.

There is no route through the diagram that passes the tests required to allow an approval of planning permission. Some of the tests:

- “Are the developer’s proposals widely supported by the local community? (PPG17, para 10)” No - It has divided the community, therefore the presumption must be to refuse permission.
- “Has the local authority undertaken an assessment that is fully compliant with PPG17?” There is no discussion of this in the report or in LDF documentation, thus the assumption must be made that one has not been carried out. If no the route is to refuse permission
- Is there a deficiency of any other form of open space or sport and recreation provision? (PPG17, para 12) Yes, as stated above, there is a 10 year waiting list for allotments (40 years in adjacent Camden). This answer directs one to refuse permission.
- “Does the land provide an important local amenity and offer recreation and play opportunities? (PPG17, para 11(i))” Yes - it has amenity value of Metropolitan importance and as a nature conservation site. It could have several MUGAs and / or allotments, the adventure playground equipment could move up from the cutting to improve the appearance of the cutting, the area could have a much better skatepark facility. This answer directs one to refuse permission.
- Will the proposed development secure the conversion of other land to substitute for the loss? (PPG17, para 13) No – the Ashmount debate is noted in the main letter and one option might be that it be sold for housing. Although not MOL, a land swap creating a

pocket park and recreation facility on the present school site (i.e. REPLACEMENT urban open space, could partly ameliorate this test.) otherwise one should refuse permission.

- Does the land particularly benefit wildlife and bio-diversity? (PPG17, para 11(iii)) Yes – it is a SINC of Metropolitan importance and the sanitisation to create a school site would damage biodiversity. This answer directs one to refuse permission.

The Mayor's London Plan (Published 12th October 2009).

The 2004 version requires changes in MOL boundaries to be examined through the plan making process and the Inquiry that goes with that. This proposed move is effectively de-designation 'by the back door', as it fundamentally changes the land use character from rustic green space in the city to an urban school use. If MOL is lost (as we believe this is a loss) it should be replaced elsewhere. Because of the tactics being used they are not claiming it is lost MOL, just moderately damaged) but if the development does go ahead there must be some ameliorating replacement to compensate.

The draft new London Plan was released the day before the committee met and as an emerging plan it has to be regarded as a material consideration. It is even STRONGER than the existing plan on protecting open space. It supports our view, stated above, that food growing is a required new use for which land should be found.

The chairman was made aware of the requirements in making decisions and in preparing Local Development Frameworks set out in Chapter 7 (London's Living Places and Spaces) of the new Mayor's London Plan.

We pointed out the new requirements for making decisions and drafting new Local Development Frameworks and informed him it will be relevant in any consideration you as Mayor / GLA will now have to make.

We drew his attention in particular to:

Policy 7.3 Secured by design as a general principle. In this respect the Met Police letter should be read and digested in full.

In respect of FPW concerns,

Policies 7.16 to 7.19 inclusive with their supporting paragraphs and Policies 7.21 & 7.22
These are in detail, and we urged the Chairman to read:

Policy 7.16 | Green Belt

Policy 7.17 | Metropolitan Open Land

Policy 7.18 | Protecting local natural space and addressing local deficiency

Policy 7.19 | Biodiversity and access to nature

Policy 7.21 | Trees and woodlands

Policy 7.22 | Land for food

Application of these emerging policies will also make the case against this school move even more complete.

Appendix 3: The decision network in the Assessment guide to support PPG17.

(Flowchart Image)

[END]

PPS007 City of London

Department of Planning & Transportation

Date 17 November 2010

Dear Ms Beer

The City of London welcomes your investigation into the use of the public realm. Below is our experience of particular issues that have been brought to our attention in relation to public access to open spaces in the City.

The City of London has held various consultation exercises on the public realm. The following types of issues have arisen from consultations:

- Residential private space should remain private and not allow for public access as they provide an essential service to residents.
- Security is of particular concern to both land owners and to the public. The public are concerned that private spaces surrounding commercial developments should be made publicly accessible at all times and access should not be reduced due to security considerations. They feel that private security contractors should not protect these spaces. However there is a real concern in the City of London about the security of developments and land owners need to be sure that their buildings are secure and this means securing the area around their buildings. Guidance is given in 'Crowded Places: the planning system and counter terrorism' produced by the Home Office and CLG in 2010.

Suggestions we received about how to deal with the security aspect from the public include:

- Setting up a code of practice for private security guards, including a transparent complaints procedure
- Public access to private developments should be enshrined in planning permissions
- Private estate managers should not be able to vary public access without full planning consent

Where it is possible new developments which create open space should be made public as part of planning permission, but the City notes that this is not always possible particularly at certain times of the day and night. Developers in general had no objection to the public use of private space, but would like it to be expressly recognised that the space remains privately owned and controlled. Taking these comments into account the City has included in both its Open Spaces Strategy and its Local Development Framework Core Strategy, policies regarding the conversion where possible of private open space to public open space in order to deliver an increase in publicly accessible open space.

This will be achieved through access agreements between owners and the City Corporation – issues such as insurance cover and enhancement works will need to be worked out in the agreement. Other issues raised include maintenance; whether the space remains privately owned and controlled and a specific issue raised is that of security from both the public and landowner perspective.

Currently about 70% of all open space in the City is publicly accessible. Street scene schemes in the City create open space through working together with land owners, using section 106 agreements and seeking other sources of funding for street scene schemes. Sometimes these schemes are entirely publicly accessible, however there are cases where streets can only be closed during the working day and must be opened at nights and weekends for servicing and deliveries. Some schemes commissioned as part of a section 106 agreement are entirely privately managed for the lifetime of the scheme.

Consultation is undertaken where a new scheme is proposed allowing the local community to be involved in the design and creation of a new public space.

Thank you for notifying the City of London about this important consultation, ...

Yours sincerely

Planning Policy Manager

Response from Living Streets

This response is made on behalf of Living Streets, the national charity that stands up for pedestrians. With our supporters we work to create safe, attractive and enjoyable streets, where people want to walk. We work with professionals and politicians to make sure every community can enjoy vibrant streets and public spaces. As well as working to influence policy on a national and local level, we also carry out a range of practical work to train professionals in good street design, and enable local communities to improve their own neighbourhoods. We run high profile campaigns such as Walk to School and Walking Works, to encourage people to increase their walking levels and realise a vision of vibrant, living streets across the UK.

We have previously contributed to investigations by the London Assembly Transport Committee and the Health and Public Services Committee, and appreciate the opportunity to contribute to this investigation.

In principle, we believe that public space in London should normally be opened up to public access as widely as possible, and that it should remain accessible for as long as possible. This principle should apply not just to streets and public spaces which clearly fall within the public realm, but also to gardens, parks, station forecourts, spaces between and in front of large or prominent buildings, and other areas which are customarily used by the public, whatever the precise details of their ownership.

The requirement to temporarily close such spaces, e.g. for security or maintenance reasons, should be kept to a minimum, and as far as possible such closures should be organised so as to have the minimum impact on public accessibility.

Through our campaigning and project delivery work, Living Streets advocates the recognition of streets and thoroughfares as places to spend time and a venue for various other functions, not just corridors for movement. We would urge the Mayor to use his influence to ensure that the public realm is assessed and designed with this full range of functions in mind, including social and economic uses of space; a simple example is the provision of seating in a way that facilitates social interaction without obstructing movement.

We would draw an explicit link between the rights of Londoners in public space and the need to reduce motor vehicle traffic and car-centred planning. At its worst, car dominance can override any hypothetical rights of access to public space, creating barriers to walking and enjoying public space by reducing personal safety, increasing perceptions of risk and degrading air quality. We strongly support the aspiration to create and maintain well-designed and inclusive public space in London and feel that a serious effort in this direction must acknowledge and confront the negative effects of car traffic and car-centred planning on the public realm.

1. What rights should Londoners have in public space and how can these rights be maintained through the planning and development process?

Presumption of permissible access

Living Streets believes that the presumption should always be for as much public access to publicly accessible space as is practically possible, and that departures from this presumption should only occur for a substantial and proven reason.

Pedestrians in particular should have a right to access any space that is not explicitly restricted without fear of being made to leave.

We believe that there may be instances when there is a case, on safety or accessibility grounds, to prevent certain space users (e.g. cyclists or skaters) from using a particular space. However, this should not be based on preconceptions, but on observation of the space and consultation with its users, to whom any changes should be justified. The GLA should consider ways in which these principles could be extended to privately run space through guidance, licensing or incentives.

Opening hours

London contains a wealth of parks, gardens, and squares which are used by huge volumes of residents and visitors, and managed privately or by the Boroughs or other public bodies. In general these popular public spaces are well maintained and a great asset to the city, but their opening times are often too constrained.

In most other great cities, gardens and public squares – especially around the centre - are often at their most popular and most well used, at dusk or late on summer evenings. In London some of the most important of these locations, such as Embankment Gardens, Whitehall Gardens, and at times even the central garden in Leicester Square, shut at dusk just when they are potentially most needed.

We believe this is a hangover from the days when public access to these locations was much more limited, and there was little activity in London outside office hours. We would urge the Mayor to use his influence to ensure that popular and attractive gardens and squares, particularly in the centre, should remain open at times of potential demand and that lighting and wayfinding features are sufficient to address this later opening.

2. What models are there of managing public space in London and what benefits and disadvantages are there to the different ways of managing public space?

Mutual model

Public and private land management are clearly the two dominant models for public space in London. However, there may be scope, in view of the emerging guidance and legislation on community asset transfer, for a model of community run or mutually run public spaces to emerge. Living Streets and some of its partner organisations would be interested to see how these trends develop and to assess the potential for reconnecting people with public space and encouraging innovative, inclusive design and management.

3. In privately owned or managed public space what concrete evidence there is of exclusionary design or management practices?

Criminalisation of public space users

There are countless examples in the public domain of people being moved on by police or private security when using space that is or should be to all intents and purposes 'public'. The treatment of homeless people is of particular concern, and the crackdown on photography of buildings under the Serious Organised Crime and Police Act (see <http://arbroath.blogspot.com/2009/01/photographers-criminalised-as-police.html> for a high-profile example) is also of concern to Living Streets as a trend that could prevent or dissuade people from enjoying London's public realm and built environment.

Commentators have also pointed out the potential for and evidence of abuses occurring where the management of set areas of space are transferred to a private authority which is primarily concerned with profit maximisation (e.g. examples given in *Ground Control* by Anna Minton, 2009).

4. How can "good" and inclusive public space be delivered and maintained via S106 and management agreements between the private and public sector? Which details need to be set out in such agreements and what are the necessary skills for planners in this process?

Applying consistent standards to privately managed space

Management agreements should specify as far as possible that although privately owned, publicly accessible space is still 'public space' and that people have a right to expect the same levels of access to apply – particularly as the link between private and public space is often so seamless, as with the area outside City Hall. Private management should not generally be permitted to restrict access without stating and publicising substantive reasons for this, and the Mayor has an important role in leading private landowners towards being better ambassadors for London by ensuring that the spaces they manage are welcoming.

5. What lessons can be learned from any recent London examples you are aware of / involved in? What are the major challenges for upcoming projects in terms of public realm design and management?

In our campaigning and project delivery work, we have seen and been involved in a wide range of examples of initiatives with considerable potential to improve the design and management of the public realm. These include decluttering initiatives to create and expand public space; 20mph default speed limits which have increased actual and perceived public safety; naked streets schemes which have recreated streets to redress the balance between vehicular movement and the use of streets as public realm; car-free events which have encouraged people to enjoy and re-imagine outdoor spaces, and a range of other improvements.

Living Streets strongly supports the application of the Mayor's 'Better Streets' principles to create safe, accessible, enjoyable places, and would draw attention to the success of recent schemes such as Kensington High Street in reducing casualties and improving the public realm. We also acknowledge the work of the Commission for Architecture and the Built Environment, particularly the seven principles of good design (<http://www.cabe.org.uk/councillors/principles>)

In addition, we would highlight some other examples:

Public squares

The great squares of London represent one of the most characteristic and popular features of the city. However, far too many of these squares – like Berkeley Square, Hanover Square, and Soho Square - are completely surrounded by a stream of often fast-moving one-way traffic. This

has the effect of making access to the squares difficult and cutting them off from their local environment, with the result that they are much less widely used than they might be.

A potential solution is shown by the recent improvements to Trafalgar Square, in which the north side of the square was freed from motor traffic, re-connecting the square to the National Gallery and improving access to Leicester Square and Soho. The result has been a great success, with significant enhancement to the public realm which has become one of the most popular meeting-points in central London, with little if any adverse effects on nearby traffic.

We believe that there is the potential for the same approach in many other London squares, and we would like to see the Mayor use his influence to support and encourage similar schemes in other parts of the city, with extensive and meaningful public involvement at the grassroots level through initiatives such as Community Street Audits.

Public transport interchanges

Public transport interchanges are crucial aspects of the public realm. Each day in London very large numbers of passengers pass through the forecourts of the main-line stations, and for many visitors and tourists these represent one of their first experiences of the city. These forecourts should allow passengers to transfer easily and efficiently to other modes of transport, or to continue their journey on foot, easily identifying the best onward route to their destination. They are important meeting-points and, as in some of the best station forecourts in other cities, they should provide a pleasant and welcoming public realm in their own right.

Unfortunately the forecourts of the main-line stations in London are often dominated by bus and taxi movements, and surrounded by busy roads and difficult crossings. This can make for an uninviting public realm, in which people on foot find it difficult to find their way out of the station and to pick up their onward route, and which constitutes a barrier to walking.

For example, in Waterloo, which is the busiest commuter station in London, the route out of the main station entrance – the Great Arch – towards the South Bank or Waterloo Bridge, is particularly difficult. Each day tens of thousands of passengers have to navigate an obstacle course of street furniture, cycle racks, buses and taxis crossing their route. Often, because the surface route is so difficult, they need to descend into rather uninviting subways to continue their journey.

At Charing Cross station, the external station forecourt which contains the impressive (and recently restored) St Eleanor's Cross, is dominated by traffic movements across the square, with vehicles often parking right beside the cross. However, the forecourt has the clear potential to become a pleasant and inviting public space and meeting-point, if the taxis and delivery vehicles could be relocated and greater priority given to people on foot.

In cases like Waterloo and Charing Cross stations, it is not always easy to identify responsibility for the station forecourt and surrounding public space. Living Streets would like to see the Mayor use his authority to make sure that the responsibility for the management of these areas of public space is clear, and to encourage the upgrading of these forecourts to provide a better quality public realm, and one in which passengers proceeding on foot can more easily identify their onward route.

6. When and how can local communities be involved in the decision making to ensure public space is not an afterthought?

Community involvement

Communities should be involved in the planning of public space at as early a stage as possible. Tools such as Living Streets' Community Street Audit are a useful way of gauging local opinion at a meaningful level.

Living Streets welcomes the recent Government proposals on strengthening requirements for pre-application consultation by developers of large schemes, but would add that this should not be seen as a substitute for local authority-led consultation and more extensive community involvement.

The Mayor should use his statutory planning responsibilities, but also his public persona, to emphasise the importance of involving local communities in creating the places in which they want to work, play and live.

7. How are Borough policies and the Mayor's policies having an impact on the quality and accessibility of London's public realm? Are any amendments or new policies, guidance or other advice needed and why?

Borough policies have a considerable impact on the accessibility of public space, notably in liaison with agencies which have private land interests (including Business Improvement Districts, Registered Social Landlords and developers). Living Streets believes that all local authorities should develop a public realm strategy, which integrates all aspects of policy and practice affecting the public realm, including highways, planning, waste, street cleansing, sustainable transport and conservation as well as urban design, and that this should be championed at councillor and senior officer level by public realm champions.

Through the London Plan, the Mayor also has an impact on public space in London. Living Streets has engaged at various stages of the London Plan drafting and adoption process and generally welcomes the emphasis on quality public realm in the draft replacement London Plan.

Additionally, however, the Mayor should consider ways in which the presumption of access and principles of full consultation with users of a space can be extended to privately run space through guidance, licensing or incentives. The Mayor should also consider ways to clarify and publicise Londoners' rights (and also responsibilities) in public space to ensure that the presumption of access can be defended by users.

The Mayor has a major public role to play in promoting the enjoyment of London's public realm and the uptake of walking. With the Year of Walking approaching in 2011, broad reform and improvement of the public realm and highways needs to be accompanied with Mayoral support for high-profile, flagship pedestrian schemes to demonstrate a clear commitment and draw public attention. Living Streets has put forward several ideas on possible walking initiatives for 2011 – including a 'Town Centre Challenge' for London, street 'openings', new higher timing standards for pedestrian crossings, a Central London Pedestrian Network and the introduction of 20mph speed limits on appropriate parts of the Transport for London Road Network – any of which would have a major and lasting impact on the good management and enjoyment of public space in London.

8. Are there any other measures or actions the Mayor (or others) should pursue?

We would like to draw attention to the following points:

Contention between motor traffic and pedestrians

The quality of the public realm, particularly in many of the busier and more popular streets and public spaces in inner and outer London is adversely affected by high levels of motor traffic, and poor facilities provided for pedestrians. This leads to a range of problems for people on foot which have been well documented elsewhere (e.g. in the 2004 report from Jan Gehl): narrow, crowded pavements, vehicle noise and pollution, poor wayfinding, difficult crossings, speeding traffic, gyratory systems with particularly fast one-way vehicle traffic, a shortage of car-free streets and squares, poor air quality and a high level of collisions between pedestrians and vehicles.

This poor level of pedestrian amenity is directly related to management of the public realm. The authorities responsible for managing our streets and public spaces, Transport for London and the Boroughs, have a responsibility both for providing a good quality public realm, and also for ensuring the free movement of traffic – including pedestrian movement – with as little congestion and delay as possible. Historically, in both central and outer London they have tended to give priority to motor traffic at the expense of the quality of the public realm and the needs of people on foot. This has led to locations like Oxford Street, where there is a high volume of buses and taxis as well as very large volumes of visitors on foot, which was described in a recent GLA report as “a totally unacceptable environment for residents and pedestrians”. We believe that this imbalance needs to change, starting with the Year of Walking in 2011, if London is to compete with other great cities which place greater emphasis on pedestrian amenity, and if London is to achieve the Mayor’s target of increasing the proportion of journeys made on foot to 25% by 2031.

The Mayor should provide formal guidance to Transport for London and to the Boroughs to ensure that the quality of the public realm and the safety and convenience of pedestrians are given at least as high a priority as traffic management. In those busy and popular locations where pedestrian volumes greatly exceed traffic volumes, the quality of the public realm and the needs of people on foot should have a higher priority.

People and Places Campaign Coordinator
Living Streets
with the Living Streets London Action Group

17 November 2010

PPS009 London Councils

25 November 2010

Dear Ms Gavron,

Thank you very much for your letter of 13 October regarding your investigation into the management of publicly accessible space in London.

London Councils welcomes the London Assembly's investigation. We represent all 32 London boroughs, the City of London, the Metropolitan Policy Authority and the London Fire and Emergency Planning Authority. We lobby on our members' behalf, develop policy and provide a collective voice for London's authorities.

Your letter of 13 October asked eight questions about the management of publicly accessible open space. We will not seek to answer all of them, but will instead make some general comments and then focus on questions 4 and 7.

London Councils believes that high quality, publicly accessible space in the public realm is an essential part of making London a more pleasant place to live, work and play. Urban spaces, of whatever size, that are accessible, inviting, well-designed and well-managed are one of the ways in which all Londoners can share and enjoy their city. In this way they have a democratising effect, enabling everyone to participate. The boroughs, responsible for 95% of London's roads and streets as well as many parks and open spaces, have a key role in ensuring that these places are well-designed and well-managed. London Councils believes that these spaces, and a well-designed public realm generally, can contribute to wider public policy objectives.

In November 2008 London Councils' report 'Breaking down the barriers to walking in London' showed that investment in the public realm not only encourages walking – itself a goal of public policy – but also provides wider benefits by improving the attractiveness of an area as a place to live, work or visit. The report noted research by the Commission for Architecture and the Built Environment (CABE) that showed that good urban design benefited businesses through increased prestige and a happier workforce, with reduced absenteeism and staff turnover. Good urban design also helps resident and visitor perceptions of London, making it a place where people want to visit and linger, in turn boosting the city's economy. Similarly, open space such as parks and commons provide valuable biodiversity and a cooling effect for the urban 'heat island', as well as opportunities for relaxation and leisure, and these all add to the city's quality of life.

Response to Questions

Q4. How can 'good' and inclusive public space be delivered and maintained via s106 and management agreements between the private and public sector? Which details need to be set out in such agreements and what are the necessary skills for planners in this process?

There are several examples of developments in London that are privately owned but have generally accessible public space. The Canary Wharf estate, the More London development in 80outhwark and Paddington Waterside in Paddington basin are three examples of where private development has involved significant public access rights. These rights of access are rightly negotiated through s106 agreements. However, it is important to be as clear and as unambiguous as possible in those agreements. London Councils would not wish to see, for example, democratic rights of protest, or legal but perhaps unwelcome activities such as skateboarding, undermined on land that is to all intents and purposes public but which is in fact privately-owned.

Notwithstanding this, London Councils believes that 'good' and inclusive public open space can be delivered as much by the private as the public sectors. There are, however, several factors that can influence how successful the delivery of that public space might be. The first relates to timing – the earlier that proper consideration is given to open space the better. Boroughs that have well-developed strategic planning frameworks governing the provision of open space and the public realm have said to us that these can be of great help when negotiating s106 agreements or when deciding how to spend money gained from such agreements. Being able to place new development proposals within such a framework early during the planning process can be of help to boroughs in delivering good open space.

Another factor influencing how 'good' public open space might be is how thorough the agreement mandating it is. We are conscious that 8106 agreements negotiated between boroughs and developers may be complex and time-consuming to draw up. They might involve clauses relating to: the provision of toilets; how to manage events; whether and how to distribute income generated through, for example, filming; the provision of public art; maintenance; and replacement. Within this list, the last two are particularly significant. Boroughs may need to be able not only to negotiate the provision of open space, but also to ensure that there is provision for it to be well-maintained over time. Good maintenance is fundamental to ensuring the success of any physical 8106 contribution. Further, consideration may need to be given to how it will be replaced, if necessary. For example, a playground may be built as part of a 8106 agreement, but if it is not replaced, even if it is well-maintained, over time it can become out of date, unwelcoming and inappropriate for its purpose.

The question asks what skills are necessary for planners in this process. London Councils would not seek to call for particular skills to be required by boroughs before planners were able to negotiate 8106 agreements. This is entirely a decision for boroughs themselves to make. However, borough officers have told us that they have found it particularly helpful to have experience in project management before negotiating 8106 agreements of any significance. This is because often the planning obligation will be a piece of infrastructure rather than a lump sum. In these cases, where a 8106 agreement calls for, say, a sports field to be built, it has been helpful for planners negotiating this to have experience of how much it would cost to build and how long it may take, and this experience is best gained from directly project-managing a significant project himself. In this way, the desired outcome is more likely to happen as it will have had a realistic cost attached to it by an experienced planner from the outset.

Q7. How are Borough policies and the Mayor's policies having an impact on the quality and accessibility of London's public realm? Are any amendments or new policies guidance or other advice needed and why?

Borough and Mayoral policies have a fundamental impact on the quality and accessibility of the public realm. Given that boroughs are responsible for 95% of London's streets, their role is key in delivering a high-quality public realm. Equally, the Mayor's commitment to the urban realm through his 'Better Streets' and 'Better Green and Open Spaces' documents helps boroughs develop significant schemes such as Windrush Square in Brixton or the Aldgate gyratory.

London Councils welcomes this commitment to the public realm from the Mayor. In this regard we note the important work done by Design for London in advising boroughs and others on good urban design in specific projects, and are sad to note that this work may not continue following the winding up of the LDA.

Recent changes in borough Local Implementation Plan (LIP) funding from TfL have enabled greater flexibility in funding public realm improvements to encourage walking and cycling. However, London Councils notes TfL's 21% cut in LIP funding to boroughs over the four years to 2014, following the Comprehensive Spending Review. This will have a significant impact on boroughs' ability to deliver public realm improvements, especially with regard to sustainable travel. While we are highly conscious of the economic situation, London Councils would caution against cutting the funding to smaller-scale projects as these can often have a higher cost-benefit ratio than many larger projects, for a much smaller overall outlay. Cuts in funding for public realm improvements may also have an effect on public perceptions of how attractive London's streets are during next year's 'Year of Walking', and, the following year, during the Olympics.

London Councils believes that, in the current climate, ensuring the continuation of recent levels of commitment to public realm projects is perhaps of more immediate importance than new policies. Additionally, we would like to see the Mayor attach greater weight to helping to fund those public realm improvements that will improve resident and visitor perceptions of London in the coming years. We would also resist the introduction of any further legislative requirements and burdens on boroughs in this regard.

I hope that this has been a helpful reply.

Yours sincerely,

Chief Executive

PPS010 Okra Landscape Architects

DATE

17th November 2010

SUBJECT

Investigation into the management of publicly accessible space in London,

Dear Sir/ Madam,

Within this letter we underline the importance of strategic thinking when it comes to reaching the aspirations of improvements to the public realm and different approaches for managing publicly accessible space in London. Whilst working on the Mayor's Great Spaces Initiative we have noticed that there are a significant amount of efforts being made in order to transform public realm. It is important that the public realm is transformed in a way that will act as a catalyst for new urban developments. It is not, and it should not be seen as, left over space, the obligatory open space within new developments or about merely changing tarmac into pedestrian space. It has to become an integrated and flexible approach on design and maintenance.

Create Space

Public space is about creating space for people. This may seem like a fairly simple statement but it is fundamental to remember this when developing and managing cities. It can be too easy to fill cities with mass and intensify areas, which leads in turn, to an illusion of a metropolitan city. It is where those masses meet the ground and interact with each other that is the binding element to a city. So retain this space, however large or small it is within the city, as it is precious commodity. Naturally, taking a dense model and filling it can work but often it takes a few integral regulations or an after thought to generate functionality in the public realm. This can be said when you look to New York, it is one of the most dense cities in the world and yet with two simple management principles it allows its urban structure to function better for the people on the ground. By creating a set back in the buildings they make sure that as much natural light as possible reaches the street and secondly they create a public secondary network on the ground floor of private sector buildings. With these two simple regulations the city is open to people of it. What is successful here is that their regulations have the ability to be implemented into existing public realm and future developments. However, it should not be a matter of copy/paste as in London this is not so simply applied. It does not have such a large area of high buildings or follow a strict grid system but it does have vibrancy, variety and history to embrace. To retain these strengths London needs to think strategically and work with a simple system that can be implemented into its management, which will benefit existing public spaces and can be utilised for future development.

Strategic thinking and functioning

We believe that management and development of public space can be approached on two levels: the political and the creative. It is imperative that one level informs the other but that each has a separate skill and responsibility. Without a good and clear governmental system it makes the role of the creative virtually impossible to navigate the bureaucratic structure that the politicians have set up for themselves. The creative can generate a multitude of ideas and visions but without a good governmental procedure and people who know how to navigate it, those ambitions will remain only on paper and never realised. The responsibility is yours in the government to clarify your systems so that it is transparent enough for either the creative to navigate it on their own and see results or for you to know your system and your people well so that you can guide creative's through the process. Within the governmental system there is a large body of specialised knowledge held within the staff. By educating your civil servants to a high level and all know the standards and guidelines you wish to adhere to it will make for a much stronger network. With trust comes responsibility and no longer a system of circular agreement or delegating the decisions that need to be made. If the governmental system has pride, focus and direction this will relay to the public.

As the creative, we can work for and along side the political in order to define spaces and generate ideas for those zones identified within the London. The creative can help to define a clear strategy that can be implemented at different scales of involvement and that will develop in time.

In terms of creating a clear strategy for the future and realising a functioning public realm the term sustainable is often used. The notions behind sustainability are a valuable method and the intentions that are implied with this word are good but we should also implement them. In this sense, a sustainable public realm has to be more than just a fashionable word to indicate our best intentions. We should think about how everything is connected and influences each another: economy, environment, community and social

relationships.

We can initiate practical steps to outline the potential of the capital's parks, green spaces, courtyards, streets and waterways that can be made accessible and pleasant for Londoners. An example of this can be that the creative can aid in the prioritisation of better links to the waterside spaces, new public spaces along the banks of the Thames and greater use of the river and its tributaries.

By identifying these different types of space we can define the different types of spaces that can be identified. We, as the creative can aid here to define the typologies and their potential for generating space for people's activities and contribute to their daily life. Design advice boards are also useful to help identify and contribute to the different scales of interventions for the city. It is important to define the type of space in order to manage it as the interaction and scale of involvement between a city park, square, street, courtyard or pocket park are all very different. Each type of space can aspire to have the same fundamental value such as vibrant, green, fresh air, safety or relaxation but within each of these there are different percentages of each, which relate to the different space. Another contributing factor is that there are different ways that people will use these spatial typologies. All of these varying factors make it very difficult to standardise maintenance but with a clear and flexible governmental strategy and strong design ambition it should be possible.

Scale of Involvement

The shared space of the city is a vast and complex environment in which many people have access and rights too. Our strategy can be to think big, implement small. On the large scale there is much to gain from a clear framework of green and urban spaces. London is well known for its large landscape parks as a counterpart to the condensed urban fabric. As the city grows it is not just about conserving these qualities but to discover a new layer of publicly accessible space at different scales. On the city scale innovation is about good connections between the city system and its surrounding landscape. It requires a look to the interface between urban environments, landscape context and how they can be integrated to work for the future of London, such thinking can be seen in the East London Green Grid. This has a large overview in strategic thinking but can be implemented simply and by a series of small interventions on the ground. By doing so, you create an interactive relationship between the landscape scale and urban public space. Even in dense urban areas it will be interesting to turn attention to their connection to the river and its tributaries creating potential to link directly the urban to the landscape. Linking the water system to the urban environment there is potential for a more efficient city by storing water from the buildings in green buffers, collecting rain water and filtering it before returning it steadily back to the water system. The public realm needs to be rethought as not only green spaces and hard scape but also the inclusion of water and energy systems, which can be implemented practically on the small scale and connect to the clear framework on the city scale.

On the smaller scale it is possible to realise projects whilst remaining true to an overriding broader framework. On the smaller scale it will be interesting to define green and urban components that can act as catalysts for new developments and to regenerate under utilised areas of the city. The new generation of projects should include green and water systems which links to many ongoing initiatives such as London's Great Outdoors or the Barclays city cycle hire. The city cycle hire is an example of an initiative which doesn't claim so much physical space within the city as other initiatives however it connects strongly to the broader ethos of London and promotes an emphasis towards pedestrian orientated space, safety in the city and public transport.

components, but it can also be considered in the sense of the scale of investment from either the public or the private sector. Within public realm primarily we speak about investments into the space. An investment into the public realm is about more than money and in this sense it would be better to use the term 'benefits'. When thinking in terms of 'benefits' it will be easier to interest the private sector rather than speaking solely about the cost. High quality public realm is based upon clear and clever associations between governmental and private organisations, which in turn will bring benefits to local communities. When they are involved in a scheme a higher quality public realm will be the result and they can and will put time into maintaining well-designed and realised projects. However in terms of corporate input they have the obligation not to personally brand or dominate these spaces but to create sustainable publicly accessible spaces in an environmental, social and economical manner that Londoners can relate to and enjoy.

Development in time

Not everywhere can be special forever or does it need to be but it can be safe, clean and well maintained. Strategies should be based on a clear distinction between regular and special areas. In the regular public realm maintenance should be based on larger areas and include green and water management. Regular

public realm is usually maintained by the government and requires robust, and ideally local, materials providing a simple, environmental and safe maintenance programme. The longevity and success of public realm is realised through management of public realm, seeking an optimal collaboration between government, enterprise and citizens.

As public realm is being used more than before, and is due to constant change in demands, the dynamics have increased. Dynamic use should be coupled with a dynamic management strategy. Alongside working with a standardised high quality palette of materials, the number of elements should also be reduced by trying to achieve a well-focused information system. As the quantity of information in urban centres increases, users need a filter for that information. Reducing the excessive and chaotic advertising will allow essential signposting easier to comprehend; fewer objects make those left more visible. The use of technology in public realm could be used to channel the amount of information provided in public spaces, which would well suit future London. As the same time, some of the unnecessary information in public spaces could then be removed

Taking advantage of new and energy saving techniques related to dynamic use of public realm is also applicable for lighting. A greater reduction of energy consumption would be possible by changing the lighting level and between two and four in the early morning dimming lights a little. For areas where people are expected, it is desirable that a distinction is made between safe areas and areas that are situated outside main thoroughfares so as to avoid the deceptive appearance of safety. Just small extra poetic lighting working on energy safe technology can increase the feeling of safety drastically with little energy costs, such as the under lighting under the bridges around London. Movement can also trigger the light sources in public space when more people enter such areas sensors in the floor or wall that respond by activating the lights. New quality levels for design could be found by using energy saving and energy producing devices.

Innovations aim at producing energy and public realm can be seen as a generator to test new technologies. Our squares can begin to produce energy and in the future our management system can be to see public realm as a resource and take the energy created in public realm.

An efficient maintenance strategy will only be successful if there are also places of high interest and higher maintenance levels. It requires differentiation in public and semi-public combinations; thus areas can be adopted by enterprises or groups of citizens and the result can be a higher maintenance level.

For those places in London, which are used intensively, maintenance will require sharper focus. For a high quality public area, organising the green spaces is more than just desirable. Designating in each space what the relationship really is between use and maintenance and organising the green image in time frames could do this. In small paved areas, planted with trees, this is relatively easy. Smaller areas with a green space require being seen in terms of combinations of sports and games, partly played on hard surfaces and partly on grass. In grassy spaces, paved areas can be made which are suitable for more intensive use; embedded areas of specific use, sunken paths. It is important that areas of public space remain available for multiple uses.

Finally

The key to the future of management, in our opinion, is adaptability. The users of public realm will change as the way people view and use public space is temporary but hopefully will remain regular. One group will not constantly dominate public space but we aspire for a global sense of ownership. The programme of the spaces will change and collaborations will change as new uses arise and other interests fade. Collaborations in the private sector may not be permanent but more as a means to initiate the realisation of a project. London's management strategy is a support network that allows nothing to be done and allow private developments to flourish on their own but if needed the government can manage the development with minimal

maintenance. Finally, as a result London will change. All of these changes should be possible. A city cannot become a static entity, frozen in time. A management strategy is more than a plan to preserve the city in its current state. An evolving city is a rich city, which can accommodate the needs of Londoners today and in the future.

Yours sincerely,
Partner of OKRA Landscape Architects

**The Management of Publicly
Accessible Space in London
A London Assembly Investigation**
Sustrans Written Evidence – General Points

Sustrans is the UK's leading sustainable transport charity. +

Our vision is a world in which people choose to travel in ways that benefit their health and the environment. We work on practical, innovative solutions to the transport challenges facing us all. Sustrans is the charity behind the award winning National Cycle Network, Safe Routes to Schools, Bike It, TravelSmart, Active Travel, Connect2 and Liveable Neighbourhoods, all projects that are changing our world one mile at a time.

To find out more visit or call: www.sustrans.org.uk

Context

Sustrans is the UK's leading sustainable transport charity. Our vision is a world in which people choose to travel in ways that benefit their health and the environment. Our mission is to work everyday on practical and imaginative solutions to the transport challenges affecting us all. Our aim is to transform the UK's transport system and culture, so that:

∞ the environmental impacts of transport, including its contribution to climate change and resource depletion, are significantly reduced;

∞ people can choose more often to travel in ways that benefit their health;

∞ people have access to essential local services without the need to use a car; and

∞ local streets and public spaces become places for people to enjoy.

Our work includes [DIY Streets](#), [Connect2](#), the [National Cycle Network](#), [Safe Routes to School](#), [Bike It](#), [Low Carbon Travel](#), [Active Travel](#) (to promote health) and [TravelSmart](#) (Individualised Travel Marketing).

We welcome the opportunity to respond to the London Assembly's Investigation into the management of publicly accessible space in London. It is now widely accepted that the form of the built environment is a strong determinant of physical activity levels, with lower development densities and car-focused land use patterns leading to more sedentary travel and lower activity levels.^{1,2} People from the most disadvantaged groups are more likely to be subject to an 'obesogenic' environment which discourages walking and cycling, perceiving their neighbourhoods to be busier with traffic, less attractive, and less supportive of walking.³

Living in areas with walkable green space positively influences the longevity of urban-dwelling senior citizens.⁴ Shopping and other facilities located within a walkable distance of residential areas have been positively associated with attractiveness and safety and with increased levels of walking among older adults.^{5,6}

A high density of destinations, continuous and accessible walking routes, well adapted crossings and other signage, and easily navigable topography were all found to facilitate active living for people with disabilities.^{7,8,9}

¹ Frank et al, 2004 Obesity relationships with community design, physical activity, and time spent in cars, *American Journal of Preventive Medicine*, 27

² Transportation Research Board / Institute of Medicine, 2005 Does the built environment influence physical activity? Examining the Evidence

³ Giles-Corti et al, 2002 Socioeconomic Status Differences in Recreational Physical Activity Levels and Real and Perceived Access to a Supportive Physical Environment, *Preventive Medicine*, 35

⁴ Takano et al, 2002 Urban residential environments and senior citizens' longevity in megacity areas: the importance of walkable green space, *Journal of Epidemiology and Community Health*, 56

⁵ Patterson and Chapman, 2004 Urban form and older residents' service use, walking, driving, quality of life, and neighbourhood satisfaction, *American Journal of Health Promotion*, 9

⁶ Michael et al, 2006 Neighbourhood design and active aging, *Health and Place*, 12

⁷ Spivock et al, 2008 Promoting Active Living Among People with Physical Disabilities. Evidence for Neighbourhood-Level Buys, *American Journal of Preventive Medicine*, 34

Official guidance clearly calls for local government and others to make the environment more activity-friendly and therefore healthier for all. Guidance from the National Institute for Health and Clinical Excellence (NICE) calls for a major shift of priority in town planning away from motor vehicles. Its recommendations include: reallocating road space (e.g. wider pavements, more cycle lanes), restricting motor vehicle access by narrowing or closing roads, ensuring planning applications prioritise active travel, and the use of road-user charging.¹⁰ In a similar vein, the recent government obesity strategy, 'Healthy Weight, Healthy Lives: a Crossgovernmental Strategy for England', calls for the creation of urban and rural environments where walking, cycling and other forms of physical activity are the norm.¹¹

It was reassuring to see the Mayor's commitment to achieving such a shift, as outlined in the 2009 Manifesto Document *London' Great Outdoors*.¹²

"Well designed and decently maintained public spaces can bring communities and people together and encourage physical and cultural activity, recreation and play. They can restore a sense of place, identity and pride in an area, and play a big part in attracting businesses and jobs."

"My ambition is to work with the boroughs to revitalise public space to make a big difference to London's quality of life. A great outdoors encourages walking and cycling, breathes life into densely populated areas, and provides inspiring places where people want to stay. Through bold improvements we can help create:

- A beautiful city where the spaces between the buildings can inspire, excite and delight visitors and Londoners alike.*
- A more humane and healthier city where pedestrians and cyclists feel as if the space belongs to them as much as to cars.*
- A prosperous city that can compete nationally and internationally attracting and fostering businesses that bring jobs and growth.*
- A connected city that brings together diverse communities and neighbourhoods with unique character.*
- A safer city where people are free from crime and fear of crime.*
- A London with spaces that are fit for a world city, suited to changing lifestyles and responsive to the challenges of climate change."*

Sustrans therefore welcomes this investigation assess the Mayor's manifesto commitment to ensure access to public space is as unrestricted and unambiguous as possible and identify and examine the implications of different management models.

⁸ Spivock et al, 2007 Neighbourhood-level active living buoys for individuals with physical disabilities, *American Journal of Preventive Medicine*, 32

⁹ Kirchner et al, 2008 Designed to deter. Community barriers to physical activity for people with visual or motor impairments, *American Journal of Preventive Medicine*, 34

¹⁰ National Institute for Health and Clinical Excellence, 2008 Promoting and creating built or natural environments that encourage and support physical activity

¹¹ Department of Health, 2008 Healthy Weight, Healthy Lives: a Cross-Governmental Strategy for England

¹² <http://www.london.gov.uk/greatoutdoors/docs/londons-great-outdoors.pdf>

General Points : Sustrans' Goals for London

Sustrans' work in London is in response to several key challenges: climate change, ill-health (particularly obesity), population and travel demand growth, and equality and social justice. The following summaries are provided in our Strategic Plan for 2009-2013.¹³

Climate change and energy security:

London is responsible for eight per cent of UK carbon dioxide emissions, producing 44 million tonnes of CO₂ each year, with a substantial proportion of this (22 per cent) coming from road transport¹⁴. Unless action is taken, London's overall emissions are projected to increase substantially, by 15 per cent to 51 million tonnes by 2025¹⁵.

Swift and decisive action to reduce greenhouse gas emissions globally is now needed to prevent catastrophic climate change¹⁶. The urgency of reducing emissions, including putting in place low and zero carbon transport solutions, is informed by the ever-increasing scientific literature on climate change, and the moral imperative of adopting a precautionary approach, considering the potential impacts of untrammelled climate change.

Health:

Obesity is now a serious public health concern in London, with over 20 per cent of adults being classified as obese¹⁷ and childhood obesity in some London boroughs being above the national average¹⁸. Obesity is having an increasingly detrimental impact on Londoners quality of life and is a significant drain on the economy.

Facilitating and encouraging regular physical activity is key to tackling obesity and addressing a range of associated conditions, including cardiovascular disease, certain kinds of cancer, type II diabetes, stroke, high blood pressure and osteoporosis. One of the easiest ways to increase physical activity is to incorporate walking and cycling into regular routines, such as during the journey to school, to work, to the shops or to visit friends.

London suffers from significant inequalities in terms of health and levels physical activity of its inhabitants, which is reflected in a difference of almost seven years between London boroughs with the highest and lowest life expectancies¹⁹.

¹³ http://www.sustrans.org.uk/assets/files/london/SustransLondon_StrategicPlan09-13_June09.pdf

¹⁴ The Mayor's Climate Change Action Plan, Mayor of London, February 2007.

¹⁵ The Mayor's Climate Change Action Plan, Mayor of London, February 2007.

¹⁶ Climate Change 2007 – Synthesis Report, Inter-Governmental Panel on Climate Change, 2007.

¹⁷ Health Survey for England. http://www.lho.org.uk/Download/Public/8941/1/Obese_4.gif. Accessed 21/01/09.

¹⁸ <http://www.london.nhs.uk/what-we-do/improving-your-health/london-issues> (viewed 6/02/09)

¹⁹ Reducing Health Inequalities in London, Mayor of London, August 2007.

Improving opportunities and conditions for walking and cycling across the capital, particularly in areas of high ill-health, can help address these inequalities. Targeted measures to encourage a shift from motorised travel to walking and cycling can also address areas of London which suffer from poor air quality and high levels of traffic noise, both of which can have a detrimental impact on the health of Londoners.

Guidance from The Foresight report, *Tackling Obesities: Future Choices*, cites synergies between obesity policy and climate change goals, namely measures to reduce traffic congestion and increase cycling²⁰. The most significant cause of London's poor air quality is petrol and diesel exhaust fumes from road transport²¹, so a lower carbon transport will also improve air quality.

Population and travel demand growth:

London's population is growing rapidly. From a base of 7.5 million Londoners in 2006 projections are for up to 8.1 million by 2016 and 8.6 million by 2026²². The projections for growth in jobs range from 900,000 to 1.2 million by 2026²³.

Total travel demand in London is projected to increase by four million journeys a day by 2025²⁴. Planning for and accommodating these journeys on a public transport and street network that are already stretched to (or beyond) capacity at peak times represents a significant transport challenge for London, a challenge compounded by the need to limit road congestion, reduce transport emissions and enhance London's public realm and the 'liveability' of a world city.

High levels of road congestion are known to have a detrimental impact economically, socially and environmentally. Given that London's road space is a limited and much demanded public resource it will become increasingly necessary to use road space efficiently by prioritising space saving transport modes which can accommodate more individual journeys within the same space – walking cycling and public transport.

Facilitating more walking and cycling is particularly relevant since this is likely to be the most cost-effective means of adding to London's overall transport capacity. Recent analysis comparing the cost-benefit ratio of walking and cycling schemes with road or rail projects showed that walking and cycling is typically six or seven times more cost effective than other transport schemes²⁵.

Equality and social justice

The transport system has a major impact on people's lives, both positive and negative. The negative effects on individuals and communities of local streets and

²⁰ *Tackling Obesities: Future Choices – Summary of Key Messages*, Foresight, Government Office for Science, October 2007.

²¹ *The Mayor's Air Quality Strategy*, Mayor of London, September 2002.

²² *Planning for a better London*, Mayor of London, July 2008.

²³ *Planning for a better London*, Mayor of London, July 2008.

²⁴ *Transport 2025*, Transport for London, November 2006.

²⁵ *Economic Appraisal of Local Walking and Cycling Routes*, Sustrans, October 2006

public places that are dominated by motor traffic can be significant, and some members of society are more adversely affected than others.

Parents, worried about the threat from traffic, are less inclined to allow their children to play outdoors. Roads with high traffic volumes or speeds deter walking and cycling and frequently create barriers to movement, particularly for the elderly, the young or those with mobility impairments. Speeding traffic and anti-social parking are repeatedly cited as major concerns and fewer people actively present in their streets correlates to increasing fear of crime, especially among more vulnerable people²⁶.

Numerous studies have shown that lower motor traffic levels are associated with significantly higher levels of social interaction²⁷, and that in urban areas that are conducive to walking, cycling and outdoor play people are more likely to know their neighbours, participate politically, trust others and be socially engaged. By prioritising walking and cycling over private car use within urban areas, transport policy can make a vital contribution to social cohesion, neighbourhood revitalisation and community well-being.

Whilst there has been a significant and welcome growth in cycling trips in London over recent years (91 per cent between 2000 and 2007²⁸), measures to facilitate cycling are has not benefitted all Londoners equally. In 2006/07, the number of cycle trips made by men aged 25 – 44 was roughly equivalent to the total number of cycle trips made by men and women (and boys a girls) in all other age groups combined²⁹. Fear of traffic and road danger is the main reason cited for the continuing low cycling levels among these groups³⁰.

Developing a transport system that is available to all and streets and public spaces that are not dominated by private motor traffic to the exclusion of people who would like to travel by other modes is especially important in London, where a significant proportion of the population do not have access to a car. One third of London households do not own a car³¹ and the proportion of children and young people, which is already above the national average, is projected to grow further in the next decade³².

²⁶ The British Crime Survey 2003/04, Home Office, 2004.

²⁷ including, Livable Streets, Donald Appleyard, University of California Press, 1981

²⁸ 'More than half a million cycle journeys now made every day in the capital' (press release), Transport for London, June 2008

²⁹ London Travel Report 2007, Transport for London.

³⁰ Cycling in London, Transport for London, May 2008.

³¹ London Travel Report 2007, Transport for London.

³² Planning for a better London, Mayor of London, July 2008.

PPS012 Atkins

Sent: 17 November 2010 16:57

To: Alexandra Beer

Subject: Investigation into management of publicly accessible space in London

Dear Alexandra/Nicky Gavron,

I am a public space practitioner. As an architect and town planner I have specialised in public space design (and the many issues you are asking about), mainly in London, over the last 25 years and was passed your letter questionnaire, by friend, client and sometime design colleague Paul Gardner Project Manager of the Royal Borough of Kensington and Chelsea's Exhibition Road Project, ex Transport For London Street Management Project Manager for Trafalgar Square improvements.

My project credentials are extensive – but key examples where I have been involved (in both public and private sector guises) in details that are probably most relevant to the management theme of the questions include :

Pedestrianisation of Leicester Square in 1988 – 91 – As lead designer/project Manager Officer at City of Westminster. Covent Garden Area – Seven Dials and Central Covent Garden strategies of improvements and management for local community groups, London Borough of Camden and City of Westminster and English Heritage/Land Owners : 1990 – 2010.

World Squares : Trafalgar Square – as co-author with Foster and Partners of the World Squares For All Masterplan (1996 -1998) and subsequent Phase I Trafalgar Square Area Improvements (2000 – 2003) as Atkins Design Team Leader, also on Phase II Feasibility Study for Parliament Square Area improvements (2005 – 7) and then abandoned at detail design stage) and Phase III – Whitehall Streetscape (and integrated Security) improvements (2007 – 2010 completions in phases).

Regent Street Improvement Strategy, for the Crown Estate in partnership, including side street improvement strategy for al fresco dining, Heddon Street, Swallow Street/Vine Street and pedestrianisation of Glasshouse Street/Regent Place and improvements at Oxford Circus including the Diagonal Crossing rearrangements.

Exhibition Road – design advisor role for City of Westminster northern half adapting the Dixon Jones, RBK&C design to integrate with the route from South Kensington Underground Station.

Q1 Rights in Public Space, under Planning

The definitions need to be precise to distinguish between public highway (most streets and squares in urban areas) and other spaces.

Highway Acts apply – generally to allow pedestrians to : “pass and repass” etc.

Planning legislation does not correlate well with the public highway and licensing etc. legislation, and of course many other interests (public and private) have interfaces and rights and duties in all kinds of spaces between buildings (as the proposed definition of public realm or public space suggested and adopt din the GLA Access Documentation glossaries to date.

In any case is it not better to talk about responsibilities and duties in public space rather than just the rights of individuals and groups. Securing responsibilities under public park byelaws, has only ever worked if enforced by park keepers gentle and watchful eyes. Was this a big brother society of the past, or benign and sensible management?

Q2 Public Space Models

Oxford Street and Regent Street have their management on street presence and until recently the City of Westminster had a small number of City Guardians. Trafalgar Square's island has Heritage Wardens. Otherwise ,managed public highways (and public parks) are police and CSO areas for management and enforcement of the criminal law.

Trafalgar Square is a private (Crown Land) space, administered by the GLA, with inherited byelaws and expensive management which has transformed (in combination with the physical works and facilities of the 2003 improvements),

the safety, security, popularity and character of this historic square. A minority continue to point out (as also on the Crown island of Parliament Square) that these measures are unacceptable infringements of liberties to protest and cause damage or behave in any manner with controls.

Q3 Private Exclusion Evidence

Broadgate and later examples including Canary Wharf and British Land redevelopments, such as Regenet Place (where I work), have shown that high quality publicly accessible space, create and managed privately can be clean, safe, secure and to a minority, intrusive of rights and freedoms perceived to be available on public highways and public parks and square, sometimes adjoining. They have demonstrated the true costs of maintaining and managing such benefits as cleanliness and perceived or actual public safety – and critics and public highway authorities, generally choose to overlook these high costs.

Q4 S106 Management Agreements

Legal agreements will always have difficulty in defining universal freedoms and restrictions. Attempts to achieve this by Victorian byelaws and Highways Acts, demonstrate the gaps that open up for 21st century societies.

Q5 Lessons from recent London Examples

Trafalgar Square, which has been carefully monitored before and after improvements and introduction of eg. the Heritage Wardens, by contrast with other Squares which have not may be a basis for evidence and comparison at this high profile and intensive use scale. Streets are more complex for such comparison examples.

Q6 Local Community Involvement

Local communities are consulted on street and other public realm improvements, although generally are less informed about aspects of management complexity integrated with complexities of physical changes.

Q7 Borough and GLA Policy Impacts

Not yet clear what impact. New, intensively used spaces decay tend to over 5 – 15 years before renewal is recommended or desired for reasons of fashion change (such as Leicester Square – improved and pedestrianised in part in 1979 and again in 1989 and due in 2011).

Q8 Other Measures

Consult with more expert practitioners – such as myself, rather than inexperienced designers or public bodies!!

But seriously, legislation changes are needed in my view to highway and planning legislation as well as licensing and these take resources and significant (political will and) time. In my experience, politicians tend to like quicker fixes and voluntary agreements. These do not generally work well on rights and responsibilities issues.

I would be glad to spend more time on these issues which are well worth formal investments in consultants study. My 25 years experience is a costly commercial resource normally.

Regards,

Technical Director, Atkins Public Realm

ATKINS

PPS013 The Glass House

17 November 2010

Dear Nicky,

Investigation into the management of publicly accessible space in London.

Please find attached a response to your letter dated 13 October regarding different approaches to managing publicly accessible space in London. You will find that our focus is around how participatory design can lead to better quality, better used and better managed spaces.

...

I am not sure how much you know about The Glass-House Community Led Design. We are a national charity working to help local people make better community buildings, open spaces, housing and neighbourhoods. We work with both community groups and regeneration professionals, providing practical advice, training and project support. We believe in the power of community led design to transform places and to bring positive and lasting change to local people.

The Glass House also raises awareness of the power of participatory design to bring positive and sustainable change. We create opportunities for discussion and debate in a variety of settings, bringing together community leaders, design and regeneration practitioners and policy makers to challenge assumptions and stereotypes and to learn from the successes and failures of real projects.

The Glass-House believes that

- Design influences the way people feel about their homes, communities and neighbourhoods.
 - Local people should be at the heart of changes to their neighbourhoods and those changes should respond to local needs and aspirations.
 - Good design can lead to places that are better used, more easily managed and more sustainable.
- We should all be surrounded by buildings and spaces that delight us.

We are delighted to have been included in your investigation, and look forward to future opportunities to work with you around inclusive quality place making in London.

Yours sincerely,

Chief Executive

Investigation into the management of publicly accessible space in London

Response from The Glass-House Community Led Design

- 1. What rights should Londoners have in public space and how can these rights be maintained through the planning and development process?**
- 4. How can "good" and inclusive public space be delivered and maintained via S106 and management agreements between the private and public sector? Which details need to be set out in such agreements and what are the necessary skills for planners in this process?**

Public space should remain accessible to all and any planning and development process should guard against any project that limits access or use of public space. Thoughtful analysis and mapping of an area by and with local people before a development process begins should help

- establish a sense of opportunity and lead to a more collaborative approach to and collective vision for change and opportunity in an area
- identify areas of social and historical value and inform appropriateness of land use for given projects
- identify how a potential development is likely to fit into and connect to the existing urban context

Making the best use of S106 or similar initiatives relies on an inclusive and participatory process that involves the community in question from the outset of the project. Yet we know that ridiculously small budgets are set aside for involving local people in decision-making in the development process. It is well and good to enforce a contribution of funds to community benefit, but if people are not involved effectively in stabling need, opportunity and the best way to bring real benefit to their community, that money can be wasted and lead to even more anger and frustration among local people.

We would propose that any development project in London should set a minimum percentage of project costs aside to support effective participation and leadership of local people from the earliest mapping and visioning stages through to delivery. This minimum threshold would ensure that those leading projects take the participatory process seriously, as they will want to ensure their return on investment.

However, money is not enough to make participation work. There is a large degree of skills development required around participatory design, both for project leaders and officers and for the local stakeholders. Vast budgets can be spent on developing information or consultation material that is inaccessible to large sections of the community and that waste funds and frustrate or distance people from the process. We have seen in our work that many development teams who do have the best intentions and a commitment to effective engagement, simply lack the skills or the support (from their managers or external bodies) to implement a participation process effectively.

There is also a question of who should take responsibility for getting people interested and involved in that process. The relationships that support participation need to be in place long before a project starts. An area with strong embedded links between local authority, the local community and the local voluntary sector will be best placed to support engagement, participation and empowerment, whoever the commissioning client or project group may be.

2. What models are there of managing public space in London and what benefits and disadvantages are there to the different ways of managing public space?

As an organisation that promotes and supports community-led design, we are naturally interested in exploring how public space can benefit from the involvement and leadership of local people in its design, construction, management and maintenance. We have seen projects involving community groups and organisations with varying degrees of autonomy from local authorities or registered social landlords (RSLs) who own the land. Whoever the commissioning body, and wherever the responsibility for management and maintenance lies, those projects where there is a collaborative approach and ongoing relationship that draws communities and landowners together generally lead to better solutions.

There are a number of really nice projects to illustrate this, and we'd be happy to help direct you to some of those we know.

We are aware that several local authorities are exploring how to dispose of or transfer much of or all their green space due to budget cuts and other pressures. Green space (or indeed any public space) being sacrificed for development and/or income generation chips away at our public realm and has knock-on effects on well-being, social activity, health etc. There is also a democratic question over local authorities selling off our public realm, to which we citizens feel we have a collective right of ownership.

Asset transfer could be a real opportunity for communities to have more control over and responsibility for public space, but the transfer of open space is not without its challenges. While we support the transfer of assets to community management and/or ownership in principle, we do have some concerns. When the transfer of an asset is effectively handing over a piece of public realm, some care must be taken to ensure that the space will effectively remain for public use – whether placed in a public trust or through another vehicle. The transfer of assets to community ownership/management will be an important area to watch carefully and on which to ensure that there is adequate guidance and support. Community ownership and/or management of public space carry both opportunity and risks:

Opportunities

- Community ownership and/or management can lead to public space that better meets the needs and aspirations of local communities through decision-making that is informed and led by local people
- Local people understand how public space fits into a network of local activity, and have a better sense of both the current and potential use of and transition through a site.
- If local people are playing an active role in managing a space, there will be a greater sense of investment and ownership among local people. This can lead to better used, respected, and better liked public spaces.
- Community ownership and/or management can bring together diverse groups (who may not previously have had opportunities to meet) with a common purpose and shared opportunity. This is a great vehicle for cohesion.
- Community ownership and/or management can be extraordinarily empowering to a community or voluntary organisation, as it brings with it increased opportunity for activity and potentially for enterprise
- Community ownership and/or management can be extraordinarily empowering to individuals, helping them build valuable skills and confidence, increase employability, contribute to their community and so on.
- Community organisations have access to funding streams that are not available to private or public sector companies. However, it should be noted that this will be increasingly difficult to secure as demand increases in the current climate of budget cuts within the public sector.

Risks

- Opportunities for ownership and/or management are likely to be taken up by the most organised and better-resourced organisations. This means that some sections of the

community, which are not as well resourced, will struggle to take up such opportunities.

- An organisation taking on ownership and/or management may have a particular area of focus or cater for a particular interest group. This could lead to either intentional or unintentional exclusion of other people from the space.
- A natural desire to protect the asset could lead to groups imposing restriction of access or activity
- An open space is notoriously resource heavy to manage and maintain.

Activity and enterprise required to generate the income to maintain a space could lead to either intentional or unintentional exclusion of people from the space.

We feel that the transfer of an open space works best where there is a thoughtful and collaborative approach to the transfer and an ongoing relationship between the community organisation and local authority / land owner to support the success of the asset. This is not about creating or perpetuating a culture of paternalism or dependency, rather doing what is necessary to ensure that the asset that is transferred has every chance of success. The rate at which some local authorities are looking at transferring assets would suggest that many such projects would not receive such attention to detail or benefit from a collaborative approach. The most successful projects also ensure an inclusive and accountable process to involve the whole community in decision-making related to that space.

We believe local authorities and the Mayor's office have an important strategic role to play in ensuring that public space remains accessible, of a high standard and well maintained. They should also be ensuring that the various elements of the public realm compliment each other in form and function, making up part of a spatial strategy that makes use of natural links and connections. This does not mean that a number of different groups and organisations should not take on ownership or management of spaces or that the spaces should not respond to local context and aspirations. However, there has to be some comprehensive strategy to ensure that the management of the spaces meet certain standards and that the organisations are working towards a shared vision for public space in London

There is the very real issue that public space is complex to manage and maintain, and that there are significant revenue costs associated with public space. Private and community organisations taking on management and maintenance of public space will be under pressure to generate income to support it. With limited funding available, many will turn to enterprise. At its most successful, the enterprise element will support the space without compromising access or quality. This is true particularly when the group holds another asset that is better suited to income generation that can subsidise the open space.

However, not all spaces being considered for transfer will have those complimentary income-generating assets and will have to look at how to make the space itself a sustainable business model. The only way to do this may be to either charge users or sacrifice a proportion of the space for income. This then draws us into some of the same issues around privatisation of the public realm raised so eloquently by Anna Minton. It also raises the question of whether transfers are likely to go to the larger, better resourced organisations or trusts and effectively exclude small locally based groups and organisations, which might be excellent partners and collaborators but are not able to take on such projects in their own right.

3. In privately owned or managed public space and what concrete evidence there is of exclusionary design or management practices?

There are numerous examples of design being used to discourage certain types of behaviour. Sometimes these are thoughtful and well executed; other lead to defensive and exclusive design.

Anna Minton has tackled the issues around management practice extremely well in her work, but I would add an anecdote from a national series of debates we ran entitled *Are we designing young people out of public space?*

During the open discussion during the event, young people in the audience were comparing

experiences of being moved on from what they considered public space. Examples included:

- A young woman being asked to leave a university green space (despite being a student there and when she was sitting quietly eating her lunch)
- A group of young people being asked to disperse in a shopping centre, not because of their behaviour but because the management considered the group of friends too large and threatening to other customers

What was most interesting about this discussion was that the young people felt it extremely ironic that these private institutions relied on young people for their revenue (either as the primary target audience or one of the key user groups) yet they did not afford them the same freedom within the spaces as they did to others.

5. What lessons can be learned from any recent London examples you are aware of/involved in? What are the major challenges for upcoming projects in terms of public realm design and management?

We consider the Granville New Homes project in South Kilburn, Brent (which produced new housing, a children's centre and a pocket park) an exemplar project in terms of the engagement and participation of local people. The Glass-House provided design skills development for Brent Council project staff, NDC staff and the resident steering group and are still in touch with many of the people involved.

The resident steering group played an active role in

- brief development
- selecting and briefing the design and construction teams,
- supporting the participation of other members of the community
- working with the design team throughout the evolution of the design process
- snagging the project post-build
- sharing the experience and learning with others (We even took a delegation of Korean planners to visit this project!)

We recently visited one of the community stakeholders to reflect on the process in which she and others had been involved. She felt that the project had produced a high-quality outcome and that her role in the pre-design, design and build phases of the development meant that she

- Had a better understanding of the opportunities and the constraints of the project
- Felt she was taken seriously during the process
- Felt empowered by the process
- Felt a responsibility for the outcome, which she felt was the product of her involvement as much as the others involved
- Had an ongoing relationship with the local authority, architects, construction team, etc), which she still holds to this day

Similar discussions with a local authority officer involved in the project stressed that

- Those who have been empowered through a participatory process become champions and interpreters of the process to other members of the community.

They are also know enough not to let people fall victim to spin

Because of the relationship that builds and develops throughout the process, the empowered and informed stakeholders were able to look at the project objectively. All adhered to clear sets of terms and conditions that made clear when local stakeholders were, informing, influencing or deciding.

While community stakeholders did certainly protect their own interests, they were able to be objective and constructive and not take difficult decisions personally.

There is value in building a business case for effective participation. It is resource heavy, and not recognised for the valuable investment.

** Please note, these observations regarding this specific project were made in a meeting to inform Glass-House practice, and have not been issued or approved as a public statement. Any specific reference to them in a public document or meeting should not be attributed to*

the named project or people without their and our prior consent consent.

This participatory design process was resource-heavy, but those involved felt it was a worthwhile investment. Without the visionary and committed champions at senior decisionmaking level, these types of processes will not happen, as officers and project groups do not have the authority to demand them on every project.

One of the biggest challenges we see is convincing senior executives with Local Authorities, RSLs and Developers of the return on investment on a well structured participatory process. There is a culture change required which could come through guidance and information or through regulation, or indeed a combination of the two.

6. When and how can local communities be involved in the decision making to ensure public space is not an afterthought?

The key to involving communities effectively in design is to bring them in at the visioning stage and to create opportunities for them to inform and contribute to the decision-making process throughout the brief development, selection of the design team and design process. It is obviously not possible to include every local resident, student, worker or visitor in every discussion, but one can take an approach that allows both for the development and involvement of a core working group and for broader engagement and participation activities.

An insightful discussion around consultation and participation emerged through the same debate series *Are we designing young people out of public space?* Some of the young participants were telling the group about a design process for a local park for which they had been consulted. They were pleased to have explored ideas with the project team and to have informed some of the design elements that emerged. However, they felt frustrated by the fact that their involvement had not brought them into contact with other user groups. When they asked project leaders why some of their ideas had not carried through in the final design, the answer they received was that the older people consulted had objected to them. They felt that it would have been interesting to understand what had worried the other people consulted about their ideas and to talk through how they could create a space in which everyone felt comfortable and welcome. The result of what had clearly meant to be an inclusive and participatory design process was that the young people had felt isolated by the experience and not treated as part of a collective discussion about the future of the space.

This sparked a whole series of anecdotes from other members in the audience, who told their experiences of feeling pigeon-holed and isolated by consultation processes that grouped people and made assumptions about their needs and aspirations. Older people also felt victim to clichés, and some grandparents in the room made an extremely important point about rarely being included in any consultation around children's facilities, when so often they are the carers who take them there and are as affected by the quality of the space as the children they accompany.

This led to discussion over the tendency to create a number of distinct areas with public realm that are designed specifically for one user group, rather than exploring how spaces can be shared and enjoyed by all, sometimes together and sometimes at different times of the day. The only way to really gain an understanding of the potential for that is to bring those user groups together to explore a joint vision for change to a place. This is also essential to ensuring that the public space is not an afterthought or simply the left over bits around the beacon projects (or objects!), but an integrated part of a collective vision for an area.

7. How are Borough policies and the Mayor's policies having an impact on the quality and accessibility London's public realm? Are any amendments or new policies, guidance or other advice needed and why?

With the LDA disappearing, there is clearly a new challenge and opportunity to fine tune existing policies and objectives. The localism agenda will provide great opportunities for place making at the local level, but also carries risks of inconsistency in approach and

process. The Mayor's office should help encourage, inspire and challenge all of the boroughs and the citizens of London to think about their local needs and aspirations, but also of the collective public realm of London which belongs to and affects all of us.

Design For London was an important step in creating a voice and champion for high quality design in London. One approach that could compliment this work could be centralised pool of expertise that is made accessible to both communities and LAs (and preferably to those working together) on projects around place-making. With the CAFE Enabling disappearing, perhaps there is the case for a similar London-based pool of expertise that could be drawn upon to offer an independent critical eye to projects. As an organisation that provides independent enabling and as a CAFE Enabler and member of the English Heritage / CAFE Urban Panel, I have seen how much this service is valued, particularly when it is presented not as a regulatory body, but an independent and critical friend.

If such a model were applied to the London context, it would be further enhanced by a more interdisciplinary and cross-sectoral approach. I would suggest that this involve not only

designers and planners, but representatives from the community and voluntary organisations (both London focused and national) that can help ensure that the development processes are inclusive and appropriate to the place and communities in question. We would be extremely keen to explore this idea further with you and help make it happen.

8. Are there any other measures or actions the Mayor (or others) should pursue?

We need to take participation in the design process more seriously. It is not enough to send round questionnaires or hold exhibitions of short-listed schemes. The people who use the public realm can be an extraordinary resource to a project and we should be much more creative about how we harness that resource and empower people to inform and lead changes to their area.

The Glass-House has been working to this end for nearly 10 years. As a national charity, we benefit from experience of working with real projects on the ground throughout the UK. Our experiences with LAs and RSLs to date have demonstrated that while there are some excellent examples of participatory design being done well, there is still a great deal to be done around embedding a culture and the practice of participatory design in projects commissioned and led by LAs and RSLs. The same is true with developers.

One of the most challenging questions is who should take on that responsibility for participatory processes, particularly when there are public/private partnerships or transfers of assets involved. We cannot ignore that effective engagement relies on strong relationships and networks that take time to build and establish. So how can we use the relationships that are already there (through the local authority, local community and voluntary sector, social networks etc) to support new players coming in, but demand that any commissioning body or client group build on those relationships in a meaningful way?

There is a case for regulation, but our experience tells us that being too prescriptive about how we engage local people undermines the distinctiveness of an area. Yet we do know that many organisations and local authorities, with the very best intentions and conviction that they are being inclusive and participatory, are not getting it right. There is a great need to raise awareness about the value of participatory visioning and design and to embed a better understanding and practice of effective and acceptable levels of representation, diversity and opportunity for members of the community to come together to explore ideas.

Recommendations

1. Raise awareness of our relationship with the built environment

There is still a great deal to do on raising awareness on the power of design, but also about the relationship we all already have with it. Too often design of the built environment is associated with an elite group creating iconic (and not terribly well-liked) buildings. But Design is all around us and affects our quality of life, the way we interact, how we live, work, study and play.

So much of the work we do is helping make design accessible and encouraging people be more demanding about the quality of the built environment around us. Unfortunately, too often people only actively assess and express their feelings about the places and spaces around them when they feel their areas are being threatened.

This sets us two challenges. The first is to help embed a culture of interest, criticism and celebration of our built environment among Londoners. We need to get away from architectural criticism in its most elite form, and get people talking about what they like and don't like about our city. One can get very creative and do projects through schools, community and voluntary organisations, local businesses and so on which celebrate the ordinary experiences of Londoners moving through and inhabiting our city.

The second is to get people exploring ideas for change collectively and openly before development projects begin. If people are brought into processes for change at a moment of opportunity, with the right support they can take the time to really look at what works and what doesn't and to help form a collective and constructive vision for positive change that is appropriate to the context.

2. Harness the knowledge, skills and networks of local people to improve developments

Local people are a fabulous resource, but too often they are seen as an obstacle. A participatory design process can improve both the quality of the scheme and the relationships between development teams and local people because

- Participatory visioning and brief development will lead to projects that better meet the needs and aspirations of local people.
- Participatory design processes bring together stakeholders with both similar and conflicting interests to explore options, identify shared objectives and agree a way forward. If this relationship and approach is in place before the design process starts, it makes for much easier and more focused work for the design team.
- A vision and brief that harnesses local knowledge and enthusiasm gives the design team valuable input that will lead to better informed design
- Local people often have ideas that might not occur to the design team. Local knowledge and design expertise are complimentary and should inform and support each other.
- When local people are involved in informing the evolution of a design, they gain a better understanding and appreciation for the final scheme and share responsibility for its success and shortcomings. They understand, contribute to and are accountable for the decisions are taken.

3. Set standards for participatory design

There are some benchmarks and thresholds that could be set to any new development project which involves public realm. We would insist that a clear and accountable participatory design process involves local people in:

- developing a collective vision for change
- developing a design brief informed by local knowledge, needs and aspirations
- making decisions throughout the evolution of the design process
- signing off key stages of design

Whether these benchmarks are applied through guidance or regulation, an expectation of all projects to demonstrate a clear and accountable process to support the above would help

embed the culture into practice.

4. Build a business case for participatory design

There is an important case to be made for participatory design being a shrewd financial investment in a project. It can:

- make best use of local knowledge, demand and awareness of needs
- reduce project costs
- maximise on the investment with long-term improvement to the area, increasing the market value of properties
- produce schemes that are well liked and respected by local people
- produce schemes that are more easily managed and maintained
- bring social benefit to the area, creating new opportunities for the people who live there, linking more effectively into social and economic regeneration.

Building an evidence base to support this would be extremely beneficial to the movement. It would be great to have a dedicated piece of research that explores the financial and social benefit of participatory design, grounded in case studies and vignettes of London projects where it has been more or less successful. However, the research would have to be done with an extremely critical eye and with a firm understanding and experience of participatory design.

5. Use participatory design processes to empower communities

- bring people together
- build skills and confidence
- create new opportunities
- improve people's lives
- create places that work and that delight!

17th November 2010

Dear Nicky

Investigation into the management of publicly accessible space in London

In the past the outcomes from negotiations of S106 agreements used to lead to the creation of new public open space on or near new developments. However, diminishing revenue budgets for maintenance led many local authorities to decline such offers. This has led to a trend of privately owned and managed open space, which your committee is now scrutinising. I can only see this trend getting progressively worse as budgets for local authorities continue to tighten. This is of particular concern where inner city boroughs, and densely developed parts of outer London, have a deficiency of public open space.

In an ideal world it would be preferable to have commuted sums for long-term maintenance but there are few examples of this happening. Perhaps the best way to resolve this issue is to ensure that restrictive covenants or similar are put in place to guarantee that public access is allowed in perpetuity. This is not straightforward as many of these spaces will be part of exclusive developments or rooftop gardens. However, it is possible to design such spaces so that flexible management is permissible. I've not been involved in the Kings Cross redevelopment but I understand that there has been good community engagement that may result in successful solutions.

Privately owned spaces are usually monitored by security guards and do not provide the freedoms afforded by other publicly open spaces. For example, people who may not conform to certain norms are often moved on if they sit down and stay for any length of time, and the use of photography is often prohibited unnecessarily. On the positive side, such spaces are often better managed and maintained, with an on-site staff presence, resulting in some people feeling safer there than in publicly managed spaces.

Borough Open Space Strategies (OSS) and the Mayoral best practice guidance on preparing OSS have most impact on the provision and quantity of publically accessible open space but have little or no impact on the *quality* of these spaces. This is a huge challenge as we face austere times. It depends a lot on the cost of maintaining & managing these spaces.

I hope you find these comments helpful.

Yours sincerely

Director London Parks & Green Spaces Forum

PPS015 Think Place

17th November 2010

Dear Nicky,

Investigation into the management of publicly accessible space in London

Thank you for the opportunity to contribute to the discussion on this important aspect of London life. It's timely as I've just delivered a CPD seminar for the RIBA entitled 'The dynamics of urban form' which, through a series of case studies looks at many of the questions you raise.

The term 'publicly accessible' is an important one no doubt chosen partly in response to a growing unease at the amount of space in London that is publicly managed and excludes aspects of public life deemed inappropriate by private management companies. There is a growing body of literature (Anna Minton's excellent 'Ground Control' springs to mind) that challenge the fashion for contemporary developments in London, and other UK cities, to be built and managed as private estates and for the management of publicly-owned spaces to be devolved to private companies through the BID process.

This form of private management of publicly-accessible and public space raises many issues about the rights of the citizens of our city as well as creating a form of sanitised urbanism that lacks any real authenticity. However it is not the only problem. What my talk focuses on is how design and planning decisions can lock in homogeneity and inertia to change within the city. Management of space is relatively easy to change. The great estates were built as gated communities. Access changed on a daily basis simply through opening and shutting the gates. In time the gates were removed and places such as Bloomsbury have become integral parts of central London. What were built as residential suburbs now house shops, universities, hotels, offices, educational and healthcare uses. In fact the uses are too numerous to list because the inherent nature of these places allows for organic, incremental change that creates a rich grain of uses and characters, diverse and unique places.

In the 20th Century a new form of estate appeared: the modernist housing estate. For a variety of reasons these estates have not accommodated incremental change easily. For instance they often have no streets. They have plenty of permeability, pedestrianisation and acres of public space; but no streets.

Or at least not streets as we would understand them: the kind of simple London street that allows the buildings along it to accommodate different uses and change because those uses can be accessed and serviced by the variety of transport modes required to support them. Streets are just one example, there were many other design and planning decisions that locked in inertia to change and as a result these estates generally did not mature, did not evolve. The solution to this in many instances has been demolition and renewal. Start again; tabula rasa. Not only is this wasteful in fiscal and environmental terms, it denies the city the opportunity to evolve in interesting and unique ways, for memories to be built, for the city to become loved.

Unfortunately we continue to build private estates with built-in homogeneity and resistance to change. Now they look different. They have block patterns and piazzas and permeability and active frontage and all the good things we read about in urban design manuals. Take Broadgate. It is informative to look at Broadgate on google. If one starts with the satellite view one can see what looks like an integrated piece of city-making. The blocks respond to the surrounding scale and pattern of the city, there are squares and routes through. Switch now to the map view and a very different picture appears. There are virtually no streets in this private estate. Google don't yet have a view that shows below ground, but if it did it would show a single basement below Broadgate (excluding the station of course and later phases on the

other side of the station). There's a single point of access to this basement. So how can a building be sold and redeveloped independently from the rest of the estate? If it can't the consequence is that this whole area of the city will remain under the control of a single entity. What does that mean for diversity and incremental change? Habrakan and other influential thinkers have linked the reduction in agents of control in a city to a homogenisation of the city. Will such an estate evolve over time in unusual and unexpected ways or will it have to be demolished and re-built?

I don't mean to single out Broadgate, I use it as an example of a growing trend towards this kind of development: Canary Wharf, White City, Regent's Place, Paddington Basin, Stratford City all follow similar principles. In fact it would be no exaggeration to say that most new large-scale building in London today follows this pattern. What does that mean for the future of our city? Unlike Bloomsbury, Marylebone, Mayfair and the other great estates, we can't simply take the gates down. Yes the management of these spaces is an issue, but the way they are being designed and planned is building in profound issues which will shape our city for centuries to come. Against a background of globalisation, the central question is whether we want London to be homogenous and predictable or dynamic, diverse, unpredictable and unique?

Yours faithfully

Principal

PPS016 Urban Space Management

From: Eric Reynolds
Sent: 01 December 2010 11:28
To: Alexandra Beer
Cc:
Subject: RE: London Assembly - Public space transcript wording

Good morning

I read quickly through the draft last night and can only assume that my rambling words have all to accurately been captured.

Perhaps I could take this opportunity to restate in short sentences what my thoughts on the subject were intended to be.

Existing public space;

streets, squares, parks

- Local authorities should resist the temptation to transfer costs and management of truly public space to others for financial reasons.

New public space;

Roads within large sites, vehicle accessed new squares in large new developments.

- Local authorities should consider adopting where practical.

Reasons for retention and adoption;

- Local authority controlled space is perceived as truly public.
- There are well understood traffic and other laws in place.
- These laws are consistent across the capital.
- The Metropolitan Police service will take action. They often will not on private property.
- Cost for providing access to public space by the general public is shared across the entire tax base not loaded onto tenants of the estate.

Enhanced maintenance cost;

Where new or existing public space has high cost surfaces or street furniture the, out of normal, costs could be covered by means of an endowment component to the 106 or other controlling agreement.

The Mayor could very usefully provide support and guidance to the boroughs with;

- negotiation with developers
- advice on management
- as well as design
-

Other thoughts below.

Regards

e

From: Alexandra Beer [mailto:Alexandra.Beer@london.gov.uk]
Sent: 30 November 2010 17:32
To: Eric Reynolds
Subject: London Assembly - Public space transcript wording

Dear Eric,

Please find attached a draft transcript from the meeting of the Planning and Housing Committee, which you kindly attended. We will be publishing the minutes and transcript next Tuesday, but you are welcome to comment on it and correct any inaccuracies. We are happy to correct where we have transcribed your words inaccurately and can also consider factual corrections to what was actually said, which would be done through footnotes rather than changing the text.

Once again, many thanks for your very helpful contribution to the discussions.

I would also be grateful if you could let me have your thoughts on some or all of the following questions that were contained in the briefing but weren't sufficiently covered during the meeting due to time restrictions. If possible could I have any further comments you may have by the end of next week as that would coincide with the deadline for our written consultation.

- Do you have examples of projects with a site management framework (or similar agreement) in place for the public realm and how has this worked out so far? [British Waterways has towpath agreements with various boroughs. The one in Westminster seems to work well.](#)
- How can publicly accessible space and its maintenance be secured for a pocket park or neighbourhood square that might not warrant an extensive S106 or other agreement? Do you have examples? [There are a surprising number of small pieces of land that are not in beneficial use throughout the capital. A simple licence to occupy could be created which governed the use of such spaces for public enjoyment. For example at TBW we have some keen eco gardeners who look after the orchard and the roof gardens.](#)

- How can directly neighbouring publicly accessible areas work alongside each other when some are managed by the Council and others by private parties, i.e. in a BID? Are there any disadvantages of BIDs or do you see this as a preferred management model for London? BIDS tend to be dominated (and paid for) by single interest groups. They often exist where local Councils are seen to be failing in the delivery of services. BIDS in my opinion should not be the default management model for London.
- What examples are there of successful community input in terms of the ongoing management of public spaces? (i.e. not just at the start of the process) There are many where friends groups exist. For example Russell Square.
- Where do you see opportunities for Mayor's Great Outdoors programme to cover issues of management and inclusion? If the Mayor can avoid the creation of another layer of bureaucracy I think that there is scope for a Small Outdoors (local area) programme as well. I would be happy to try to help with this if appropriate.

Eric

Many thanks

Best regards

Alex

[The full transcript of the Planning and Housing Committee Meeting of Tues 23 November 2010 is available from <http://www.london.gov.uk/moderngov/ieListDocuments.aspx?CId=158&MId=4177&Ver=4>]

PPS017 UCL Prof Carmona

From: Matthew Carmona [mailto:m.carmona@ucl.ac.uk]
Sent: 02 December 2010 11:56
To: Alexandra Beer
Subject: Your questions

Alex

I had a look through the transcript. All looks fine, although reading back your own words is a bit of an eye opener as it never sounds very coherent!

On your three questions:

1. BIDS are a desirable model in some locations, but will not be suitable everywhere as they rely on business contributions. Personally I see few downsides as long as a) the resources are seen as additional to the council's basic service and responsibilities which need to remain b) BIDS are run within the precepts of publicly owned and accessible London space, and do not take it on themselves to exclude any legal and legitimate activities. I have seen no evidence that this is not happening in the UK.
2. CABE have recently issued guidance on the transfer of assets to communities, and it may be worth having a look at that to see what examples they identify. In Greenwich, where I live, the Greenwich Society has a very long history of working with the council to remove graffiti, and have now removed many thousands of markings, resulting in a drop in incidents within Greenwich town centre. There must be many other similar examples across London
3. I think the role of the Mayor should be in providing the overarching expertise and tools (model policies, section 106 clauses, conditions, etc.) for local authorities to draw down and use. This can best be done through the maintenance of Design for London and charging it with a new task of ensuring that London's public space remains open and accessible to all.

best wishes

Matthew

Prof Matthew Carmona
Head of the Bartlett School of Planning UCL

LB Bexley Officer Response

Investigation into the management of publicly accessible space in London

Please find below officer level comments from the London Borough of Bexley

1. What rights should Londoners have in public space and how can these rights be maintained through the planning and development process?

Ideally Londoners should have right to access, use and safely enjoy public open spaces. This means having diverse, interesting and well maintained and managed spaces within a reasonable distance of home. Public open space can be created as part of new development. This is sought in a proposed new development at Howbury, Slade Green. Along the river Cray and Shuttle a partnership funding arrangement with Cory funds river keepers that work with volunteers to improve the quality of the river corridor.

2. What models are there of managing public space in London and what benefits and disadvantages are there to the different ways of managing public space?

There are a variety of models which have a range of benefits and disadvantages. they are generally specific to a particular open space type and have usually evolved as a consequence of ownership and funding. There is no one size fits all answer.

Friends of Groups such as Joyden's Wood Conservation Volunteers and Lesnes Abbey Conservation Volunteers play a valuable role in carrying out management work. Their work includes tasks such as installing hibernacular for amphibians and restoring ponds and heathland. Their work is encouraged and supported by Bexley through officer support and the Bexley Environmental Challenge competition. As part of the planning consent at Crossness for the Thames Water Sewage Sludge Incinerator, and through a section 106, a warden is paid by Thames Water to manage the Local Nature Reserve.

The Green Chain and Green Grid also provide different models. The Managing the Marshes project has also had a significant impact on grazing marsh habitat.

3. In privately owned or managed public space and what concrete evidence there is of exclusionary design or management practices?

Only Friends of Crossness Nature Reserve have access to all of the Nature Reserve. Access is controlled through a numbered key pad. Also see research and 'good practice' guidance issued by CABI space

4. How can "good" and inclusive public space be delivered and maintained via S106 and management agreements between the private and public sector? Which details need to be set out in such agreements and what are the necessary skills for planners in this process?

Enough funds are needed for capital work and ongoing revenue tasks. Section 106 agreements need to also extend to the creation of commuted payments/endowments to assist with the revenue funding of new provision. Good updated management plans are also needed. Boundaries of open spaces, goals, objectives, targets needed. Planners need biodiversity, strategic planning and consultation skills.

5. What lessons can be learned from any recent London examples you are aware of/involved in? What are the major challenges for upcoming projects in terms of public realm design and management?

Lack of funding for wardens and management continues to be a challenge. The most significant challenge to Local Authorities is diminishing revenue funding and the reluctance or inability of external funding agencies to support or provide funding for revenue liabilities. Volunteers provide assistance but also need funding support. Vandalism and theft continue to be a challenge.

6. When and how can local communities be involved in the decision making to ensure public space is not an afterthought?

This can only be done when money is in place otherwise expectations are raised when it may not be possible to realise them. The public view is valuable at the design stage when budgets have been approved. At an early stage in the planning application process.

7. How are Borough policies and the Mayor's policies having an impact on the quality and accessibility London's public realm? Are any amendments or new policies, guidance or other advice needed and why?

Diminishing budgets area limiting factor

8. Are there any other measures or actions the Mayor (or others) should pursue?

The real value of open spaces need to be taken into account. This needs to calculate the value of open space for health and well being, biodiversity, amenity and sport. Also reducing the bureaucracy placed on Local Government by external funding agencies.

If there is any other information you think is relevant to the review please let us know.

The value and potential value of open spaces for climate change mitigation and adaptation need to be assessed and planned for. Planting regimes need to change. For instance dry gardens such as at Danson Park can be created to reduce water use and replace bedding plants and roses. Also planting needs to reflect a changing climate in terms of species chosen. Parks and open spaces can also contribute to renewable energy production through management for biomass production. Open spaces can also play a valuable adaptation role in terms of reducing flood storage capacity. The role of open spaces to reduce the heat island effect also needs to be planned for and increased. All these green infrastructure investments need to be planned for.

Dear Ms Gavron,

Investigation into the management of publicly accessible space in London

Thank you for your letter of 13th October 2010 requesting contributions under eight headings. I offer the following thoughts and comments, structured in response to your eight questions.

Rights to London space

Westminster defines the public realm as *all of those parts of the built and natural environment that the public can view or visit - essentially the spaces between buildings, whether managed by public or private bodies.*

There is a general presumption that all public space will remain public. This is maintained through using planning and highway powers. The City Council does occasionally get requests to close pieces of highway, to create gated environments. This is generally resisted unless there is overwhelming evidence that the closure and gating of a public place or street will solve a chronic problem of antisocial behaviour or crime.

In a historic city most redevelopment takes place on private land and comprehensive development involving public streets is relatively rare. When new public space is created or public streets encompassed by a redevelopment, these are, on occasion, retained by the developer or owner and are thus subject to different management regimes to parks, squares and streets. It is not unusual for there to be fewer rights for the general public than would be expected or exercised in a public street or park. This is discussed further under another response, below.

Models for managing public space

Westminster experiences a wide range of management regimes on a continuum from entirely publicly managed spaces to entirely privately run spaces:

- Public streets and parks relying entirely on public services (often involving the City Council, TfL and the Metropolitan Police)
- Public streets and parks supplemented by informal support structures such as business involvement, common in areas with a large landowner
- Public areas with a formal support structure and service level agreement with the local authority such as Business Improvement Districts
- Publicly accessible space on land managed by others such Registered Social Landlords or the Royal Parks Agency
- Private spaces in developments that a publicly accessible but managed privately usually via a S106 agreement
- There are also public spaces regularly used for special events which have Premises Licences, which has proved an effective means of controlling and balancing the needs and rights of access for all users, for example Trafalgar Square and Leicester Square

The City Council's experience is that complicated spaces increasingly require 'active' as opposed to passive management. Traditionally, the relevant public services would support the continuing functioning of a given space in their respective silos: Cleansing would clean, Highways repair, Licensing regulate and so on.

Parliament Square is an example of a traditional space management. The multiplicity of agencies and legislation involved, and the absence of a clear management plan setting out who will do what, and for what mutually agreed objectives, means that overall management is fragmented and incoherent.

The increased pressures on spaces in central London mean that the weaknesses in the traditional approach are increasingly exposed. As a result the City Council is moving towards more integrated models of space management:

- Closer integration between service delivery requirements and regulatory policy (especially in Licensing)
- Joint intelligence and joint tasking of services generally
- Closer interagency working (especially with the Police) but also with Business Improvement Districts and adjoining landowners
- Development of area management plans for specific sites of high complexity or pressure (such as Marble Arch and Leicester Square).

It is noted that the presence of a BID (Business Improvement District) company can accelerate a council response to a problem. However, this is no different to a strong amenity society that alerts the council early to an issue. Sometimes different contractual arrangements result in different standards of maintenance. Within Westminster it has been noted that parks, which have gained an increasing number of green flag awards, tend to be better maintained than the grounds of housing estates, though the activities required are similar and equalization of standards and reduction in duplication through revised commissioning processes and improved contract drafting in future should reduce these differences.

Evidence of exclusionary design and management

There are several privately owned or managed parts of the public realm in Westminster where the general public is excluded or their activities restricted, such as privately owned gardens and squares with public access. Some protected London squares are held by estates and are only available to keyholders (these being residents facing the space or in the nearby area) where access to the square or garden is a privilege of the lease or freehold title. Some squares have been taken into public ownership and made fully available to the public as a result. Where grants have been given to restore railings, the council has negotiated a proportion of the week or year for public access as a condition of the grant.

As the planning authority Westminster has noted that there are occasional unauthorized uses of some London squares, which although often not contrary to permitted development provision for temporary use of land under planning legislation, is contrary to the terms of the London Squares Preservation Act 1931 when the events in those squares exclude the public from using the space as an ornamental or pleasure ground (that is if it is a ticket holders event).

In the case of one newly created open space within a development at Paddington, reports have been received of security guards preventing visitors taking photographs. **It** is understood that this is at the request of a tenant that is particularly sensitive to this issue, but reports indicate that security guards are often overzealous in preventing photography even of people photographing each other in the space. Our own members of staff have also been prevented from taking record photographs of the

development, so we know this is a practice of which we have experience.

How can "good" and inclusive public space be delivered.

As mentioned above, new public spaces in the City of Westminster, particularly in areas of deficiency, are usually achieved on redevelopment and are provided by the developer as part of the redevelopment scheme. The quality and inclusiveness is thus part of the principal redevelopment proposals and should be delivered by a good brief and good landscape design from the proposers. The City Council's development planning policies, alongside the London Plan, set the framework for good design and the planning application process provides a check.

If developments are of sufficient size there tends to be adequate on-site staff and an appropriate maintenance regime. As discussed above though there is the risk of overzealous management.

Another aspect to this is the improvement of the existing public realm in an area affected by a redevelopment, which the developer may need to ameliorate. This can be done under two methods. The area immediately affected by the development can be restored and possibly uplifted (i.e. improved rather than just repaired) by the use of powers under section 278 of the Highways Act 1980, or the wider area can be enhanced using section 106 agreements. There is a current policy initiative towards pooling public realm contributions received under section 106, and this is easier if there is an area action plan.

The City of Westminster also benefits from major landowners who carry out or contribute to public realm improvements independently of any development proposals, in recognition of the benefits of public realm to the long term prosperity of their estates. **In** the case of Grosvenor, the City Council has formalised this process with an agreement to improve the public realm in Belgravia and Mayfair. Under the Agreement the City Council uses its prudential borrowing ability to provide the initial capital investment needed for public realm works up to a maximum of £1 Om. This debt is serviced by the City Council, and, in five years time a contribution equivalent to the initial capital works is repaid by Grosvenor. The first scheme to be completed under the Agreement on Elizabeth Street was opened on 28 September 2010. It cost £2.4m. The second scheme on Mount Street due to be completed in December 2010 costs £4.5m.

In order to encourage other developers and land owners to contribute to or carry out public realm improvements, the City Council is currently consulting on a system of public realm credits. It provides a mechanism to encourage developers to invest in public realm schemes on the proviso that they will be eligible to apply for their investment to be registered as a 'public realm credit'. If the developer subsequently applies for planning permission for a nearby development and the application is successful, the public realm credit may then be used to 'offset' the requirements for section 106 financial contributions towards public realm projects in the locality of a proposed development by that same developer.

It should be noted that involvement of land owners and developers is more complex where the developer carries out the works itself on the public highway. The City Council needs to approve designs and satisfy itself through legal and contractual checks that it is not opening itself up to liabilities should the works be carried out improperly. The design of a public street with its myriad of utilities under the surface and the continual need of access by utility companies is different to the design of a private public space where access to utilities is strictly controlled by a single owner. In terms of the new skills required, both the private and public sectors need to learn to better identify opportunities for improving the public realm and combining resources in a manner that makes delivering a scheme practical and attractive to both sides.

Involving local communities

This is more of a concern to authorities where major change and regeneration or use

of derelict land is involved. Westminster has largely established communities and active amenity bodies with which to engage on any change. This might involve the creation of new public space. In the case of Paddington, where the derelict canal basin and goods yard have been transformed, regular stakeholder groups were convened during the formative period and have been kept involved as proposals evolved. Existing amenity societies were included in consultations on proposals and these included new areas of public realm.

There are parts of the city where there is a considerable amount of deprivation and these do not have the effective local amenity societies and pressure groups found in other areas. In these locations the council has worked with LARPS (local area regeneration partnerships) and these include residents and people active in those communities who get involved in brief making and project planning. This has often been concerned with the remodeling or reuse of existing spaces and places and quite detailed interventions in management.

In the City of Westminster there are also examples of the community becoming involved in the management of spaces. For example, for the last 15 years the Lisson Grove Community Garden has been run by a local community group. However, the involvement of this group has not replaced the role of the City Council in safety inspections and basic management functions as the capacity and enthusiasm of the community group to run the space ebbs and flows.

Policy impact

The question asks about impact on the quality and accessibility of London's public realm. Whilst chapter 7 of the emerging Replacement London Plan deals with high level principles, the issues of quality and accessibility is more a product of finance and national legislation / best practice. Both the existing London Plan and the Replacement guide local policy in our own emerging Core Strategy and the forthcoming City Management Plan, as they have to be in conformity with it. Designs should be inclusive and take on board accessibility requirements of those with mobility or sensory problems.

Other measures or actions the Mayor should pursue.

As the future financial landscape gets more difficult, there will be increasing need for new partnerships, new ways of working and innovative funding arrangements. In part the recently proposed Localism Bill should frame how this happens and how public rights of access are maintained .

Greater use of lottery money for the sports grounds, parks and open spaces, is emerging as the legacy for the Olympics in some parts of London. This might need to be translated to other areas where improvement is needed.

As the council's own capital programme reduces, spending in partnership with other stakeholders or facilitating their spending by using local authority powers will need to be explored.

As the Mayor of London merges the projects from the London Development Agency into the GLA, it will be for him to keep developing these innovative approaches. Many projects already work this way in the transportation field using the LIP process and a similar arrangement might be needed to address degraded spaces, which could include parks, gardens and the 'Blue Ribbon' beside waterways and rivers.

...

Yours sincerely,

Strategic Director Built Environment

PPS020 London Forum

Sent: 05 December 2010 01:09
To: Nicky Gavron; Alexandra Beer
Subject: Re: Investigation into the management of public space

Nicky and Alex,

The following are London Forum comments on the questions for your study.

1 - A distinction should be drawn between public open space such as parks, other public space and private space open to the public. Parks are likely to have areas designated for various purposes and be covered by bye laws, to both of which residents should conform for the pleasure and safety for everyone. Other public spaces are usually for walking through, relaxing and attending events. Too many of them are made unattractive to most users by skateboarding which often results in noise and damage to surfaces and walls that should not be allowed. The area by the Queen Elizabeth hall that is used for that purpose is an example of bad management practice.

In any space that people can enter, there should be facilities for sitting and people should have the right to take photographs except in areas where signs indicate that it should not be done. Londoners should not expect to have the right to perform, demonstrate or camp in public space without seeking permission from the owner or managing agent.

Public rights in privately owned space open to the public should be established by legal agreements as part of S.106 negotiations. If uses to which public space has been put are unsuitable for the remaining space after development, then CIL funding should be sought to create facilities elsewhere for the displaced activities. That is important when brownfield sites have become play areas for children and young people.

2 - Public space in London that is privately owned is increasing with development. The model of management of Queen's Walk by More London is effective in keeping the area clean and in the close monitoring of any problems. However, it is the type of public space that is bland and sterile in its design and materials with too few trees and shrubs and those that exist are not sufficiently random in type, size and layout. Such spaces need to be lively by being main walkways at all times and with cafe facilities for the public. They are usually better maintained than local authority open spaces. The purpose of the space for the commercial needs of the owner and occupants of neighbouring buildings have to be recognised and respected.

Some boroughs manage public open spaces well but their public realm maintenance has deteriorated in recent years in local authorities with low financial reserves. The Government has recently emphasised the need for boroughs to declutter the public realm and improve its appearance but funds may not be available to achieve improvements of the standard in the Strand and High Street Kensington.

Boroughs are contracting out the maintenance of parks, open spaces and street trees but they seem not to monitor and manage the delivery of the work effectively which has become a disadvantage and prevents elected members having adequate daily control. The result is that Friends of Parks groups are formed by local residents to plan and seek the improvements required. Some are highly successful, such as the Friends of Dukes Meadows, the William Hogarth Trust and Chiswick House Trust (English Heritage), all in LB Hounslow. They have been able to secure grants and Lottery funding not available to a local authority which is a benefit but the source of those funds will decline for some years. Despite that, more 'Big Society' support for open spaces by communities will be important in future. These points cover also the investigation's question 5.

3. Exclusionary design and management practices exist but, in general, they are acceptable and necessary. Studs in surfaces or slopes to deter skateboarders are useful. Londoners and visitors do not understand why they are prevented, inconsistently, from taking photographs in some areas.

4. and 6. Communities should be consulted about the use and management of public usable space before changes are made or planning applications are submitted. Boroughs should ensure their LDFs have policies for the use, maintenance and control of existing and new public spaces so that developers and residents know what to expect and what will have to be included in legal agreements under S.106 processes and in contracts for space management.

5. See 2. above for examples of ways third parties work to make progress with open spaces when boroughs fail to deliver the standards required. The major challenges for upcoming projects will arise in the 42 areas of opportunity and intensification in London and the way public space and surrounding buildings will be designed. The DRLP policies are useful except for the Policy 7.7 on tall buildings which encourages them, instead of limiting them to suitable areas where their harm for visual appearance, down draughts and overshadowing are minimised. There needs to be more creation of green chains and not just hard surfaced open space and pedestrian ways. Lessons should be learned from the conflicts that have arisen across parks and along the Thames embankment caused by introducing cycle lanes that disadvantage pedestrians and introduce dangers for children. There must be more separation of cyclists and walkers.

7. Borough policies are failing to achieve the 2ha of open space within 400m of homes as required by London Plan policies. Open space deficiencies are recorded in Core Strategies and associated maps but new space is not sought adequately in new developments. Borough subcontracting of open space management has not been well defined and monitored and such services are likely to be applied across groups if boroughs on a sharing basis in future, reducing democratic accountability.

The Mayor's DRLP Policy 2.18 is comprehensive for open and natural spaces but its LDF preparation section should include reducing deficiencies in open and public space, as indicated in DRLP paragraph 2.78. Action by boroughs to meet the requirements in DRLP paragraph 2.81 will be essential as soon as the new Plan is published.

More of the Thames should have Metropolitan Open Land designation for protection of the rivers which comprise London's largest open space, albeit linear. DRLP Policy 7.17 applies.

DRLP Policy 7.5 for public realm has good strategic aims but it should be made clear that the planning decisions content is also to be achieved in LDF content.

Public space should be shaded where possible for climate change adaptation.

More waste bins should be available in public space areas and they should be emptied frequently.

Cycle parks should not clutter existing public space and green areas.

The Government's intentions of banning wheel clamping on private land should still allow for clamping contracts to be placed by land owners for housing estates and public space where parking is a problem.

Chairman,
London Forum of Amenity & Civic Societies

PPS021 confidential

Sent: 06 December 2010 17:39
To: Alexandra Beer
Subject: Management of Publicly Accessible Space

Dear Alex

I refer to Nicky Gavron's letter of 18 October 2010 and set out below some personal comments. Please note that I would prefer these kept confidential particularly as they are personal rather than corporate.

Before turning to your specific questions I would make the following general comments:-

1. Generally public spaces provided by developers is to a much higher standard in terms of quality of materials than that generally provided by a local authority.
 2. Historically, local authorities endeavoured to reduce the quality of materials used in public realm to be provided by developers for subsequent adoption due to perceived concerns regarding future maintenance costs.
 3. Privately managed public realm generally is maintained to a much higher standard than that maintained by public bodies.
 4. The management of publically accessible space by developers is generally apolitical. The GLA agreed with us both in respect of The Scoop at More London and Potters Fields Park that it should not be under the control of the Mayor or City Hall given the risk that its use would then be manipulated for political purposes.
 5. The Scoop at More London hosts a series of free to public view events throughout the spring, summer and autumn. A public body could not afford to host such events.
 6. Security is very much in the front of many organisations thinking sad though this is.
 7. Film crews and photographers are often oblivious to the needs and desires of the general public. We have sought to agree protocols with the major TV companies for filming at More London as a consequence of complaints from members of the public.
 8. Many arguing for the adoption of privately managed public space have made false or exaggerated claims. They also tend to be self interest rather than looking at range of sometimes competing users.
 9. Estates and buildings have to be redeveloped over time.
- Turning to the numbered points in Nicky's letter I would respond as follows:-
1. This should be during the public consultation process. It may also be possible to have something akin to the "considerate contractor scheme" whereby owners abide by an agreed code of conduct.
 2. As I understand it space is either private or public.
 3. Certainly in respect of More London the public space is entirely democratic and open 24 hours a day 365 days a year.
 4. I believe that More London has achieved this.

5. Clearly an example is Kings Cross.

6. See 1. above.

7. Potters Fields Park is a good example. This was an initiative combining the local authority, the developer and the Pool of

London Partnership. Whilst Design for London has claimed success in relation thereto it was never involved in its conception, design, delivery or subsequent management. The park is owned by a trust, the Trustees of which comprise representatives of public and private bodies as well as local residents. The trust was provided with an endowment fund to assist in the future maintenance of the Park following discussion with the local authority and funding bodies.

8. I think it would be worth undertaking some proper, thorough research both within the UK and abroad into this whole issue as there are a number of unsubstantiated claims made.

Regards

PPS022 London Borough Waltham Forest

Dear Nicky,

Re: Investigation into the management of publicly accessible space in London

I am pleased to enclose Waltham Forest Council's response to the above investigation in the letter dated 13 October 2010.

Waltham Forest is proud to be an Olympic host borough for the 2012 Games and our feedback covers this element as well as the complexities of having high urban density of an inner London borough together with large green and open spaces and waterways.

Services from across Environment and Regeneration and Culture and Sports have had the opportunity to contribute in responding to the points and issues raised in the letter for managing publicly accessible spaces in London.

...

Yours sincerely
Executive Director Environment and Regeneration

[See below for LB Waltham Forest Appendix A]

Appendix A

Re: L Assembly Letter public space 13101

Definition of public space

The Committee is working with a definition of "public space" (also called "the public realm") that considers all spaces including streets, squares and parks that everyone can use and access in principle, regardless of who owns or manages the space.

Waltham Forest's interpretation includes:

- a) Green and open spaces
- b) Streets and squares
- c) Shopping areas and malls (even when private management).
- d) Any publically owned space.

Waltham Forest's response emphasis is on:

- a) Reducing unnecessary red tape, bureaucracy and processes that are legal or regulatory.
- b) Lobbying to extend the Freedom and Flexibility powers of the ODA.
- c) Identifying obstacles and barriers.
- d) Proposing outline solutions or case studies.

1. What rights should Londoners have in public space and how can these rights be maintained through the planning and development process?

a) Londoners should have increased access to public areas generally and that these should be safe and enable ease of movement.

b) Waltham Forest borough has excellent assets of green spaces and waterways that are unique across London.

i) We are proud to be part of a multi-agency approach on increasing accessibility to the Lower and Middle Lee Valley, and the Walthamstow Reservoirs. This is a unique beauty spot and conservation area for London where a higher profile, investment and resourcing from the Mayor's office would be welcome and necessary if Londoners are to have access to this currently 'hidden', vast area.

c) Further understanding, research, case studies of the mayoral policy on opening up parks and the removal of barriers! gates would be welcome.

i) A guidance pack and a methodology to assess which gated parks could benefit from being opened up would be useful.

ii) Information and case study analysis would be useful as a comparator.

iii) Anti social behaviour and gang-related issues in public parks and spaces would need to be addressed in any study of this nature.

d) Further research into the economic impact and benefits of making spaces more inviting and accessible would help inform our thinking and policies.

e) Striking a balance between increasing public access to open spaces and protecting sites of importance to nature conservation would be necessary. The Borough is host to sites recognised at the national and European levels and therefore be protected accordingly.

f) Waltham Forest and the five Olympic Host boroughs would urge an expedient extension of the powers the ODA have currently for the Olympic Park to the host boroughs. This is around Freedom and Flexibilities, and extending the powers to take immediate action and

enforce where there is anti social behaviour like graffiti, debris, flytip etc in privately owned areas.

2. What models are there of managing public space in London and what benefits and disadvantages are there to the different ways of managing public space?

- a) The close working and interface with the GLA/LOA/OfL is positive.
- b) Waltham Forest has processes in place for creating and designing spaces through a multi disciplinary approach to include key officers from specialist areas from across services and directorates - often flagged as an example of good working practice by the LOA.

3. In privately owned or managed public space and what concrete evidence there is of exclusionary design or management practices?

- a) The lack of accessibility in general is thought to be as a result of historical practices, in particular where the public space has been treated in piecemeal rather than an holistic approach to placemaking.
- i) The recent shift by TfL for re-categorising local authority funding groups for the liP is a positive one from the previous model had competing and clashing priorities and promoted divisive and silo practices for designing the streetscape.
- b) The mayoral push and support on embedding multidisciplinary approach to creating and designing public spaces is positive.

4. How can "good" and inclusive public space be delivered and maintained via S106 and management agreements between the private and public sector? Which details need to be set out in such agreements and what are the necessary skills for planners in this process?

- a) Funding from S106 should have a committed sum assigned for maintenance over a longer period of time.
- b) To enable S106 contributions from multiple sources to be pooled for neighbourhoods within a 1 mile radius of a development.
- c) It would be valuable to be able to direct S106 funds towards areas recognised as being deficient in access to open spaces and areas deficient in access to areas of nature conservation.

5. What lessons can be learned from any recent London examples you are aware of/involved in? What are the major challenges for upcoming projects in terms of public realm design and management?

- a) Lessons learned on shared space from High Street Kensington example, Exhibition Road and Walworth Rd.
- b) Greater emphasis on multi-disciplinary working would be beneficial.
- c) Greater emphasis by TfL on placemaking and joined up working would create more accessible and inviting spaces and places.
- i) More coordination across the networks and departments within TfL and a joined up approach would in turn be more beneficial for local authorities when designing spaces.
- ii) A more tailored and balanced approach for schemes would be beneficial in creating accessible spaces that respond to the local needs and character of an areal neighbourhood. There is currently too much weighting on a one size fits all standard stock approach.
- iii) There is too much involvement and say at a central level rather than negotiation and liaison for a locally sensible solution.
- d) Greater relaxation by OfT on the use of statutory signage for the highways would help create more inviting spaces and reduce visual clutter and crowding of the highway.
- e) Greatest challenge is around the conflicting requirements for the different disability groups

and knowing how to balance these without excluding groups.

- i) For example: visually impaired people have very different needs for the physical design and texture of the environment which conflicts with someone in a wheelchair where they need smooth surfaces, in turn conflicting with someone who is hard of hearing where they need visual clues that make sense.
- ii) More evidence and analysis is needed around the benefits of shared surfaces and for these to be openly discussed with the different disability groups as often local authorities are pre-occupied with localised debates on national approaches.
- d) Lessons learned from implementation of OfC Playbuilder funded projects where pressure was brought via Play England to include natural play elements that would be difficult to maintain, for example mounds, tunnels, loose gravel leading to the repeat of similar mistakes made in the 1970s and 1980s.
- e) A major challenge is the pressure on maintenance budgets and the unrealistic expectation to try and absorb future additional management costs of new developments within existing or declining revenue budgets.

6. When and how can local communities be involved in the decision making to ensure public space is not an afterthought?

- a) Waltham Forest undertakes pre-consultation before a scheme is proposed. This is to enable residents to have a say in telling us about issues and concerns and this in turn helps form the priorities for a scheme. Further engagement is carried out at the design proposal stage.
 - i) Waltham Forest, Public Realm department was recognised for its consultation methodology through the Customer Service Excellence assessment and commended Compliance Plus on the Cabinet Office website.
- b) The local community will have many opportunities to be involved in the planning for public spaces throughout the LOF process. In particular, the consultation for the Area Action Plans will provide a unique opportunity to have a say on the provision and location of public spaces within specific areas in the Borough.
- c) A review and greater flexibility with bylaws is needed as often these are out of date and out of touch with the changing needs of society.

7. How are Borough policies and the Mayor's policies having an impact on the quality and accessibility London's public realm? Are any amendments or new policies, guidance or other advice needed and why?

- a) A central policy and relaxation on interim uses would be welcome. In particular around relaxing planning permissions for ad hoc uses where premises or shops are vacant, and general temporary uses.
 - i) For interim uses Waltham Forest would seek relaxation for include temporary: camp sites, galleries, artist studios, creative industries, etc.
- b) Any new policy or policy changes should consider the implications and build in whole life costings as an essential component for proposals.
- c) The London Plan Open Space Hierarchy provides a helpful standardised approach to analysis of provision across all London boroughs. The Mayor of London's/CABE Space's "Open Space Strategies Best Practice Guidance" guidelines proved to be a useful document in the preparation of the borough's Open Space Strategy.
- d) Developing policies for a pan London approach is welcome, however greater emphasis on guiding and facilitating the implementation of policies would be beneficial as this is where there are difficulties.
 - i) Better announcements of new policies and policy changes through seminars and local engagement would be welcome.

8. Are there any other measures or actions the Mayor (or others) should pursue?

- a) For statutory undertakers (SU) to coordinate better with LA's.

- i) To reinstate highway and footway surfaces to the exact specification required . With reducing resources in local authorities, it is not possible to supervise on a micro level, greater responsibility on the SU to ensure the exact match of materials would be welcome.
- ii) LA's need the flexibility to enforce against SU's instantly rather than the current delayed time of six months which is what the current regulations allow the SUo The more delay there is for SU's to put right their work the powers to enforce against them diminish.
- iii) The delays in permanent reinstatement are being addressed in The Mayors Code of Conduct for Roadworks which LBWF are happy to support. While this is not enforceable most utilities are signing up to it.
- b) Having a Public Space champion in each borough would be beneficial.
- c) Requesting freedom for Local Authorities to make and revise its own byelaws
- d) For transport interchanges to be considered more as public spaces than transit points
- i) Transport interchanges are vital areas of public space that frequently lack the necessary ease of movement and sense of feeling safe, and the public space status that they should have.
- ii) Interchanges would benefit from being considered more as destination points as well as places of transit.
- iii) The TfL LiP funding does not include internal areas for transport interchanges which leads to a greater contrast in appearance when public realm improvements have been carried out next to transport areas.
- iv) There is a lack of coordination with the bringing budgets and funding together for transport area improvements - better coordination between public realm improvements and transport interchanges internal spaces would be beneficial for users as this would read as more coherent public spaces through the holistic approach.
- v) Whilst major stations benefit from improvement there is less attention and investment in the transport interchanges in the outer London boroughs - a better approach would be to undertake an audit and risk assessment of the safety of the environments and people's perception.
- e) Street market areas need to be seen as public spaces and as such Local Authorities need greater control for managing their street markets as public spaces and as public realm improvement schemes.
- i) The London Local Authorities Act 1990 restricts the LA's ability to make public realm improvements in street market areas to create more inviting public spaces.
- ii) The London Local Authorities Act 1990 restricts the LA's ability to carry out street market re-designs to create better placemaking.

Dear Nicky,

Re: Investigation into the management of publicly accessible space in London
Thank you for your letter of 14 October. Please find my responses below.

1. What rights should Londoners have in public space and how can these rights be maintained through the planning and development process?

My Manifesto for Public Space - London's Great Outdoors, which was published last November set out how important high quality, accessible public spaces are to London. They are the places where people come together to meet, eat, relax and simply pass through. They contribute hugely to the quality of life of Londoners. For this reason I made clear that my objective was to ensure that access to public space is as unrestricted and unambiguous as possible ..

How the objective is applied specifically to any site will need to be dependent on the size, usage and the operational dynamic of the space, ensuring a balance that prevents any individual or group usurping those of others wishing to enjoy the facility.

In particular I would expect public space projects to demonstrate an ambition to achieve one or more of the following:

- Reconnect severed neighbourhoods
- Contribute to revitalising and strengthening town centres and high streets
- Enhance the quality of life
- Encourage walking, cycling and increased use of public transport
- Open up neglected water places for public use
- Improve London's transport hubs and busiest interchanges
- Improve the quality of green spaces and access to them, and enhance their biodiversity
- Remove barriers and create spaces that are accessible for everyone
- Reduce the impacts of climate change and enhance sustainability.

As a matter of course I would also expect that public space projects should be:

- Flexible, providing the potential for a variety of activities and events
- Comfortable, encouraging all types of use
- Accessible, catering to all users
- Safe throughout the day, night and year
- Sustainable and durable
- Beautiful and well designed, rich in texture and well executed
- Integrated with their surroundings and respectful of the characteristics of their locality.

The London Plan also fully recognises the importance of high quality public realm and people's right to access them. In particularly my Draft Replacement London Plan states that London's public spaces should be,

- Secure
- Safe by designing out crime
- Accessible by adopting inclusive design principles
- Inclusive by designing for London's diverse communities
- Well maintained, including appropriate lighting
- Legible - Easy to understand, whether this is being able to navigate through the space, understand whether it is public or private, or simply the role and function of the place
- Permeable - Routes and spaces are connected which encourages walking and cycling

- And they should incorporate the highest quality landscaping, planting, furniture and surfaces.

These principles can be promoted through planning policy as well as negotiated as part of considerations of planning applications. The Draft Replacement London Plan (DRLP) sets out a range of policies to ensure that Londoners are fully considered and that inclusive design principles and designing out crime are implemented in the design of public spaces.

As a result of the Examination in Public, I proposed changes to some of the policies contained in the DRLP to further improve them. The policies set out below include those proposals and are referenced (Further Suggested Changes). The key policy that is most important in achieving high quality public spaces is DRLP Policy 7.5 Public Realm (Further Suggested Changes). London's public spaces should be secure; accessible, inclusive, connected, easy to understand and maintain, relate to local context, and incorporate the highest quality design, landscaping, planting, street furniture and surfaces. The public realm should be seen as a series of connected spaces that help define the character of a place. Public spaces should be well maintained and incorporate the highest quality design. Legibility and sign posting can also make an important contribution to whether people feel comfortable in a place and are able to understand it and navigate their way around. Ongoing maintenance should be a key consideration in the design of places. Other policies that also have a direct influence on the quality of the public realm include:

(Further Suggested Changes) DRLP Policy 7.1: Building Neighbourhoods and Communities - Good access to public quality open space and public realm is a fundamental principle of achieving lifetime neighbourhoods. Ensuring that public spaces have the facilities necessary to ensure that all parts of the community can use them, for example public toilets, benches, etc.

(Further Suggested Changes) DRLP Policy 7.2 An inclusive environment - Requires all development to achieve the highest standards of accessibility and inclusive design, ensuring that the diverse needs of all Londoners are integrated into development proposals from the outset.

(Further Suggested Changes) DRLP Policy 7.3 Designing out Crime - Routes and spaces should be legible, safe, well maintained, providing for convenient movement without compromising security. There should be a clear indication of whether space is public, semi public or private; and spaces should be designed to promote a sense of ownership, with natural surveillance where public spaces are overlooked.

(Further Suggested Changes) DRLP Policy 7.4 Local Character - Public spaces should be designed in a way that reflects local character, building on the positive elements of places. Character and public spaces do not necessarily recognise borough boundaries, therefore cross borough working is important to ensure a consistency of high quality spaces.

Other planning mechanisms for achieving my vision for high quality public spaces include policy documents such as preparation of Design Briefs, masterplans, area action plans, etc and other tools such as S106 agreements, conditions in planning applications and management agreements. Community engagement at an early stage in the design process can help to ensure local knowledge and experience is used to help improve areas.

Whilst the London Plan sets out the principles for achieving high quality public spaces, there is a local dimension that needs careful consideration with regards to detailed management of issues like hours of opening. Policy 7.3 addresses this issue at the strategic level by stating that there should be a clear indication of whether space is public, semi public or private and that routes and spaces should provide for convenient movement without compromising security. This then allows the flexibility for local circumstances to determine the appropriate level of security balanced with public rights to access and move through spaces.

2. What models are there of managing public space in London and what benefits and disadvantages are there to the different ways of managing public space?

There is a range of management models for managing public space and their appropriateness in particular circumstances depends on the facts of each case. In any event and whatever model is used, I favour the greatest degree of public accessibility.

In this respect there is also a long standing tradition of the involvement of users in the management of public space through amenity groups and friends of societies. Members of the public have most recently been fired up by the challenge of climate change and sustainability. Therefore, I am keen to encourage more people to become involved in their local spaces.

3. In privately owned or managed public space what concrete evidence is there of exclusionary design or management practices?

In the Great Outdoors I highlight that there is a growing trend towards the private management of publicly accessible space, where the 'corporatisation' of public spaces occurs, especially in the larger commercial developments, Londoners can feel themselves excluded from parts of their own city. However, there are examples of good practice that others should be encouraged to follow, for example at Kings Cross it was agreed that London Borough of Camden would adopt the streets and public areas and unrestricted public access to the area has been protected.

My aim of DRLP Policy 7.2 An Inclusive Environment is to promote the principles of inclusive design in all new developments in London (key to inclusive design is placing people at the heart of the design process and designing in flexibility and choice from the outset). Despite the improvements in the accessibility of London's built and open environment: in recent years, many disabled and older people still find access difficult due to the way buildings and spaces are designed, built and managed. There are still examples of where design can exclude disabled people, but these examples are now generally in older buildings or where open spaces and areas of public realm have not been improved to meet current inclusive access best practice standards (standards such as British Standard BS 8300:2009 and the DfT's Inclusive Mobility). However, there are unfortunately still examples of new buildings where access for disabled people has not been provided in a way that avoids segregation and separation.

Some historic areas, where there are extensive areas of uneven and poorly jointed cobbles are challenging places to walk or wheel particularly for wheelchair users, people with balance difficulties or with other mobility difficulties. Other areas where difficulties in the public realm arise are where public lifts have been installed but the maintenance has not provided a regular reliable service. Therefore, DRLP Policy 7.5 (further proposed changes) highlights that the ongoing maintenance of infrastructure should be a key consideration in the design of places.

Often the lack of seating or toilets can also stop some people accessing areas and create a barrier to going out, especially for older people. This was raised by the London Older People's Strategies Group meeting when being consulted on the London Plan, who were very supportive of my policy to promote Lifetime Neighbourhoods where facilities such as seating and public toilets are planned into proposals from the outset (see DRLP Policy 7.1).

4. How can "good" and inclusive public space be delivered and maintained via 5106 and management agreements between the private and public sector? Which details need to be set out in such agreements and what are the necessary skills for planners in this process?

The two key issues for all new open spaces are the initial design and the ongoing management and

maintenance.

Initial design - this would be addressed as part of the planning process or at reserved matters stage, and would cover issues such as materials, planting, furniture, play equipment, lighting etc. Reserved matters stage is when an outline application is applied for but the detail is left to a subsequent application or if there is a large scheme where applications are submitted in phases. I would not be involved in reserved matters stage as these are considered detailed issues, which are better addressed at the local level.

Management/maintenance - it is important that responsibility for future management/maintenance is clearly understood and agreed from the outset, whether the developer will manage and maintain or whether the land is to be transferred to the local authority or if there is to be partnership arrangements. If it is to be transferred to the local authority, then the authority will often ask for a payment for ongoing maintenance - but this has to be time limited, authorities need to have a plan for what happens when the money runs out (this could be including commercial activities within the space, e.g. kiosks/cafes, that bring in income). If the developer is going to own and run it, then there would need to be a negotiated agreement about public access and use as well as other maintenance and management issues.

It is important to ensure that appropriate clauses are included within s 106 agreements. The drafting of clauses should be prepared through consultation with the developer at an early stage. It is important that the wording of such agreements is robust, enforceable and is able to secure long term benefits. In some cases it will be necessary that legal advice on these matters be sought. Design and Access Statements can also be used to provide some information as to how the land may be managed and maintained in the future and as the basis for appropriate planning conditions or S106 agreements. However, the level of detail provided in them varies enormously and whilst they might be a requirement there are currently no verifications as to their quality.

5. What lessons can be learned from any recent London examples you are aware of/involved in? What are the major challenges for upcoming projects in terms of public realm design and management?

Some great projects have happened recently. Brixton Town Centre has been transformed by a magnificent new public space, Windrush Square, Oxford Street has become a more comfortable and pleasant place to walk along thanks to the new diagonal crossing, Orpington High Street has been cleared of clutter and redundant signs and Rainham Marshes is beginning to be rediscovered with the provision of new paths and bridges. Investment into public transport improvements and around stations has also helped increase Londoners' access to high quality public spaces.

Public realm improvements have been secured and implemented on a number of key central London Sites, for example Crown Estate, Regents Street and Paddington Basin in Westminster, Kings Cross Central and Regents Place in Camden and at Aldgate in Tower Hamlets. In outer London works have been secured at Wembley Stadium and the surrounds in Brent. Smaller examples such as Colindale in Barnet also include public realm improvements. The responsibility for managing public realm is often split between private management companies or through adoption by the local planning authority.

All of these projects allow Londoners to make the most out of London's public spaces, the intensely used spaces at the heart of the city and also those that are less visited edges that provide compensation for the stresses of urban life.

The challenge moving forward is to design and deliver more improved and new public spaces fit to meet the needs of a growing population and the challenge of climate change, in an environment where public sector investment is likely to be reducing. New and improved spaces need to respond to the changing way people use public space. They also need to balance the need of people to

walk around the city and relax and enjoy its public spaces and the requirement for private vehicles and public transport to move quickly across the city. The principles laid out in Better Streets and Better Green and Water Spaces as well as my Draft Replacement London Plan will help meet these challenges. My London Plan also provides opportunity for the assessment of area priorities through the identification of Opportunity Areas and major growth corridors.

One of the main lessons to be learnt is the importance of obtaining good quality advice, ensuring the involvement of relevant stakeholders both in terms of local groups but also groups who have specialist knowledge or expertise and ensuring issues are fed into the design process as early as possible. This is essential as the earlier issues, priorities, etc are fed in, the more scope and flexibility there is in providing solutions to them. Solutions that are delivered through the early design stages are not only more likely to work but also cost significantly less than those that have to be fitted into the schemes as a bolt on.

Another lesson is that not only do people not recognise borough boundaries but public space also does not and therefore the treatment of public spaces that cross borough boundaries is extremely important in ensuring there is a seamless transition both between boroughs and between spaces. One of the key upcoming challenges will be how public spaces are maintained and managed. In an era of constrained spending there may be much more of a reliance on the private sector both maintaining and managing publicly accessible spaces. This potentially could lead to issues of exclusion either through perceived security risks or simple discrimination practices in terms of the management of spaces. Long-term maintenance may also be an issue in terms of the standard to which the area is maintained. Less funding available from central government to fund and manage public realm improvements will result in the need for more innovative ways of securing funding such as through sponsorship and joint working with the private sector.

. A greater emphasis on localism may provide greater opportunities for local communities to become involved in the development and implementation of public spaces. One of the challenges could be balancing stakeholder expectations, both in terms of those more articulate groups with those who may not traditionally be heard but also balancing the needs articulated by those with specific expertise i.e. accessibility experts and wider policy objectives such as for traffic movement.

6. When and how can local communities be involved in the decision making to ensure public space is not an afterthought?

There are many opportunities for local communities to be involved in decision-making. In planning terms local communities can be involved in the preparation of plans and strategies including the London Plan, Local Development Frameworks, masterplans, OAPFs, Core Strategies, Area Action Plans, SPD/G etc will all provide opportunities for more strategic priorities to be integral to the planning of places. In terms of my London Plan, DRLP Policy 7.1 states that boroughs should work with their local communities to set goals for their neighbourhoods and strategies for achieving them. This should percolate through all types and levels of plans and strategies.

In addition, there is also opportunity as part of individual planning applications for local communities to be involved in the decision-making process e.g. local access groups. The localism agenda will potentially widen the scope of participation for local communities with the Government placing more emphasis on developers needing to gain the support of local communities for projects and schemes; this will be particularly important for public space schemes.

In terms of strategic planning applications the GLA promotes the setting up of strategic access forums like SCCAG when appropriate, other examples include Kings Cross, Tottenham Football Club redevelopment, Springfield Hospital in Tooting, and the land around Wembley Stadium. At local level the involvement of local access groups in planning applications can help to ensure that the access needs of disabled people are addressed at planning stage and can help to address misconceptions and lack of understanding around the needs of disabled people. Peter Lainson the

chair of the London Access Forum (a network of local access groups in London) may be able to provide more details as would Inclusion London (which works with organisations of Deaf and disabled people in London).

7. How are Borough policies and the Mayor's policies having an impact on the quality and accessibility of London's public realm? Are any amendments or new policies, guidance or other advice needed and why?

Both my policies and Boroughs' policies are having a huge impact on the quality and accessibility of public spaces in London. My Priority Park and Great Spaces Initiatives, both part of my London's Great Outdoors, are two very good examples of how high quality spaces are being delivered through policy initiatives. The ODA's work will ensure the Olympic legacy is transformed into an accessible park, which will have immense benefits for Londoners currently living in an area, which has relatively low levels of access to green space.

London's Great Outdoors brings together under one umbrella the public space schemes across London that I am supporting, including the Green Spaces Initiative, the Green Grid and Street Trees. As well as publishing my manifesto document setting out my ambitions I also published two practical guides to creating and delivering public space. These are Better Streets and Better Green and Water Spaces. They include some basic principles in approaching design and delivery and a list of real projects. I am backing these projects that are being delivered by the GLA Group, local boroughs and other public and private agencies.

Since the launch last year 20 projects have been completed and a number of events held to promote the importance of public space and to share knowledge and experience so that the good things that are happening can be built upon. Whilst many good things are happening there is still much to be done and many of London's public spaces remain inaccessible to many especially at night. The boroughs will be key to delivering change and I will endeavour to provide assistance through, Transport for London, Design for London, the London Development Agency and the Homes and Communities Agency. '

Numerous policies and best practice guidance documents are in existence. For example Inclusive Mobility, Improving Walkability, Pedestrian Environment Review Software (PERS), Legible London and borough's public realm strategies such as Paddington Area Transport Study (PATS) and Paddington Area Transport Environment Management Study (PATEMS). In terms of strategic policy, I have strengthened my DRLP Policies by putting a greater emphasis on the quality of design. In addition, I will be updating a number of SPGs to provide further guidance on developing and implementing effective inclusive design solutions. '

At the more local level, boroughs' open space strategies also provide a framework in which the quantity and quality of a range of types of open spaces can be enhanced, improving the quality of life for Londoners across the City.

There may be a need to bring some consistency to guidance, although the responsibility for detailed design is not necessarily a strategic issue and should be left to councils to implement based on a set of broad overarching principles, which allows flexibility for local circumstances.

8. Are there any other measures or actions the Mayor (or others) should pursue?

Professional bodies should look to improve the skills amongst their relevant professions.

Many planning applicants do not use specialist access consultants and do not necessarily have an

understanding of the detailed technical advice and standards that need to be incorporated into schemes to ensure inclusive access. Organisations such as the Centre for Accessible Environments and the National Register of Access Consultants will be able to provide more detail on these issues.

A willingness by clients to address inclusive design from the outset would also help to ensure these issues are not left to the end of the design process but are integrated from the outset (see LOA Inclusive Design Toolkit).

Thank you again for writing to me.
Yours ever,

Boris Johnson
Mayor of London

7th December 2010

Dear Nicky,

Investigation into the management of publicly accessible space in London

The Royal Parks welcomes the opportunity to contribute to the London Assembly Planning and Housing Committee's investigation.

Investigation Questions

1. What rights should Londoners have in public space and how can these rights be maintained through the planning and development process?

Public space needs to be managed with a clear vision, stable governance and a sound management plan. This may be simpler to achieve when looking at new development but the principles should be applied to any such area of public realm from City Square to public highway or local children's playground to Regional Park.

2. What models are there of managing public space in London and what benefits and disadvantages are there to the different ways of managing public space?

A model that provides for a very long term vision for the land is likely to be more successful than a structure that has only a short term perspective. The Royal Parks has taken responsibility for the management of public parks since the 1851 Act that recognised the collection of Royal Parks as a national asset. Many Local Authority Parks were designed since Victorian times taking inspiration from the Royal Parks. The experience of new towns and development corporations was that some form of endowment was needed to ensure the long term sustainability of public realm created. The model used at Milton Keynes, by the Milton Keynes Trust, provided built assets to guarantee the long term income sufficient to fund ongoing management and maintenance. This type of model links good original design which is capital funded with a sustainable income source for future management and maintenance. The committee could explore exemplars from both the public and private sectors where improvements to the public realm have been achieved and the long term future secured. Regent's Park is an interesting historic example of a private development scheme where John Nash designed Terraces and 28 villas in picturesque parkland. Construction took place within the landscaped parkland between 1811 and 1832. Only 8 villas were eventually constructed but the real estate value of the landscape to the Terraces and Villas is clear today. Retention of part of that built asset for the future maintenance costs of the public space could have provided a generous endowment.

3. In privately owned or managed public space what concrete evidence is there of exclusionary design or management practices?

No specific observations

4. How can "good" and inclusive public space be delivered and maintained via S106 and management agreements between the private and public sector? Which details need to be set out in such agreements and what are the necessary skills for planners in this process?

I understand that currently S106 funds cannot be targeted on the ongoing maintenance and management of public open space. This means S106 funding is often spent as capital on well designed schemes that

will over the longer term be unsustainable due to lack of funding. In the City it is also difficult to provide public realm improvements immediately adjacent to a development. Consequently TRP would welcome the pooling of S106 funds to be applied for wider community benefit including environmental, landscape and sports and recreation benefits. Through such an approach developers can see an enhanced local environment and local communities can feel that their public realm is receiving suitable investment to reflect the increased pressure the new development may bring.

5. What lessons can be learned from any recent London examples you are aware of/involved in? What are the major challenges for upcoming projects in terms of public realm design and management?

The strategic planning process taken at Hyde Park Corner and Marble Arch involving a multi Agency approach has delivered enhanced public realm at both locations.

The ongoing focus on Legible London in the lead up to 2012 is an essential piece of work to improve the visitor's experience. The Royal Parks has actively supported this programme and has introduced new signage and interpretation using the legible London guidelines and standards.

In Westminster supplementary planning guidance has been provided regarding the construction of memorials. In addition TRP has a moratorium on new memorials. However, there is a constant pressure for memorials in Westminster and the Royal Parks are often identified as possible venues for such constructions.

6. When and how can local communities be involved in the decision making to ensure public space is not an afterthought?

Existing guidance and best practice encourages consultation ahead of any formal planning process. Local communities should be consulted and involved in decision making early on.

7. How are Borough policies and the Mayor's policies having an impact on the quality and accessibility London's public realm? Are any amendments or new policies, guidance or other advice needed and why?

Review of S106 funding and a clear strategy regarding how such funds are targeted to provide a sustainable community benefit.

8. Are there any other measures or actions the Mayor (or others) should pursue?

A focus on the pedestrian environment will help promote public realm as a community and planning priority. An understanding of the broad range of public benefits that Parks and Open Spaces provide would help focus greater resource where communities would see most improvement.

...

Yours sincerely,

Deputy Chief Executive
The Royal Parks

PPS025 BCSC [British Council of Shopping Centres]

8 December 2010

PPS0025-BCSC [British Council of Shopping Centres]

Proposal for an investigation into the management of publicly accessible space in London

I refer to Nicky Gavron's letter dated 13 October 2010 and proposal paper of the same date in respect of the above matter.

As you are aware, BCSC represents businesses operating in the retail property sector, our mission being to promote industry best practice and advance the professional aims of the retail property industry. Our membership is a broad church of around 2,600 property professionals including owners, developers, retailers, surveyors, architects and public sector managers.

The retail and retail property industries together play a strategic role in sustaining communities, with 7.6 million people currently employed in the UK. In 2008 alone around £6 billion was invested in the UK by the retail property industry, creating tens of thousands of new jobs.

I set out below our response to the issues raised. I have also included comment on the proposed amendment to the Freedom (Great Repeal) Bill by BOND (attached), which intends to seek access to "quasi-public space" for demonstrations, protests etc., which also relates to the use of quasi-public space.

It is worth noting that the term "quasi-public" is not a defined term, though it is frequently used. I use it here to refer to land which is in private ownership but is open to the public, though subject to restrictions the owner may impose such as opening times.

In our view it is essential that quasi-public space is compatible with the main use to which the buildings and other land on the site is put, the rights and interests of the land owners and their occupational tenants, who together often fund this space or contribute substantially to it, as well as the majority of the public likely to access the space. All of these issues have a bearing on the appropriate uses to which the space should properly be put.

In our view, the design, use and management of quasi-public space can be properly delivered through the planning regime, most typically through section 106 agreements, although other legislation such as the Highways Act 1980 gives local authorities powers to deal with roads and walkways.

Section 106 agreements are a tool which enables local authorities to control the design, use and management of quasi-public space in a manner which is conducive to the use of the overall site. These agreements are largely successful in achieving well-planned quasi-public space through early consideration of the development proposal and full engagement with the developer and its team. There are many good examples where this has been done, or where this is part of a current planning approval, for example 20 Fenchurch Street (The Walkie Talkie building) which will have a viewing deck and sky gardens on the top floor open to the public, as well as the numerous developments mentioned in the report dated 13 October 2010. These developments demonstrate that the various models created for the management of quasi-public space are sufficiently adaptable to suit the particular site, and allow for various funding models between the public and private sectors as appropriate.

Whilst creating easily accessible quasi-public space has many benefits, the rights of the public to access this space needs to be carefully balanced with the rights of the land owner and its tenants. Making this space

open at all times for any purpose would be detrimental to the land owner and occupational tenants, but could also be unsafe for the general public. For example, it is clear to us that it would not be appropriate for such space to be used for protests.

Whilst section 106 agreements are used to set the criteria for the design and future management of the space, it is an inappropriate tool for dealing with matters such as public order, which is not a planning skill. These matters require proper liaison with the Metropolitan Police.

The planning process currently allows for communities to provide feedback on planning proposals. Current policies have already seen a lot better use being made of quasi-public space in developments in London, for example South Bank. However, the Localism Bill will in the future give local communities considerable power to drive local decisions. Local communities will therefore have far greater input and influence in decisions regarding the design, use and management of quasi-public space in the near future.

One issue which needs to be carefully considered is how London authorities can maintain a careful balance between those parts of the community who actively participate in planning decisions and those who do not, as well as the rights of land owners, to ensure that decisions taken are fair and representative of the majority as well as in the interests of London. It will not help London's economy or future as a major city centre if power is shifted too far to the local community where a minority can frustrate future development. This could have an adverse impact on investment in London and the UK generally.

One of the biggest challenges facing the private and public sectors is funding. Since the downturn a large number of developments have been mothballed. When these are revived, funding is likely to remain a major issue. As the viability of schemes is more delicate, developers and planners will need to be more innovative with design and management proposals with a far tighter budget. London authorities (like any other in the country) will need to consider priorities and we would expect public realm matters to be given a lower priority on marginal schemes so development, which would produce a better outcome for London, is not stifled.

You may be aware of BOND's proposals to table an amendment to the Freedom (Great Repeal) Bill to allow quasi-public space to be used for protest. In the context of shopping centres the space is utilised completely for commercial purposes. I do not therefore consider shopping centres in particular should fall within the ambit of quasi-commercial space for the purposes proposed by BOND. I comment on BOND'S proposal below as this is linked to the management and access to quasi-public space and therefore to your own call for information.

This proposal is of major concern to our members for a number of reasons. We comment as follows:

1. The concept of protest is incompatible with maintaining safe, well-maintained, attractive quasi-public space for use by the majority of the public for leisure and/or access purposes. It is evident from the recent student demonstrations for example that the police are unable to adequately assess whether a protest will be peaceful, and to have the resources available to deal with it. Whilst the amendment provides for notice and entitles the owner to impose conditions, this will not satisfactorily address these issues as evident from the recent student demonstrations in Westminster and the targeting of the Topshop flagship store on Oxford Street. It is also clear that even genuinely planned peaceful protests can be hijacked by anarchists, solely intent on causing fear and damage.
2. A major concern to land owners will be the potential risk of liability under the common law and under the Occupiers' Liability Act 1957 which could arise as a result of protests allowed in quasi-public space, leading to substantial cost implications for and owners and their tenants.
3. The costs resulting from demonstrations can be enormous in terms of criminal damage to property. These costs will be directly borne by the land owner and its tenants through increased insurance premiums, security costs, service charges etc. In addition, retail tenants and

commercial tenants located within the quasi-public space may lose business, particularly if they have to close for any period. This will be particularly harsh in the current economic climate, and for some struggling tenants any additional costs or loss of business could threaten their survival.

4. Additional costs of making quasi-public space available for protest is therefore something that should be publicly funded, though clearly these funds will not be available. Furthermore, even if it was it would not overcome the major concerns owners would have regarding the risks associated with protests in such space.

5. The majority of the public wishing to access quasi-public space do not want to be involved in any form of protest. They are likely to feel intimidated and feel unsafe, particularly the elderly, vulnerable and children, with these groups being effectively excluded when protests take place. These activities could act as a deterrent to the majority of the public accessing the space, which is diametrically opposed to the intention to make it accessible to all.

6. The Proposal by the London Assembly requires quasi-public space to be secure, comfortable, and enable the public to move easily through the space. These are key elements to the use of that space by a large volume of members of the public. The proposed amendment by BOND is incompatible with this.

We intend to present a response to BOND's proposed amendment prior to closure of the consultation period in January 2011. We are more than happy to share this response with you for further information

...

Yours sincerely,

Executive Director
BCSC

PPS026 CAE Response

Investigation into the management of publicly accessible space in London

This is an extremely broad topic of investigation and cannot be covered completely in a feedback response such as this.

1. What rights should Londoners have in public space and how can these rights be maintained through the planning and development process?

Everyone should have the right to safely access the public space including older and disabled people. Clear consultation processes give opportunities to local access groups, and to older people's and disability organizations, to feedback into design and management. Access officers and access group independent access professionals should be officially involved in the processes.

2. What models are there of managing public space in London and what benefits and disadvantages are there to the different ways of managing public space?

Local community and arts models of management have proven successful, for example the Southbank have made public space welcoming venues for performances and markets as well as routes. <http://www.coinstreet.org/>

The Urban Design Compendium has a useful chapter on management.

Urban Design Compendium 2(UDC 2): Delivering Quality Places, English Partnership and The Housing Corporation

<http://www.englishpartnerships.co.uk/qualityandinnovationpublications.htm>

3. In privately owned or managed public space and what concrete evidence there is of exclusionary design or management practices?

The Duke of York steps are currently inaccessible to a range of users. An extract from CAE's inclusive design journal, *Access by Design* issue 124 is attached for details of an exhibition highlighting this barrier to access. Steve Lowe also raises access issues with Tower Bridge in this article.

4. How can "good" and inclusive public space be delivered and maintained via S106 and management agreements between the private and public sector? Which details need to be set out in such agreements and what are the necessary skills for planners in this process?

Stratford City Consultative Access Group is a good example of S106 implementation. Case studies of access groups from *Access by Design* issue 123 attached. This showcases innovative use of S106 funding for access groups rather than infrastructure alone. S106 has also been used to fund affordable housing for older people, lifetime

neighbourhoods and so on. The importance of locating housing developments close to local amenities is demonstrated in the Kidbrooke regeneration case study in Greenwich. See *Access by design* issue 124 article attached.

5. What lessons can be learned from any recent London examples you are aware of/involved in? What are the major challenges for upcoming projects in terms of public realm design and management?

CAE's access consultancy services were commissioned for the redevelopment of Parliament Square including part pedestrianisation. Unfortunately it was announced that this project would not proceed.

<http://www.london.gov.uk/parliamentsquare/improve/plans.jsp>

6. When and how can local communities be involved in the decision making to ensure public space is not an afterthought?

Please read case study examples of local access groups attached from *Access by design* issue 123. CAE is currently hosting the Access Groups Resources website allowing these community groups to network. These groups report on the difficulties of the formality of the consultation work and the 'check-box' attitudes towards community involvement. If the consultation process were made more formal so that comments and feedback had to have an official response and impact on plans., this would maximize the benefit of these consultations.

These community groups lack resources, support and funding. They would benefit from free training sessions so their contributions can be better informed and effective. For example, the CAE has run successful sessions with Planning Aid for London for local people with visual impairments wanting to get involved with planning consultations. We have also run Design and Access Statement training for London Access Forum with Inclusion London.

7. How are Borough policies and the Mayor's policies having an impact on the quality and accessibility London's public realm? Are any amendments or new policies, guidance or other advice needed and why?

Policy to establish Access Officers in all boroughs

Only some boroughs have Access Officers representing the needs of a range of people and others do not. Access Officers can work with local authority planning and building control departments and help to engage local community groups. If this role was a permanent one in all boroughs with clear planning process input stages and powers the quality of London's public realm would be greatly improved. For example the City of London's Access Officers, based at the Department of Community and Children's Services have a major role in all planning and building approvals, while serving the needs of the community.

Policy to provide comprehensive guidance and training

Planning and building control departments should all receive inclusive design training to help them to interpret whether developments are accessible for everyone. The BS 8300:2009+A1:2010 *Design of buildings and their approaches to meet the needs of disabled people - Code of Practice* has had a major revision in 2009 with new content and amendments made in 2010. Several other specialist access standards for example, Lifetime Homes criteria and Accessible Sports Facilities have been updated. CAE often receives telephone calls from local authorities seeking technical access advice. These departments should be supported with clear guidance and training

The European Commission is supporting our new guidance project *Training Tools for Accessible Towns*. We are working with European partners to create a training and standards resource aimed at construction professionals to help them to design inclusive public spaces. We are researching best practice case studies and standards across Europe.

8. Are there any other measures or actions the Mayor (or others) should pursue?

- Support, facilitate and fund access groups
- Formalise the community consultation process, making it more important to respond to needs than to just hold an event. Design and Access Statements can be useful however these vary in quality and content
- Employ Access Officers in every borough
- Provide planning and building control teams with the up-to-date inclusive design knowledge training needed

Investigation into the management of publicly accessible space in London

Response by Anna Minton, writer and journalist and author of 'Ground Control: Fear and Happiness in the 21st Century City' (Penguin 2009)

1. So long as their behaviour is within the law, Londoners should have the right to behave as they wish in public space. This includes the right to gather in groups, dress as they please, eat in public and take photographs. Many of these behaviours are proscribed in privately managed 'public' space. They should also have the right to walk freely through spaces without having to face questions/scrutiny from security personnel, again as long as their behaviour is within the law. This is standard in public space adopted by local authorities. The planning and development process only needs to lay down a requirement for these basic rights if spaces are privately owned and managed as national laws are not inviolate in privately managed space, which functions as private property, with behaviour determined by the owner.
The following transcript of an interview I carried out with the BBC's 'Broadcasting House' programme illustrates these points well:
http://www.annaminton.com/Broadcasting_House.aif
2. There are a number of models, from public space adopted by the local authority at one end of the spectrum to privately owned and managed space, such as the Canary Wharf Estate, at the other. In between there are gradations, referred to by academics as 'pseudo public space' and 'pseudo private space'. Business Improvement Districts come under the latter heading. The private management of public space puts commercial imperatives first and foremost, which is advantageous to retailers but often deleterious to civic life. Public space which is well managed by a local authority, for example, Brixton Central Square, is the model most beneficial to civic life as the thriving life of the Square has shown since it opened last year.
3. Secured by Design is a policy very widely used in the design and management of privately owned and privately managed public space. Placing safety first and foremost it aims to exclude and deter activities and behaviours such as the gathering of groups of people. The extent of Secured by Design varies from place to place and a detailed answer to the question would require an audit of London's privately managed places. Suffice to say defensible architecture, barriers, gates and extensive CCTV are present to varying degrees in the majority of privately owned and managed places, from the Canary Wharf Estate to More London. The search for the evidence required by this question is hampered by a lack of research into the subject. There is a wealth of anecdotal evidence, in particular the prohibition of photographers in privately managed places, well documented by the Guardian newspaper but detailed academic research on exclusionary practices is thin on the ground, largely because it is not commissioned by the Home Office, whereas research into the efficacy of Secured by Design is frequently commissioned.
4. The problem here, as referred to above, is that planning agreements between the public and private sectors aim to ensure that privately managed space retains the characteristics of publicly adopted places, which is rather like closing the stable door after the horse has bolted. Private places come under different legal jurisdiction from publicly adopted space so planners face a difficult task in trying to ensure that these places retain the characteristics of genuinely public space.
5. Brixton Central Square is a very good example of a new public space in London which is functioning very well. It is adopted space and works very well, particularly as it is not swamped by security guards and defensible architecture, despite being in a historically high crime area.

6. The genesis of Brixton Central Square was complex and involved fraught negotiations between community groups and the local authority. The outcome is excellent but the local authority should have been more pro active in genuinely consulting the local community from the beginning and listening to their views. The community got the square they wanted in the end but not after a battle with the Council. I am happy to provide an account of what happened here as I was closely involved. Local authorities need to look very closely at their democratic processes. These have been undermined by the downgrading of well advertised public meetings in favour of 'roadshows' and freesheets. This interface between local people and the council needs to be strengthened again. The experience of communities is not one of apathy but of difficulties in getting their voices heard by local councils.

7. Under Mayor Livingstone consultation was not always democratically carried out. Mayor Johnson's Manifesto on Public Space, requiring local authorities to ensure public space is adopted, is very encouraging but as it coincides with a period of slump in development it is difficult to say how enthusiastically it is being carried forward by developers. Furthermore it is disappointing that this guidance was issued too late for it to have any impact on the Olympic site which looks set to be entirely privately owned and managed.

Dear Ms Beer,

Investigation into the management of publicly accessible space in London

We refer to the letter from Nicky Gavron dated the 13th October 2010 inviting views on the management of 'publicly accessible space' in London. We are keen to contribute to this debate though with limited time we have been unable to respond to each of the questions posed in the original dispatch.

As a quick introduction, the British Property Federation is the trade association representing companies owning, managing and investing in property. It includes a broad range of businesses comprising commercial property owners, the financial institutions and pension funds, corporate landlords as well as the range of professions that support the industry. As a guide to our constituent membership, a list of our major members can be found at the following link: <http://www.bpf.org.uk/members/ourmembers>.

We have read, and agree with, the response from the British Council of Shopping Centres (BCSC) to the investigation. Like them, we believe that the use to which buildings are put must reflect the interests of the owners of the space and the body of occupiers and visitors that make use of it.

To that effect, it is natural that some restrictions over the use of space exist (in terms of restrictions over opening times etc.), though these restrictions need not be onerous as indicated by the array of case study examples included in both the BCSC's response and the original London Assembly report. Indeed, many restrictions are necessary to ensure the appropriate level of security and safety are put in place for visitors.

In terms of new space, we feel the appropriate stage to decide on the design and management of that space is to enable local authorities to control the design and use of future space: the agreements are binding on the site and encourage early engagement with the developer and the developer's design team. With the delivery of the London Plan the emphasis on the planning stage will only increase as developers and local authorities will be expected to deliver schemes that meet certain policy standards: policies 7.2 to 7.5 of the draft Plan setting out the expected design characteristics of future developments. And as BCSC rightly point out, the planning stage also allows communities to be involved in helping shape the public space components of future developments.

Finally, we are acutely aware that the viability of development is still extremely fragile in the current market. As the viability of new schemes is more delicate, budget pressures will inevitably require developers and local authorities to be more innovative over resource. There is a risk that as a result the public realm elements of new schemes may be reduced in scale. Negative as this is, we believe local authorities need to view development as a positive outcome for London as a whole and should support it.

Yours sincerely,

Director of Policy

PPS029 The Crown Estate

Dear Ms Beer

Investigation into the management of publically accessible space in London

We welcome the opportunity to contribute to the committee's investigation. Our London holdings are concentrated in the Regent Street & St James's areas and our comments should be read in that context.

We believe that an improved public realm is essential to the upgrading of both our holdings in central London and have already shown our commitment by match funding TfL in the Oxford circus diagonal scheme and by 100% funding improvements to New Burlington Place, Warwick Street, Regent Place, Heddon Street, Swallow Street and Vine Street. We are also funding the on-going maintenance of Heddon, Swallow & Vine Streets. Our consolidated delivery initiatives are reducing the number of lorries & vans in the area. And our walking plans, a personalised plan for each of our Regent Street buildings, are now available in all our buildings.

Our submission is attached.

Reducing the number of vehicles in central London is the key and we would welcome working with the Mayor & Assembly to institute small but useful initiatives to achieve this.

Yours sincerely

Public Realm Manager

London Assembly investigation: Publicly accessible space.

The views of The Crown Estate

1. *What rights should Londoners have in public space and how can these rights be maintained through the planning and development process?*

Rights should come with duties. In the case of public spaces, the right of access should be matched by the duty to behave in an appropriate way. What is an appropriate depends on the environment. What is appropriate in a residential area is different to that in a business location or in a retail area. In other words appropriate behaviour is determined by the nature of the surroundings. It is not therefore appropriate to make general, all-embracing, rules.

We believe that this applies equally to private “public” spaces as much as to public spaces controlled by a public authority.

2. *What models are there of managing public space in London and what benefits and disadvantages are there to the different ways of managing public space?*

We would list the models as follows:

- a) Publicly managed public spaces: streets, roads and squares; the key factor is that they are technically public highways and are subject to the wealth of legislation and case law related to public highways. Sometimes these can be well managed but often they are poorly managed. Public bodies are tightly controlled by this highway law and will rarely act with the speed and flexibility of private bodies. They will understandably tend to focus on issues raised by residents rather than businesses. On the other hand it must be acknowledged that they are the subject of greater public scrutiny.
- b) Semi-privately managed public spaces: these tend to be public spaces managed in part by semi private bodies such as business improvement districts. The key here is that the services the BID provide are additional to the services provided by the local authority and that the BID works closely with the local authority. The key management aims of BIDs are often defined by the phrase “clean & safe”; clean & attractive well managed spaces and removing the fear of crime. But the role of BIDs is wider; they are often the catalyst to, or the result of, significant public realm improvements. The investors in the public realm improvements, usually the property owners, will often want to be reassured that the benefits are continued by enhanced levels of maintenance and the sort of tight management that local authorities are unable to provide. Critics will often emphasise the lack of political accountability of these arrangements (3). However the examples cited often relate to unacceptable practices by BIDs in American cities and the use of CCTV & ASBOS in UK cities. The BIDs in London have always worked closely with local authorities and have avoided these sorts of problems.
A different example of privately managed public spaces is street trading stalls and outside seating areas to restaurants or cafes. Here it needs to be clear that this use of the highway is not a right, it is permitted when it does not have an adverse affect on the highway functions.

In both models a & b most of the spaces being managed are highways and there is a fairly clear understanding as to the legislation, and therefore the appropriate behaviour which applies.

- c) Publicly managed semi private spaces: these tend to be spaces which are not public highways, so technically are private land, but which are owned and/or managed by public bodies. Examples here would be parks, forecourts to public buildings and spaces such as Trafalgar Square. Here management by public bodies often tends to be good. Is it the sense of ownership which sparks the higher standards? Or is it because these are often the spaces in front of civic buildings? Are

the owners of even more publicly accessed buildings, shops, not entitled to feel the same sense of pride in the streets in front of their premises?

- d) Privately managed semi private spaces: these are the private spaces which are accessible to the public for all or most of the day. These are usually well managed because there is a clear sense of ownership and a clear financial benefit in keeping the spaces in good condition; poor space will reflect in the value of the adjoining co-owned buildings. They are not the subject to highway law but to the usual property rights. So for example the rules of trespass apply; people can be asked to leave. People can be charged, for example, for parking.

Models c & d often lead to confusion because many people do not understand that private property rights apply. These private property rights can seem to be being applied in what appears to be an unfair way. Examples often cited are security personnel excluding people for apparently arbitrary reasons; wearing “hoodies”, taking photographs, political activities, charity collections, etc. A common area of concern is private wheel clamping.

Although these spaces are usually better managed than public space, there is the potential that they become a blight on the neighbourhood if the properties they adjoin fall into disuse.

However it must be said that this is an infrequent event.

We would surmise this is because of a greater sense of ownership, greater financial incentives and a more focused approach.

3. *In privately owned or managed public space and what concrete evidence there is of exclusionary design or management practices?*

See 2 (b) above.

4. *How can “good” and inclusive public space be delivered and maintained via S106 and management agreements between the private and public sector? Which details need to be set out in such agreements and what are the necessary skills for planners in this process?*

What are “good” and inclusive public spaces?

The attributes of good public space are set out by Jan Gehl(1) as spaces where not just “necessary activities” take place, but also “optional activities”, and as a result more “social activities” arise. “In city streets and city centres, social activities will be superficial, with the majority being passive contacts; seeing and hearing a great number of unknown people. But even this modest type of activity can be very appealing.” Gehl indicates the key is; “being among, to see and to hear others, to experience other people functioning in various situations.”

He recommends a “graduation of outdoor spaces ... public spaces can become part of the residential habitat and are protected against vandalism & crime.” Although his comments relate to residential areas, we would argue that a key element of his argument is the sense of “ownership” of public spaces. By contrast the body of highway law emphasises communal rights over private ownership.

Gehl sets out the key factors in the design of good public spaces as: no walls, short distances, low speeds, one level and orientation toward others.

These principles are very similar to those promoted by Camillo Sitte over a century before(4): the relationship between buildings and places (activity round public buildings; the centre of places be kept free (statues & monuments are sited at the sides); that public squares are enclosed entities; he praises the irregularity of old places; streets should be irregular with vistas of important buildings being glimpsed.

The key factors both Gehl & Sitte emphasise is that good places are defined by a human scale; they are well used lively places, not designed for architectural aggrandisement or traffic planning, but as places where people are comfortable to be.

The Mayor also backs this view in his Forward to The London Plan:

“But more than half of the London landscape – by area – is shared space: roads, parks, canals, rivers, squares, shops, piazzas, malls, stations, monuments and museums. This shared space is a vast and complex environment in which millions of perfect strangers must move, meet and negotiate. What is it like in that shared space? Are people stressed, tense, crowded, unhealthy, unhappy, snappy or even downright hostile? Or are they relaxed and good-humoured, surrounded by things of beauty both natural and man-made? The genius of a big city lies in the way it organises that shared space, for the benefit of visitors and inhabitants alike. We want to make that shared space ever safer, so that it is always pleasant to visit a park, and so that public transport is never threatening.”

So what we are seeking to achieve is clear. We have set out what we believe are the key principles to achieve this in our conclusions.

5. What lessons can be learned from any recent London examples you are aware of/involved in? What are the major challenges for upcoming projects in terms of public realm design and management?

Firstly there are different solutions for different situations. The first lesson is to have a clear idea of the objectives in a particular location.

Oxford Circus

The problem here was clear; gross pedestrian overcrowding. This was caused by a number of factors: pinch points were created by the Tube Station entrances; pedestrians were forced to deviate long distances off their direct route by railings and crossings set well back from the junction; people waiting to cross the road created further pinch points; pavement space was wasted by areas of dead space; further space was occupied by newspaper vendors; and, many people were crossing two legs of the crossing. This all led to people not waiting for the signals and for some to cross outside the railings.

Initial plans had suggested creating a landmark lighting feature above the junction. This did not seem to meet any of the needs of the area (dealing with congestion), indeed if anything made them worse as people might stop to look at the feature causing more congestion.

The solution was to allow pedestrians to cross more directly, to widen pavements but to avoid making the traffic congestion worse by moving stop lines closer to the junction, thereby shortening traffic crossing times. This solution ruthlessly ensures that every inch of space is used to get people and vehicles through the junction as efficiently as possible; the only feasible solution in such a heavily used space.

Heddon Street

Here the issues were completely different. As the West End's shoppers tend to travel long distances and many are visitors staying overnight, eating out is an important element of the trip. Catering uses are rightly discouraged by planning policies in the primary retail frontages of the West End. Heddon Street was therefore seen as Regent Street's Food Quarter. Initially the street did not trade well as it lacked visibility from Regent Street and even if it was discovered it had an unattractive ambience as it was full of refuse bins & sacks and service vehicles. The existing restaurants supported pedestrianisation but this would only be possible if the number of deliveries could be reduced. Here the solution was to arrange for the restaurants to combine suppliers of some items: linen supplies, washroom supplies etc. Refuse collections also were combined and are collected at 04.00 when the restaurants close. These measures allowed a larger area to be fully pedestrianised and the remainder to be closed to traffic from 12.00 to 02.00. The street is regularly power washed. Pedestrian footfall is limited as the area is not a through route. This meant that the restaurants could be allowed large outside seating areas. The allocation of that space was negotiated by the restaurants between themselves, facilitated by Westminster City Council, the Regent Street Association & The Crown Estate, and presented to the Westminster for licensing approval as a coordinated proposal. Signage from Regent Street and seasonal decorations are also arranged. The result is one of the most attractive restaurant areas in central London.

The lessons here are that once there is general agreement as to the desired outcome, lesser problems can be worked round, to the greater benefit. This street is a public highway but is managed semi-privately.

Swallow Street

This is a very similar situation to Heddon Street; where an attractive restaurant has been created. Here the outcome and methods are very similar to Heddon Street.

A particular problem here was Man in Moon Passage, a small alleyway running between Regent Street and Vine Street. This was stopped up so that it ceased to be a public highway and could be gated off at night time. This was to safeguard its use during the day, which was discouraged by its night time use, for urination and drugs use. Its maintenance and hours of opening are regulated by a "Walkways" agreement.

The lessons to be learnt from these examples are:

- Good public space is not just a case of good design, essential though that is; it needs to be good design to achieve a clearly articulated and agreed objective,
- It is essential to consider the detailed ongoing management of the space.

6. When and how can local communities be involved in the decision making to ensure public space is not an afterthought?

Our experience is that it is extremely difficult to get schemes such as Heddon Street & Swallow Street approved despite the almost universal acclaim they receive when completed. There is a tremendous bias to retaining the status quo, even when it is very unsatisfactory. For example: Swallow Street had to be planned to allow access for an articulated lorry. This was on the insistence of a local business which claimed to have weekly deliveries from such a vehicle despite us conducting a 3 months survey of the area and establishing that no such vehicles used the space. This meant enlarged turning areas which compromised some parts of the scheme, caused problems with other stakeholders.

Change can only be achieved as a result of painstaking negotiation with all the interested parties. This is something which it is difficult for local authorities to achieve.

The ongoing management of such areas is essential to plan in advance. However to have the ongoing management fully settled in advance and legally documented in a S106 Agreement would be very difficult to achieve. Often individual arrangements have to be agreed with each stakeholder and if these had to be all pre-agreed before completion of a s106 agreement or alternatively the s106 agreement varied in each case, the negotiations would become protracted and the result would be that developers would avoid getting involved with public realm works, to the detriment of London.

It is essential that the local stakeholders are involved and these sorts of schemes cannot be imposed on an area. However the other side is that local authorities must try to encourage compromise solutions which benefit the majority. One stakeholder cannot be given a veto that can be used to blackmail unreasonable benefits from a scheme.

7. How are Borough policies and the Mayor's policies having an impact on the quality and accessibility London's public realm? Are any amendments or new policies, guidance or other advice needed and why?

Mayor's policies

1. We are enthusiastic supporters of the Mayor's "Better Streets" policies and have been working with TfL & Westminster City Council in implementing & funding those policies at Oxford Circus & Piccadilly 2-way.

2. We, along with the West End retailers and the New West End Company, are strong supporters of the Mayor's pledge to reduce the "throbbing wall of red metal" in the West End. We believe that the enormous number of buses being squeezed through the West End is the single greatest negative factor to the public realm there. Gehl identifies the key factors in a successful city centre place as being one which enhances; "passive contacts; seeing and hearing a great number of unknown people." The wall of buses gets in the way of those contacts, is the main reason footways cannot be widened to give adequate space for walkers, causes high noise levels which prevent comfortable conversation in the streets and is resulting in an air quality which harbours four times the legal limit of contaminants leading to an estimated 7000 premature deaths in Greater London per annum. We are disappointed by the way TfL are dragging their feet in implementing this Mayoral election pledge.

3. We welcome the Mayor's acknowledgement of the importance of the West End to the London economy. There is therefore no better place to invest in the public realm.

4. We believe that DfT regulations related to road signage are prime candidates for “localisation”. A far less prescriptive approach could allow signage to be tailored to the particular circumstances of the location.

Westminster policies

1. We welcome Westminster’s support to public realm improvements.
2. We welcome the Westminster public realm levy as a way of ensuring that all developers fairly contribute up to a minimum level toward public realm improvements. We particularly welcome the emerging public realm credits scheme. This innovative scheme is already encouraging the larger landowners to bring forward public realm schemes in advance of developments.
3. We welcome their commitment to reduce the number of traffic lights and one way streets. However these aims need to be implemented intelligently and there are some cases where these measures are appropriate. Their removal should not be applied in a doctrinaire way.
4. We believe that Westminster’s over dependence on parking revenue and their policy to maintain parking spaces at all costs, even in inappropriate locations, is disappointing and is a significant impediment to public realm improvements.

8. Conclusions

1. Our view is that the four models for managing public or semi public spaces outlined in 2 above all have their merits and that it is not appropriate to promote one over another.
2. We believe that a lot of the political pressure behind the Committee’s first question is due to certain over enthusiastic actions by security officers in public accessed private spaces. Anna Minton quotes the example of Westfield Shopping Centre in her book(3).
While we believe that these fears are over played, we would suggest that a code of practice could be developed which deals with the areas in the Appendix. This code of practice, which would have to be tailored to the particular space, could be referred to in s106 agreements.
3. The “stopping up” of public highways can sometimes be beneficial. For example Man in Moon Passage as outlined above. Other appropriate uses of such an approach are when all the properties surrounding a public highway are owned by the same freeholder and are being redeveloped.
4. We consider that engendering a sense of “ownership” by neighbouring occupiers is an important element in the success of public accessed space. This is often diametrically opposed to the thrust of highway law, where anything is permitted unless it is specifically prohibited, leading to a plethora of regulations, all which appear to require signs explaining them. This approach is the antithesis of the well mannered approach we all want to engender in London’s public spaces. It also results in unsightly signage and a sameness, as places throughout the country need to use DfT approved signage. Private spaces do not need to adopt this approach.
5. There needs to be a clear consensus as to the purpose and needs of the space. In our examples: Oxford Circus is a space to transit efficiently but not to linger in; there is not enough space. Whereas Heddon & Swallow Streets are places to linger in and relax; here there is the space. This consensus needs to be developed by the owners and traders in the immediate area, enabled and encouraged by local government, but not handed down in a set of rules.
6. Important public spaces need to be designed by a civic designer who needs to champion their design throughout the scheme to completion. It is not good enough for detailed design and implementation to be left to traffic engineers who do not understand the principles of the scheme and do things “because that is the way we have always done it”.
7. Local “buy-in” is essential. Local occupiers need to clearly support the ultimate goal. The ultimate goal needs to be reiterated whenever the downsides of the construction phase and the minor disadvantages of the completed scheme are experienced.
8. The ongoing management needs to be given as much consideration as the initial design.
9. The biggest single action the Mayor can make to improve the public realm in the West End is to facilitate a significant reduction in the number of motor vehicles. He can directly instruct TfL to reduce the number of buses. Delivery vehicles can be reduced by consolidating deliveries as has been demonstrated by our Regent Street consolidation initiatives. Other motor vehicles can be reduced by encouraging walking and cycling. These measures will in themselves improve the public realm, will reduce air pollution (indeed is the only way

of complying with EC air quality law), will reduce noise levels, but will also facilitate many other schemes to improve the public realm.

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PPS030 BTCV

Investigation into the management of publicly accessible space in London: BTCV response

PPS030 BTCV Response

BTCV welcomes the opportunity to contribute to the investigation into the management of publicly accessible space in London and is grateful for the opportunity to comment. We focus this report to the Planning and Housing committee on solutions available to local authorities to maintain the standard of London's public green spaces.

Introduction

BTCV is an environmental volunteering organisation. Our vision is "a better environment where people are valued, included and involved". Our approach seeks to link people with their local environment through practical volunteering. We enriched 628,104 lives last year by improving health, giving people the skills and confidence they need for employment and bringing people together to take part in community projects. BTCV works to give everyone access to a good quality local environment. Long-lasting improvements in public spaces can only come by working with and through people. BTCV enables individuals and communities to work to their own, locally appropriate agendas for conservation and environmental improvement. BTCV's response is:

Local Concentrating on what people can do in the places where they live and work

Collective Bringing people together in common effort for community benefit

Active Helping people do something practical and with a visible result

As such BTCV is directly and indirectly involved with the management and maintenance of many of the capital's green spaces, and champions the importance and value of volunteer and community involvement in the management of these spaces.

In Boris Johnson's 2017 election manifesto he recognised the importance of access to green spaces to London's communities and the positive impact that well managed and used public space can have on all aspects of community life.

"I will work to make London a pleasant and safe place to live, by nurturing and protecting the public spaces that bind us all together"

His manifesto included the commitment to 'ensure access to London's public space is as unrestricted and unambiguous as possible' and 'identify and assess the implications of different management models'. BTCV, along with other voluntary sector organisations and community groups makes significant contributions to the management and maintenance of the capital's public spaces. Last year BTCV volunteers carried out 30,953 workdays in London's parks and open spaces ; contributing more than £1.5 million value.

The invitation letter describes the Committee's desire to investigate the management of publicly accessible space in London; this response will focus on community and voluntary sector involvement with managing public green space, be that public parks or smaller plots of green space. We have elected not to respond to each question and instead have focussed on our areas of knowledge and experience.

The UK is facing deep and wide ranging cuts to public spending. With green space being non-statutory spending for local authorities, spending in this area is an almost inevitable casualty. BTCV sees this as an opportunity to focus on the development of innovative strategies to involve communities in a more practical way in the management of their green spaces. The benefits of community and voluntary management of green spaces can be wide ranging; how our spaces are managed and used says a great deal about our culture, and will affect the way London grows and develops as a world city into the next century.

As indicated in the proposal report, there are numerous models of public space management. BTCV is concerned that community and voluntary sector management is not specifically mentioned in this document. There are many strategies being successfully developed and implemented by voluntary sector organisations in partnership with councils and other land owners to involve communities in the management of public spaces. This should be acknowledged as part of a valid management model.

We recommend the London Assembly consider further investigation into community and voluntary sector management of public spaces as a tool to enable community empowerment and encourage wider use of public spaces across all sections of the community.

This response focuses on three themes of central importance to discussions on public space management: involvement, quality and diversity.

Involvement

There is increasing concern over the trend of corporatisation of public space and its management by private companies. The Mayor states in the Manifesto for Public Space that this could result in the disenfranchisement amongst public space users and that 'Londoners can feel themselves excluded from parts of their own city' (London's Great Outdoors, 2009). With a mission to develop environments where people are "valued, included and involved," BTCV has developed a volunteering methodology that enables people to engage with and become involved in their local space.

Based on our experience of working with people in the natural environment over the past 50 years we have found that conserving and improving local environments is relevant to everyone. People can be drawn to environmental volunteering through the love of nature, or through the desire for friendship, outdoor physical exercise or skills and employment opportunities. Once involved, this practical action is often the foundation for people's continuing participation in their local community.

In a 2007 survey of nearly 47,000 park users, half of respondents stated that they would like to be consulted in the way parks are managed in the future. This supports the premise that there are a large number of people who would like to (or could be encouraged to) make a contribution to the management of parks and green spaces.

The Park Life report also states that 27% of respondents were unhappy with the facilities offered by their nearest open space. Between 30% and 50% of these stated that they can't easily visit an alternative open space that provides the facilities they need. For these respondents fear of crime is an issue. Between 25% and 39% reported that they don't feel safe when visiting parks and open spaces (compared to 15% of all respondents). This is clearly not a good situation: if disenfranchised users can be empowered through support and training to influence the way in which their local spaces are managed or take direct action and become involved with improving the space themselves, then we can begin to move towards a more positive view of public space.

Case study – the value of community involvement in public space

BTCV supported the establishment of an independent community group to manage a neglected site that had become characterised by anti social behaviour. In partnership with the Trust for Urban Ecology/ BTCV and Southwark council set up a steering group - Friends of Russia Dock Woodland (FORDW) – to see the revival of the misused park.

FORDW are a group of residents who help to protect and enhance the woodland and the Stave Hill public space which together run through the middle of the Rotherhithe peninsula.

"Our purposes are to protect and enhance, promote and enjoy Russia Dock Woodland."

The group have revitalised the stagnant and neglected waterways. They tackled anti-social behaviour by removing burnt-out cars, and through design, stopped motorbike riding in the park. The group also set up school projects to landmark the area through sculpture projects.

The team are in frequent dialogue with Southwark Council about the management of the Woodland area. In July 2009 FORDW were awarded Green Flag status: an achievement which pays a huge compliment to the hard work of those who have worked to make it such a terrific place.

The judges noted that the area had been totally transformed, and was now a much cleaner, greener and safer environment.

Ultimately BTCV is concerned that voluntary sector-managed public space and community-managed spaces are not included in the list of models for public space management.

With the 'Big Society' as a driver it seems likely that more LA's will be encouraged to divest control of parks and public spaces to community groups and voluntary sector organisations. In light of this, BTCV advocates the publication of guides for community groups and councils taking this path. CABE's community-led spaces report highlights the long history we have in the UK of community ownership and management of common land, and clearly sets out the pros and cons of asset transfer to community groups. BTCV supports localism and empowers local communities to shape environments to suit their needs. However we recognise the need to ensure that the correct support is made available to organisations who wish to take this step; we would like to see further support from the London authorities for training and support if there is to be a large rise in the number of public space asset transfers.

Where Local Authorities cannot maintain green space to an acceptable standard they should be encouraged to explore options for asset transfer to local community groups and civil society organisations. Divesting public space may require an investment in skills; (i.e. community groups' ability to develop comprehensive site management plans and funding bids) however, there are organisations such as BTCV that are able to deliver this support. Under the current political paradigm, the reliance on voluntary groups is set to grow, as is the number of asset transfers from local authorities to community organisations. Currently there is a notable skills gap in the green spaces management sector.

Independent community groups

In the past, the majority of voluntary groups and community organisations have worked on sites that are owned by Local Authorities. The number of groups that own the site they operate on has traditionally been low; just 0.9% of those investigated for the 2003 Green-Space Community Networking Project held ownership.

There are major benefits to legal ownership, and we expect the number of groups seeking this as an outcome to rise, however it is not a necessity. Many groups prefer to take on fewer responsibilities, leaving the local authority as legal owners. This can be positive as close ties can develop between LA's and community organisations. For the majority of the groups, this relationship is a good one: "nearly 70% of 'all groups' feeling that they had a good or excellent relationship with the local authority and a further 24% feeling that they had a reasonable relationship". This then should be regarded as a useful tool in building relationships between LAs and the wider community. Not only will enabling and encouraging the formation of community management groups help spread the burden of maintaining green spaces to a good standard, but it could help to build bridges between the councils and disaffected sections of the community that it serves.

Motivating involvement through food growing

With inevitable cut backs in parks and green space spending, increasing community participation could be encouraged through an extension of allotments and community food growing spaces. BTCV's Carbon Army campaign is inspiring huge participation in local food growing projects. In our experience, when individuals and communities are supported to take practical action they are willing and able to get involved.

Increasing the ability for groups to take over public space as food growing areas could encourage a wider engagement amongst communities that have previously had little or no direct involvement with London's green spaces.

Quality

Assuring the quality of public spaces is crucial to ensuring their continued use as positive, non-threatening spaces in the capital. The Green Flag Award Scheme provides a national benchmark for the best green spaces in the country. The awards recognise well managed parks and open spaces for all to enjoy. Green Flag rewards several key criteria including community management, accessibility, sustainability, equality and

security. An evaluation of the Green Flag award has shown its ability to raise standards and improve site quality. We believe that the Green Flag award scheme can help deliver many of the commitments made by the Mayor's office in the 2009 London's Great Outdoors document.

The Green Flag Community award (formerly the Green Pennant award) recognises high quality green spaces that are managed by voluntary and community groups. With such variation between sites, each is judged on its own merits and suitability to the community it serves.

Diversity

BTCV welcomes the Mayor's commitment to "unambiguous access to public space for all". Research shows that access to open spaces varies greatly between different ethnic groups, with those from black and ethnic minority backgrounds accessing least. Participation in visits to green space is much lower amongst people who live in deprived areas (as defined by the Index of Multiple Deprivation). Participation also varies by ethnicity. People from the BME population are less likely to visit green space (including urban green spaces) than those from a white ethnic background. (ibid)

Diversity in public space access and management is central to GLA and Mayoral policy. Ensuring the inclusion of all of London's diverse communities is essential to the success of London's public space policy. Environments for all is a programme conceived by BTCV in the '90s to Encourage marginalised people including those from black and minority ethnic communities (BME), to improve their local environments and to provide opportunities to do so that were culturally and socially attuned to their needs. Policy makers have wrongly assumed that people from ethnic minority communities are uninterested in the quality of their local spaces. This is despite 75% of people wanting to be involved in improving their local area in some way and minority ethnic communities being especially keen to get involved.

The "environments for all" approach is now deeply embedded in our work. BTCV has a strong track record in inclusion: 13% of our volunteers are from minority backgrounds (national demographic 8%). And 24% of BTCV volunteers are from the 15% most deprived areas as defined by the Index of Multiple Deprivation.

Ultimately use of public space by all members of the community is driven by hands on, practical and engaging projects that enable people to take pride in their local spaces and take decisions on how they are managed.

i Boris Johnson 2008

ii BTCV's Management Information System – volunteer workdays in London 2009.

iii Government apportsions £50 as the economic value of a volunteer workday. This figure has not been altered for over 15 years, so undoubtedly underestimates the value of volunteering.

iv The Park Life report The first ever public satisfaction survey of Britain's parks and green spaces June 2007: Published by GreenSpace

v CABE Community-led spaces, 2010

vi Community Networking Project, 2003

vii NECR049 - Monitor of Engagement with the Natural Environment: The national survey on people and the natural environment - Annual Report from the 2009-10 survey

viii CABE Space (2005) Decent parks? Decent behaviour? The link between the quality of parks and user behaviour. London: Commission for Architecture and the Built Environment

Sent: 08 December 2010 17:47

To: Alexandra Beer

Subject: Investigation into the management of publicly accessible space in London

Dear Ms Beer,

Investigation into the management of publicly accessible space in London

I write on behalf of Legal & General Property (LGP) to provide comment on the London Assembly's investigation into the management of publicly accessible space in London; with specific reference to the approach taken and lessons learnt at Central Saint Giles.

Central Saint Giles is an office-led exemplar of mixed-use development. Showcasing the very highest standards of architectural quality, it was designed by internationally acclaimed architect Renzo Piano and developed in partnership between ourselves and Mitsubishi Estate Company (the Central Saint Giles Partnership). 27% of the site is dedicated to open communal areas and its design is centred around a stunning new piazza and an public work lobby at the base of the office accommodation.

1. What rights should Londoners have in public space and how can these rights be maintained through the planning and development process?

We believe that Londoners should have the right to enjoy safe, clean, welcoming and un-hindered access to public space, as exemplified by Central Saint Giles. In our case, this was a fundamental principle of the design and development process and philosophy. Our own commitment was crystallised through the planning process by the use of conditions and S106 obligations.

2. What models are there of managing public space in London and what benefits and disadvantages are there to the different ways of managing public space?

We believe that there are significant benefits to be had through the establishment of a comprehensive, controlled and imaginative management regime.

At Central Saint Giles specialist property and estate manager, Broadgate Estates, is in charge of managing the scheme. Supported by an engineering manager, a visiting fabric manager, a specialist controls engineer, security manager, health and safety manager and an events manager, the team is based on site, with its own office facilities. They are assisted by 20 outsourced maintenance staff wearing clearly identifiable CSG uniforms. Asset registers have been created for all fabric elements of the public areas, including the paving, benches and signage. In addition to regular daily inspection, formal Annual Condition Surveys have been designed to identify any issues. These surveys back up a five-year rolling Fabric Maintenance Plan that is designed to allocate regular monies to the upkeep of finishes, public artwork and painted surfaces etc.

4. How can "good" and inclusive public space be delivered and maintained via S106 and management agreements between the private and public sector? Which details need to be set out in such agreements and what are the necessary skills for planners in this process?

We support the premise that the creation of good and inclusive public realm in central London should be a priority of S106 planning obligations. The piecemeal nature of S106 negotiation and

competing objectives should not stand in the way of an agreed, single vision for public realm improvements.

5. What lessons can be learned from any recent London examples you are aware of/involved in? What are the major challenges for upcoming projects in terms of public realm design and management?

The design of the public space at CSG has risen to the challenge of ensuring cost effective future maintenance. The public area is laid with Yorkstone paving, set over a waterproofed suspended slab and with fastidious attention to detail a 2m fall across the site is hidden through a series of triangular folds disguising the drainage and creating stimulating patterns. The two mature oak trees in the piazza are positioned in recessed planters casting into the suspended slab, and fixed seating is provided around the planting. A further 25 trees will be planted in St. Giles High Street and Dyott Street.

We also believe that it is important to make a quick assessment of the local area and pinpoint what are likely to be the main management challenges. In this context, security consideration were also regarded as key to preserving the pristine environment and enhancing the public realm. A safe, secure and welcoming environment is achieved through regular foot patrols and monitored close circuit television, as well as thoughtful use of exterior lighting throughout the scheme, with particular attention to the covered passageways, to deter vandalism and anti social elements. The high floor to ceiling height of the ground floor and the vistas onto the piazza from the office and residential elements also provide passive security and deterrence. Likewise the bustling ambience of the restaurants encircling the piazza activates the public realm late in to the evening.

6. When and how can local communities be involved in the decision making to ensure public space is not an after thought?

We also support the premise that local communities should be consulted early on, at the scheme design stage if possible, and that Councils should work closely with the private sector to ensure public realm is integral to development proposals.

7. How are Borough policies and the Mayor's policies having an impact on the quality and accessibility London's public realm? Are any amendments or new policies, guidance or other advice needed and why?

Two areas where reform would be positive are firstly that there should be greater transparency in the collection, and speed to the disbursement, of S106 monies for public realm; and secondly, local authorities should consult with business users, landowners and developers in shaping policy.

8. Are there any other measures or actions the Mayor (or others) should pursue?

Whilst we would support the creation of best practice guidance, we believe that the Mayor should resist being overly prescriptive through planning policy as such an approach may well be counter-productive and frustrate development.

Yours sincerely,

Planning Manager
Legal & General Property

8th December 2010

Dear Ms. Beer,

INVESTIGATION INTO THE MANAGEMENT OF PUBLICLY ACCESSIBLE SPACE IN LONDON

Please find London Wildlife Trust's response to the Committee's questions for the above investigation attached.

The Trust manages around 40 nature reserves, and carries out management on many more sites across London, primarily through the motivation, enthusiasm and commitment of hundreds of volunteers. We manage spaces to ensure the protection and enhancement of biodiversity, and believe that by providing good quality access for Londoners to have contact with nature, we can help improve the quality of life of Londoners, and make the city a more attractive place in which to live, work and play.

The Trust engages local people in the management of our reserves, as well as the development of site specific management plans, and where possible, involvement in key management decisions through site steering groups. We are committed to maintaining our support for volunteers and local people to help manage spaces for biodiversity.

We have gained this experience since our establishment almost 30 years ago, when a number of people across the capital came together to establish a means to secure and manage a network of nature reserves in London. The Trust therefore has witnessed and help influence (where appropriate) the rise of „Friends of“ groups, the development of various strategies to provide public accessible space (and address deficiencies), the positive changes in public parks management, and the changes and improvements in urban green space policy, especially over the past decade.

Nevertheless, we have also witnessed further pressures on London's green spaces, the losses of and decline in the quality of some key habitats, the losses of garden space and, in places, the increased privatisation of the public realm (especially in the inner city). In addition, the pressures on public resources has led to an increased reliance on private sector funding (for example, through S106 contributions), and more market-orientated approaches to the on-going management of public spaces (e.g. hiring them out for events, advertising, etc.). Whilst these are not all necessarily to the detriment to the provision of publicly accessible space, without a strategic overview of the likely implications and a strong evidence-based policy framework, we are concerned that incremental changes could result in fundamental changes in the nature of the public's relationship and engagement with open space in London.

London Wildlife Trust

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We hope that our comments make a useful contribution to the Assembly Committee's investigation, although we recognise our concerns are focused in particular areas.

We would be happy to assist the Committee further in elaborating further on any of our comments.

Yours sincerely,
Deputy CEO

[London Wildlife Trust Response Attachment]

INTRODUCTION

London Wildlife Trust

London Wildlife Trust was founded in 1981 to help implement and promote the conservation of London's wildlife – the city's natural spaces, habitats, and wild fauna, flora and fungi. Since then we have helped to protect a range of sites from damage and loss, including Sydenham Hill Wood, Gunnersbury Triangle, Oxleas Wood, and Rainham Marshes. We have established over 50 nature reserves, which we have managed on behalf of their public and private owners. More recently we have acquired the freehold of a few, and are exploring new models of management, through S106 contributions. A number of our reserves are Sites of Special Scientific Interest, many more are Sites of Metropolitan Importance for Nature Conservation; they all contribute towards the delivery of Biodiversity Action Plan and open space strategy objectives.

Many thousands of Londoners visit our reserves, and a few are especially popular due to their location (e.g. Camley Street Natural Park). A few are not, however, fully publicly accessible due to the stipulations of the owner (for example, railway land). We are committed to making as many of our reserves accessible to all Londoners as best we can, within the constraints of their topography, resources and tenure.

Most of our reserves are managed by volunteers, complemented by our staff. Reserves are managed according to site management plans, which are developed with volunteers and local community stakeholders. In addition, many sites are managed through local steering groups to help secure greater local buy-in and engagement with community experts and representatives. Three of our reserves have been awarded Green Flag/Pennant over the past two years, and we seek to increase this over the course of the next few years.

As well as actively conserving wildlife habitats, we use our reserves to run formal and informal education activities, hold community events, and carry out research.

Whilst some of our reserves have since been handed back to their owners to maintain as nature reserves, our Reserves Strategy looks to ensure that our portfolio is fit for our needs until 2020, and helps to meet other strategic needs in London, for example the deficiencies in access to nature. This includes investigating means to transfer management to local groups or other providers, as long as they remain accessible to the public and serve to conserve biodiversity, working with new groups not located near to nature reserves, and secure new reserves that are sustainably resourced into the future.

In 1985-5, the Trust carried out the London Wildlife Habitat Survey on behalf of the GLC. This identified for the first time the true breadth of sites of nature conservation interest across the Capital, and set the foundations for the work carried out by the London Ecology Unit (1986-2000) to establish the London Wildlife Sites system which has subsequently been adopted in a similar fashion in all London boroughs, and adopted in the Mayor's Biodiversity Strategy.¹ There are now over 1440 Sites of Nature Conservation Importance in London, and these have also helped to identify the Areas of Deficiency in order to establish priorities for Access to Nature projects.²

The Trust established the London Biological Records centre in 1997; this has now evolved to Greenspace Information for Greater London (GiGL) which holds a huge amount of data relating to London's green spaces.³ For example, GiGL is responsible for maintaining data relating to the London Public Open Space Hierarchy, and from this can calculate the areas of the capital deficient in access to public open space to a high level of accuracy.

¹ Mayor of London, 2002, Connecting with London's nature; The Mayor's Biodiversity Strategy, Greater London Authority.

² Mayor of London, 2008, Improving Londoner's access to nature; Implementation report, Greater London Authority.

³ See: <http://www.gigl.org.uk/>

We are a member of the London Biodiversity Partnership, the London Parks & Greenspaces Forum, All London Green Grid Working Group, the London Rivers Action Plan, London Environmental Education Forum, and a number of other pan-London, sub-regional and local fora.

The Trust is one of 47 Wildlife Trusts working across the country, and as such we are committed to helping to deliver our collective *Living Landscapes* and *Living Seas* programmes where appropriate.

For further details of our work, see: www.wildlondon.org.uk

INVESTIGATION QUESTIONS

1. What rights should Londoners have in public space and how can these rights be maintained through the planning and development process?

We believe that Londoners have an absolute right to experience the breadth of London's nature; the city's variety of habitats – heathland, downland, wasteland, wetlands and woodland – and species that either live and breed here or visit the capital in the course of their life (e.g. migratory birds and butterflies). This experience of nature can best be implemented through the provision of accessible wildlife habitats – in nature reserves and appropriately-managed parks, gardens, squares, churchyards, cemeteries and other greens spaces – which allow people to physically have contact (through the variety of senses).

However, we believe that some habitats, species and ecological features are sensitive to human disturbance (that maybe spatial or temporal), and that there is occasionally justification to prevent these from being damaged by preventative measures (e.g. physical exclusion, interpretation). Some species are legally protected from damage (for example wildflowers) and/or disturbance. Whilst there are still some who believe that nature is best conserved by putting a fence around to prevent ingress, we believe that we've seen a major change over the last 30 years that promotes access to wildlife. By doing so, we believe we can promote an ecological awareness in Londoners, that can better serve our objectives over the longer term.

Nevertheless, in addition to the appropriate social courtesies we all expect to demonstrate in public spaces, we also believe that Londoners should respect nature and the experiences of others within nature reserves and other wildlife habitats.

2. What models are there of managing public space in London and what benefits and disadvantages are there to the different ways of managing public space?

This question needs to be set in the context of the alarming undervaluing of public space in Britain: *"..because of a combination of historic cost accounting and depreciation most [public parks] will be assumed to have an asset value of just £1.... If in a typical local authority the park is listed as being worth a notional figure such as £1 whereas the registry office is listed as being worth £4 million, then spending money to maintain the registry office could seem a far better investment than spending money to maintain the park."*⁴

There are many models of managing public space. London Wildlife Trust's has largely been based on securing leases and licences from a range of land-owners (from local authorities to private utilities), and using this as the basis for delivering our conservation management (as described above). More recently we have been securing the freehold of some sites, or entering into long-term management agreements secured by S106 contributions. For example, we have been working towards the implementation of the management of a large post-industrial reserve in the London

⁴ CABE, 2009, Making the invisible visible the real value of park assets, CABE.

borough of Bexley, via a S106 from a housing development, to pay an annual contribution for management, that we will deliver on behalf of the owner and the borough.

We believe that there are many merits in local authorities in continuing to manage public open spaces, either directly or through delivery partners (such as a Wildlife Trust or similar). However, the key issue is to ensure accountability of decisions, and a means for the public and local stakeholders to have a level of influence over the management of a site. For example, the rapid growth of „Friends of“ groups since the early 1990s (we recognise that some cemetery „friends“ groups emerged in the 1970s) should be applauded for helping to achieve this. However, we have had experiences of these occasionally being run as „fiefdoms“ by powerful and vocal individuals, that act as gatekeepers rather than conduits for representative engagement. The key is finding a balance in supporting keen individuals in a way that allows others to have a say as well.

3. In privately owned or managed public space and what concrete evidence there is of exclusionary design or management practices?

In our experience the most obvious elements are signage explicitly stating such, and usually in a manner that is, at best, assertive. Such signage often clearly indicates the constraints of use, and imply that the owners are willing to exercise their rights to stop or exclude use as they see fit. We concur with the Mayor’s concerns over the creeping „corporatisation“ of some larger commercial developments, given that these rarely have a sympathetic approach to biodiversity conservation.

The Trust is not a private body; however, voluntary sector organisations are not public bodies either, and apart from meeting Charity Commission requirements are not necessarily more accountable to the users of the spaces they manage than the private sector. Nevertheless, we believe that voluntary NGOs (such as the Trust) are, in principle, committed to local representation and accountability in the spaces that they manage. This may be enshrined in an organisation’s constitution, be a requirement through the lease or license for a particular public site, and/or be a requirement through grant funding (for example, from lottery or public sources). Therefore, there is commonly a strong emphasis in ensuring inclusive approaches to design and management, for example implementing diversity action plans.

4. How can “good” and inclusive public space be delivered and maintained via S106 and management agreements between the private and public sector? Which details need to be set out in such agreements and what are the necessary skills for planners in this process?

Our experiences relate to the sites in which we’ve been involved in respect of S106 contributions, for example reserves we are already managing, or where we’ve been invited to bid as a potential manager. For those sites we are already managing, we have been awarded S106 monies to enable the continuing management of a site, and usually to enhance some aspects of that, in particular access or biodiversity features. For example, we are towards the closing stages of securing S106 for a reserve in Hounslow for which a significant proportion is allocated to the development of a new visitor facility, and upgrade aspects of the site’s internal infrastructure. The S106 places a great emphasis on meeting the needs of the public, and making sure the site is appropriately promoted to local communities.

Whilst we believe such agreements need to be tailored to the individual circumstances, there is merit in ensuring local community representation in the shaping of S106 agreements that relate to the on-going management of public space (identified, initially, by the open space strategy), and to build in future governance structures that include local community representation. We don’t believe there is once-size fits all; existing guidance can help shape such decisions.⁵

5 CABE, 2010, *Community-led spaces; A guide for local authorities and community groups*, CABE.

See: <http://www.cabe.org.uk/publications/community-led-spaces>

5. What lessons can be learned from any recent London examples you are aware of/involved in? What are the major challenges for upcoming projects in terms of public realm design and management?

We have witnessed a change in the approaches to the design of public space design and management since 1981. Whilst 30 years ago it was virtually impossible to secure recognition for the needs of biodiversity in open spaces (whether existing or new), the emergence and development of legislation and policy has helped to create a more informed process. We published *Encouraging wildlife in urban parks* in 1987, to a virtual vacuum of interest, but with the publication of PPG17, PPS9, and the plethora of guidance from CABE and the GLA, there is a growing ecological sensitivity of some landscape design, which is increasingly adopting measures that biodiversity conservationists have been advocating for many years, to reflect the local ecological vernacular. This is to be welcomed.

In contrast, an increasingly „design“ focussed approach, that takes a modernist or post-modernist ethic to landscape design and that anything is possible has also been reinforced through the promotion of quality design (as a result of the recommendations of the Urban Green Spaces Taskforce). Many new sites and restorations of existing sites are subject to design-led approaches that appear to either pay lip service to biodiversity, or more worryingly, ignore the ecological vernacular of a particular site in favour of an „off-the-peg“ palette of biodiversity features.

An example of a combined approach is possibly Northalla Fields in Ealing, which is a bold statement of modern park design and supposedly „ecologically sensitive“ but bears no relation to the local vernacular. In addition, climate change is now being used as a vehicle for further „muddying the waters“, through, for example, the use of „climate-tolerant“ planting. Our experience suggests that there is still a polarity between the ideas of many landscape architects and the needs and interests of local users. We believe that without the resources within the local authority or local community to challenge these and ensure that the right ecological interventions are made within the mix of other interests.

In respect of the role of GiGL, the area surrounding Victoria Rail Station has recently been the focus of a Business Improvement District (BID). This importantly sought information from GiGL on the existing open and green spaces in and around the development area. It is critical that such public-private developments liaise with both the local environmental records centre and the local authority to ensure the most critical needs are met and that new public spaces (or developments of existing spaces) can be tailored to complement the existing green infrastructure of the area.

6. When and how can local communities be involved in the decision making to ensure public space is not an afterthought?

The development and implantation of open space strategies (that take account of biodiversity, as well as other site needs and functions) are essential to recognise the open space assets, uses and interests of an area. It is critical that local communities are involved in these from the start to help inform and shape them, as well as secure their ownership and on-going buy-in. In this respect we support the principles behind the draft mayoral guidance:

“The community’s needs and aspirations must be at the heart of any open space strategy and they must be engaged at each stage of strategy development. Therefore the local authority must work with local and regional partners and the community in identifying and delivering local priorities.” 6

We recognise that this isn’t easy – given the breadth of interests, and the cost of carrying out such processes effectively to ensure accurate community representation.

“Producing a strategy can take two years or more – and it needs dedicated leadership, an adequate budget, investment in skills and careful project management.” 7

6 Mayor of London and CABE Space, 2009, *Open Space Strategies: Best Practice Guidance*; CABE.

However, the danger of ignoring or not understanding the complexities of local communities' interests (which are often conflicting) is an interrupted and delayed design process.

Our experience is that public space (or landscape) is too often an afterthought. We endorse the „Start with the Park“ approach, that requires that the open space elements should form the underlying principles for the design of new developments, not fitted-in around a development.⁸ Too often the procurement of design-and-build contractors, subsumes landscape architecture down the pecking order, and in a minor role, having to deal with the crumbs after „value engineering“ is carried out. In addition, many developments are required to „complete“ a design before the new users (or stakeholders) are present, which often requires that they have little „ownership“ in the space given to them (a particular feature of new housing spaces, often supplied with play features before families move in).

We believe that the role of ecologists and landscape architects are still under-played (and not necessarily well-known), and that we – as practitioners – have a role in better promoting our role in working with communities, local authorities and developers in trying to ensure high quality and inclusive spaces are delivered from the outset of a concept. At the Trust, we are often called upon by local groups to „stop“ developments and what are seen to be inappropriate designs for new spaces, and whilst we believe that this role is at times necessary, we would prefer to have a more inclusive and advisory role within a process that ensures that such late-day interventions are unnecessary.

7. How are Borough policies and the Mayor's policies having an impact on the quality and accessibility of London's public realm? Are any amendments or new policies, guidance or other advice needed and why? The Trust recognises that there has been a plethora of guidance and policies emerging over the past 15 years or so, to help ensure the long-term provision, design and management of public spaces. In some respects London has „led the way“, especially in terms of biodiversity, for example in carrying out the first city-wide biodiversity audit, establishing ground-breaking policies in the early 1990s, and establishing the wildlife site system, the first of any city in the world.

However, we are alarmed that there has been no moves to review or revise the Mayor's Biodiversity Strategy (now almost 9 years old), and there has been the subsequent dissolution of the GLA's biodiversity team in 2009. Whilst the Mayor's Environment Programme highlights a commitment:

Ensuring that London's important biodiversity is protected and that all Londoners have access to wildlife and natural open spaces⁹

we remain to be convinced that this is currently being effectively discharged.

Whilst we welcome the development of the East and All London Green Grids, we do not believe that these replace the need for an overall strategic overview of London's key strategically important ecological assets (over 140 Sites of Metropolitan Importance), and the powers to ensure their protection and scrutinize their management to favourable condition (in addition to Natural England's regulatory duties in respect of London's 36 SSSIs). We therefore believe that the Mayor needs to take steps to work with a number of pan-London agencies and organizations – for example ourselves and Natural England – to establish a mechanism that can effectively restore this role.

7 CABE Space, 2009, Open space strategies; What local authority decision makers need to know, CABE.

See: <http://www.cabe.org.uk/files/open-space-strategies-leaflet.pdf> 8 CABE, 2005, Start with the Park, creating sustainable urban green spaces in areas of housing growth and renewal, CABE. See:

<http://www.cabe.org.uk/publications/start-with-the-park>

9 Mayor of London, 2009, Leading to a greener London; An environment programme for the capital, Greater London Authority.

In addition, the work of the previous administration to promote reducing the inequalities of access to nature, are in danger of being lost (some aspects could be addressed by the All London Green Grid) if not specifically targeted and resourced.

We broadly welcome many of the commitments set out in the policies within the draft Replacement London Plan. Our detailed comments submitted to the Examination in Public over the summer are available if requested.

We suggest that the London Regional Landscape Framework provides a good general context for identifying key ecological characteristics¹⁰, which will need to be further refined under local Biodiversity Action Plans and other guidance.

8. Are there any other measures or actions the Mayor (or others) should pursue?

We believe that an area of open space largely unrecognised in existing policy is that owned and managed by social landlords, both local authority housing departments (where the land is usually public), and Registered Social Landlords (where the land is often quasi-private). These spaces are generally amongst the worst of our towns and cities. Although there is no data about their quantity, in many inner urban boroughs the area of social housing greenspace can exceed that of public parks. However, their quality is widely recognised; fearful deserts which many people try to avoid if possible, but for the people that have to live by them they are often liabilities, the places where problems occur.¹¹

The work of Neighbourhoods Green started to address this matter, and identified the lack of quality data of the resource (given that there are over 200 social landlords in London), and the need for guidance and best practice.¹² A new programme of action, set out in a recent CABE/National Housing Federation publication, is now being taken forward by a partnership of social landlords and agencies, including the Trust.¹³

However, we believe that there is also a role for the Mayor to ensure that his work, through his environmental programme and the All London Green Grid, takes sufficient account of this area, and that his duties in respect of new social housing provision do not ignore these critical issues.

¹⁰ Alan Baxter et al, 2010, London's natural signatures; The London Regional Landscape Framework, Natural England

See: http://www.naturalengland.org.uk/Images/01-execsummary7-4-10_tcm6-14408.pdf

¹¹ Frith, M., and Harrison, S., 2005, Decent homes Decent spaces, Neighbourhoods Green, Notting Hill Housing and Peabody Trust.

See: http://www.neighbourhoodsgreen.org.uk/ng/_ui/dhds.pdf

¹² See: <http://www.neighbourhoodsgreen.org.uk/ng/> ¹³ CABE and National Housing Federation, 2010, Decent homes need decent spaces; An action plan to improve open spaces in social housing areas, CABE.

See: <http://www.cabe.org.uk/publications/decent-homes-need-decent-spaces>

Investigation into the management of publicly accessible space in London

Submission by Brent River & Canal Society and by Ealing Wildlife Network

1. *What rights should Londoners have in public space and how can these rights be maintained through the planning and development process?*

The most important right is for the public space to be maintained in perpetuity for the public. The biggest current threat is that public space is taken away and, most probably, built upon. The planning and development process should be able to protect such, irrespective of ownership, in the same way that Public Rights of Way are protected. Currently councils can achieve this by designation of land before planning applications arise and by legal agreements afterward. But with the present governments proposals to bypass council and devolve decision-making to local communities (whatever that means), there is a danger that ability of councils to protect land will be decreased.

2. *What models are there of managing public space in London and what benefits and disadvantages are there to the different ways of managing public space?*

No comments.

3. *In privately owned or managed public space and what concrete evidence there is of exclusionary design or management practices?*

No comments.

4. *How can "good" and inclusive public space be delivered and maintained via S106 and management agreements between the private and public sector? Which details need to be set out in such agreements and what are the necessary skills for planners in this process?*

Planners need to be more assertive and stand up for residents' interest instead of limply acquiescing to developers. Developers and landowners in London make huge profits, particularly in house building (houses cost less than 50% of their sale value, the latter being related to market price, not the cost of building).

Section 106 agreements should seek to appropriate a far greater proportion than the current derisory percentage of the 'windfall profits' that are gifted to developers and landowners when planning permission is granted.

Typically, very small proportions of Section 106 agreement go toward open spaces. Much larger amounts go health centres, public transport, schools, etc. We believe that this balance is wrong. Central government and its agencies are obliged to provide health, public transport and education irrespective of Section 106 agreements. Open spaces, on the other hand, are optional, provided by councils only if they choose and can afford it. Biodiversity, which is a statutory duty, is likewise the responsibility of councils. Therefore much of Section 106 money should go towards open spaces, benefitting councils, residents and biodiversity. It should not go on subsidizing agencies and central government departments which are already obliged to provide services and have vast budgets.

5. What lessons can be learned from any recent London examples you are aware of/involved in? What are the major challenges for upcoming projects in terms of public realm design and management?

No comments.

6. When and how can local communities be involved in the decision making to ensure public space is not an afterthought?

By genuine involvement in the planning process. It must be genuine, not the all-too-common token involvement where the public are politely listened to and their views ignored.

7. How are Borough policies and the Mayor's policies having an impact on the quality and accessibility London's public realm? Are any amendments or new policies, guidance or other advice needed and why?

We believe the Mayor's Priority Parks award to the Brent River Park has been helpful, although the spending has not been completed. (However, we have reason to believe a small proportion of the money has been used to replace council funding.

8. Are there any other measures or actions the Mayor (or others) should pursue?

Ensure that suggestions made above promoted, insofar as is possible by the Replacement London Plan use of the Mayor's powers to call in and determine local planning applications.

If there is any other information you think is relevant to the review please let us know.

No comments.

PPS034 London Borough Southwark

PPS034

Investigating the management of publically accessible space in London
Notes in response to questions from the London Assembly

1. What rights should Londoners have in public space and how can these rights be maintained through the planning and development process?

Londoners have a democratic right to access public space where they can act responsibly, in a way that does not have a negative impact on others while accepting that individuals have different values and means of expression. People should be free to express themselves and be involved in a range of activity in public space while feeling safe and secure. Public space should provide people with choices, be accessible and allow for ease of movement and use for all.

Planning guidance and legislation should encourage the inclusion of all members of society in the public realm of any community. This can be achieved through goals such as, accessibility using a range of transport modes, a permeable coherent urban grain, a mix of housing type and tenure, a diverse mix of business and service provision including community facilities and by using quality materials that are robust and sustainable. A variety of public space should also be encouraged to allow flexibility for the different needs and uses of the community and to give people choice.

Agreements regarding public access and activity in relation to a developers land ownership rights could be encouraged in planning guidance and be negotiated through individual site planning applications.

Policy 3.29 Development within the Thames Special Policy Area, has a clause stating that development should; Include a mix of uses appropriate to the waterspace, including public uses and open spaces, to ensure an inclusive accessible and active waterside and ground level frontage.

2. What models are there of managing public space in London and what benefits and disadvantages are there to the different ways of managing public space?

Community Based Charity: BOST

Management of publically owned land i.e. parks with support from the Local Authority and funding through applications to other funding bodies for projects and revenue. Staff includes a combination of funded posts and volunteer support and also involves management of volunteer groups.

Benefits:

- High level of community involvement at multiple levels, ability in some instances for on site presence, ability in some instances for high specification maintenance.

Disadvantages:

- There can be inconsistencies in site management and maintenance dependant on staffing and volunteering capacity.

Local authority management

The local authority has a policy, management, development and maintenance contract management role. Open space policies are developed on a borough wide or area basis with some site specific considerations. Expenditure from core funding covers maintenance or small improvement works. Significant regeneration projects generally require external funding or monies received by Council through planning contributions.

Locking parks: parks in Southwark that have historically been locked and/or where an asset is deemed to require protection continue to be locked. There is ongoing debate about the locking of parks as a management tool and it is dependant on individual site feasibility and budget. In some instances residents have requested gating and locking to solve antisocial behaviour problems. It is not council policy to erect new fencing and gate publically accessible space as it is felt this also discourages positive use by the community. However, there is an ongoing issue of antisocial behaviour in public open space that affects the use of open space by other members of the community.

Friends groups can establish and bring about a greater sense of community ownership, increase community involvement in decision-making and increase community use.

Benefits:

- The community has opportunity for input into both broad policy development at a strategic level and specific projects through formal consultation processes and project working groups or project specific community engagement
- Parks are managed using borough wide policy.

Disadvantages:

- Maintenance regime can fall short of expectations due to costs spread over a large number of sites.
- Investment can be difficult as generally reliant on external funding
- Public open spaces are often seen as a suitable location for antisocial behaviour

Trust: Potters fields

Local stakeholder representation on a decision making board with a manager post and maintenance staff.

Benefits:

- Opportunity for stakeholder involvement
- Opportunity for income generation through corporate events
- Potential for high level of maintenance

Disadvantages:

Need for events to pay for maintenance can prevent community use and give corporate feel to park

Southwark Markets: Partnerships

- The Council believes that there are strong advantages to private sector involvement in the operation of markets in terms of bringing commercial and retail skills that are necessary to make markets succeed.
- The council will retain a key role in relation to its wider role in local economic development ensuring that markets play a full part in meeting the needs and aspirations of local communities and providing economic and social opportunities.
- Markets also play a role in relation to our role as place shapers, as part of regeneration schemes, providing local employment and integrated in the strategies of the council and its key strategic partners. The council needs the capacity to ensure markets meet this potential.
- The council is best placed to develop markets as part of developing the vitality and viability of our local economy and making sure that enterprise benefits local communities. This means moving beyond our traditional regulatory role to actively supporting the development and growth of markets for their contribution to the local economy and their wider benefits to our communities.

Private management and publically accessible

More London is an example of privately managed and owned space that has 24 hr public access.

Benefits:

- Higher specifications of materials, management and maintenance
- Greater design flexibility

Disadvantages:

- The space is constrained and dominated by corporate tenants rather than the local community of which they form a part
- there are limitations and restrictions on activity and users which affect the vibrancy of the area.

3. In privately owned or managed public space what concrete evidence is there of exclusionary design or management practices.

More London

- Signage is displayed listing behaviour that is not acceptable
- Estate employees man the site and will speak to individuals involved in behaviour that is deemed unacceptable
- Limited range of retail and eating options does not encourage a diversity of users.

Tabard Square

- Locked at night – fortress like gates inhibiting even when open during the day thus discouraging through movement.

Neo Bankside

- Will be gated after dusk

4. How can good and inclusive public space be delivered and maintained via S106 and management agreements between public and private sector? Which details need to be set out in such agreements and what are the necessary skills for planners in this process?

Good inclusive public space, funded through S106 from development, can be delivered through a multi disciplinary team, as determined by the site and project specifics, with a timely and comprehensive community engagement process. This process is led, in our case, by a council officer who develops a project brief with input from internal and external stakeholders, tenders and appoints consultants or uses in house design professionals, (this is determined by the nature of the project and skill sets required) coordinates a community engagement programme, and acts as the client throughout the construction and implementation phase of the scheme. It is the client's responsibility to make sure quality schemes are delivered effectively and any necessary establishment periods are fully realised thereby eliminating unnecessary early maintenance.

Maintenance on publically owned land is generally adopted by the appropriate council department following construction and any suitable bedding in period. It is important to use robust and durable materials in public realm schemes to ensure longevity and sustainability of the scheme and minimise the need for ongoing maintenance.

Commuted sums can be a method for ensuring ongoing maintenance is covered.

The Pre-application process is a way of ensuring that public realm is included in applications so that the space between the buildings is considered as much as the buildings themselves.

5. What lessons can be learned from any recent London examples you are aware of/involved in? What are the major challenges for upcoming projects in terms of public realm design and management?

Major challenges include:

- Prioritising sites for improvements in areas where considerable work is needed against limited resources
- Designing for a number of uses and users some of which compete with each other
- Coordinating multiple agencies, their policy, procurement, delivery priorities and timeframes
- Public expectations for the public realm and their understanding of project costs and timeframes
- Creating places where people can spend time and enjoy a public life while managing and discouraging antisocial behaviour
- Minimising ongoing costs of maintenance yet still creating places that are special and have an individual character
- Ensuring maintenance budgets and responsibilities are in place and adhered to

6. When and how can local communities be involved in the decision-making to ensure public space is not an afterthought?

Local communities are involved through formal planning and consultation processes for developing key strategic and area based planning documents in the local development framework. This allows input into creating the vision for a place and decisions about how its, public realm, infrastructure, homes, businesses, facilities, histories, economy and biodiversity will be for local people and visitors.

When individual sites are developed, especially large sites, local communities should have the opportunity to voice their aspirations and concerns so that they can be addressed. There is opportunity for input within the statutory planning process. However, it is recognised that this is not easy for some who are not familiar with the process and that people do need to make some effort to keep informed of what is occurring in their area.

7. How are Borough policies and the Mayor's policies having an impact on the quality and accessibility of London's public realm? Are any amendments or new policies, guidance or other advice needed and why?

Southwark's S106 SPD established standard charges for planning obligations meaning that the process is transparent and that negotiated amounts are consistent and have a clear rationale for calculation. Amounts paid to Council have been successful in funding many public realm real projects, particularly in the north of the borough.

Design and Access Statements SPD – the national requirement for D&A statement together with the detailed guidance in Southwark's SPD has helped ensure that design and access is considered from the outset and that developers are encouraged to consult locally etc.

Southwark's also has a Design Review Panel which has helped raise the design quality of large scale schemes.

Generally , the LDF process enables council's to prepare policies that suit their needs. Aylesbury AAP includes a design guide to shape design of streets in the new neighbourhood. Council is in process of preparing a Public Realm SPD for Aylesbury to help ensure a coherent approach to design of streets and public realm. It will also set an s106 infrastructure tariff fee to secure implementation of public realm proposals, including a commuted sum to cover maintenance costs.

Canada water AAP – also contains a costed public realm strategy to ensure high quality public space in the revitalised town centre.

Over next few years, use of CIL may well present opportunities. Authorities which implement a CIL regime will need to consider carefully how public realm investment can be captured under a levy.

10th December 2010

Dear Alexandra,

Investigation into the management of publicly accessible space in London

London First welcomes the opportunity to contribute to the London Assembly Planning and Housing Committee's investigation. I have responded briefly to the questions posed by the committee, as Chairman of the West End Streets (WESt) Steering Group, the London First task force that champions investment in the public realm in the West End. The group brings together business leaders to promote the delivery of public realm improvements in one of London's most important business, retail and tourist locations. My comments, therefore, are limited in most cases to the delivery of public realm improvements in Westminster and to those questions where we have relevant experience.

Investigation Questions

1. What rights should Londoners have in public space and how can these rights be maintained through the planning and development process?

In the West End, accessibility and the ability to move freely on foot through safe, clean and hindrance-free streets underpin Londoners' rights in public space. High quality public realm should seek to deliver these, supported by a planning and development process that maintains a rigorous focus on these outcomes.

As well as being a long term driver of economic activity critical to London's success as a world city, the West End also has a large resident population for whom the public realm is part of their quality of life. We believe that for residents, businesses and visitors, the public streets, squares and gardens are as important as the buildings themselves. High quality public realm improvements to the West End that facilitate walking and reduce pressure on the public transport network, and that deliver greatest impact in areas with high visitor numbers (both retail and tourist), are key to maintaining the West End's success. Our members have in many cases driven and funded such improvements - the Oxford Circus Diagonal Crossing and improvements to Long Acre-St Martins Cross being two recent examples.

These improvements are integral to development plans and key to the long-term value of holdings. Criteria for success include a coordinated and agreed vision that is shared by local authorities, developers and land owners; the parallel de-cluttering of unnecessary signage; and the clear assigning of responsibility for long-term management and maintenance.

2. What models are there of managing public space in London and what benefits and disadvantages are there to the different ways of managing public space?

Our members have in many instances secured the innovative and efficient management of privately-owned public realm. Grosvenor, for example, reopened Brown Hart Gardens to the general public, and has facilitated its use for a programme of free musical, theatrical, and children's events. British Land incorporated privately-owned, public space at Regent's Place (on the Marylebone Road/Euston Road corridor), as a key component of the scheme's development, and has collaborated with Camden Council and the local community to produce an annual festival programme of free events, as well as a weekly farmers market.

Success has been based on the controlled, imaginative contracting out of long-term management. Close collaboration with local authorities remains key, but the committee should explore exemplars of the private sector delivering improvements to London's streets at least cost to local taxpayers, and in the context of cuts to public expenditure.

4. How can "good" and inclusive public space be delivered and maintained via S106 and management agreements between the private and public sector? Which details need to be set out in such agreements and what are the necessary skills for planners in this process?

High quality public realm is critical to the character and functioning of areas. Alongside transport (Crossrail), public realm should be the priority for planning obligations in the Central Activities *Zone* (CAZ). We support the Mayor's focus on this and consider that, especially in areas like the CAZ and West End, its importance should be reflected in planning gain priorities.

The piecemeal nature of S106 negotiation should not stand in the way of an agreed, single vision for public realm improvements. This will require local authorities bringing both greater transparency to the collection, and speed to the disbursement, of S106 monies for public realm. Local authorities should ensure improvements supported by S106 monies are timed to the developments from which these contributions have been secured. And there should be a rigorous drive for efficiency and cost reduction in their execution.

We believe that S106 monies from various development schemes should, where sensible, be pooled to achieve an overarching improvement to a local area, and further thought be put to how this can best be done on sustainable basis over time. The progress made by Westminster City Council in developing a public realm credit scheme is welcome in this context. Its applicability across London, where practical, should be considered, on the basis it secures greater private investment in the delivery of high quality public realm. More broadly, I would encourage the committee to seek from our members practical examples of, and lessons learnt from, S106 drafting.

5. What lessons can be learned from any recent London examples you are aware of involved in? What are the major challenges for upcoming projects in terms of public realm design and management?

The public-private partnership agreed by Grosvenor and Westminster City Council is set to deliver improvements to streets in Westminster - public highways, not private land - with only a fraction of the cost being borne by local taxpayers. The council set aside part of its business rates rebate from Central Government to fund the works up front. Three public realm schemes were identified - in Mount Street, Duke Street! Brown Hart Gardens and Elizabeth Street - which are expected to cost in the region of £10 million. The agreement provided for the council to pay Grosvenor as a contractor to implement the schemes. Grosvenor will reimburse the council in full five years after the schemes have been completed. Grosvenor has a number of development proposals in Mayfair and Belgravia which will generate a requirement for public realm contributions. The contributions secured by S106 Agreements will then be considered offset against the cost of the public realm works carried out.

I don't believe these areas would have benefited from such a significant transformation, particularly in the current economic climate, without this partnership. The local authority's willingness to enter into an innovative agreement to deliver high quality public realm provides positive lessons whose wider applicability should be explored.

In terms of the challenges facing upcoming projects, I would note two examples.

Legible London: Westminster City Council has an aspiration to install Legible London signage in the central area before the Olympics. It has yet to allocate funding to the

delivery of the remaining 258 signs it believes will meet this aspiration .

Piccadilly: we successfully campaigned for funding for improvements in time for the Olympics; the challenge for all parties remains to deliver the 40% increase in pedestrian space originally proposed.

The vocal championing of these schemes by business has been key to their progress to date. These projects offer good examples of the way in which businesses, across all sectors with an interest in the long-term health of the West End, can and should be mobilised in both the prioritisation, and delivery, of key public realm improvements.

6. When and how can local communities be involved in the decision making to ensure public space is not an afterthought?

Local communities should be consulted in decision making early on, at the scheme design stage if possible. Moreover, all key players - Business Improvements Districts, local councillors, local authority public realm teams and amenity societies - should agree strategies for public realm improvements, in part so that they can move quickly should S106 contributions become available. In parallel, local authorities should work closely with the private sector to ensure public realm is integral to development proposals. Coordination at every level is required, predicated on an agreed set of public realm priorities.

7. How are Borough policies and the Mayor's policies having an impact on the quality and accessibility London's public realm? Are any amendments or new policies, guidance or other advice needed and why?

There are two areas where reform would be positive: first, there should be greater transparency to the collection, and speed to the disbursement, of S106 monies for public realm; and second, local authorities should consult with business - users, landowners and developers - in shaping policy, in order to continue to attract the private sector investment and delivery needed to improve the West End's public realm. The work Westminster City Council has undertaken on this second area offers a good example of the value of early and broad consultation with business.

8. Are there any other measures or actions the Mayor (or others) should pursue?

Improvements to public realm and the pedestrian environment are important to the Mayor's objective to reinvigorate town centres and promote retail diversity. As stated above, public realm should be included as a planning gain priority.

Finally, the work begun by the GLA to create and publish methodologies for measuring the value of public realm improvements should be taken to conclusion. The prioritisation of limited resources, and the chance to attract private sector investment, will be spurred by rigorous, early appraisal.

I look forward to the conclusions of your investigation, and would be pleased to expand on any of the answers above.

Yours sincerely,

Chairman - London First West Steering Group

1. What rights should Londoners have in public space and how can these rights be maintained through the planning and development process?

Every community needs buildings and public open spaces for local people to meet, to organise, to socialise and to run activities. This essential need for community space is heightened in London, a densely populated city with a highly diverse community and neighbourhoods of place and interest.

The lifeblood of a healthy community is the collective action of ordinary local people within a neighbourhood or community of place. These local voluntary groups are the backbone of civil society and bring incalculable value to the neighbourhoods in which they operate and the individuals who live there. A sense of ownership over public space builds stronger bonds between neighbours, builds trust and a mutual support network and prevents social isolation. Stronger bonds between communities bring strengthened relationships between diverse groups and minimise the risk of social breakdown.

The right to public space and to a say in the use and disposition of public space can be maintained through a policy of localism in which communities define their social needs and local authorities are compelled to adhere to the principle that requires Statements of Community Involvement (SCIs) in the preparation, alteration and review of all local development documents and development control decisions including planning obligations policies. This involves developers having to discuss proposals with residents. There needs to be good community engagement in order for there to be effective dialogue between local residents, business owners, planning authorities and built environment professionals.

2. What models are there of managing public space in London and what benefits and disadvantages are there to the different ways of managing public space?

There is evident concern about mass disposal of public assets (especially those already in community hands) and often decided without adequate consideration with the local communities affected of alternative solutions. Transfer to the community, ensuring the community takes ownership and responsibility going forward, can in many cases be a more effective and sustainable option.

It is important to ensure that buildings continue to remain relevant and affordable and that governance of the assets remains as close to the community/neighbourhood as possible

Mass transfer from one single owner, such as the local authority, to another single owner, for example a single trust, distances the community and risks the very sustainability of these important assets that is being sought.

There are also challenges in community asset transfer such as capacity, skills and confidence – it is important to give the community time to prepare for the transition – and some won't be able or want to.

There is no single answer or model – the appropriate solutions will be different in each area and include:

- Local councils in partnership with community – leaseholds on peppercorn rent, shared maintenance, shared commitment to community benefit
- Trusts as a vehicle for mass transfer with economic counterweights to make whole deal viable
- Demolition or redevelopment of buildings that is too dilapidated, in the wrong place or too big to manage and bank the land or trade the site.
- Capital investment tailored from 100% loan to 100% grant for purchase or refurbishment of assets

3. In privately owned or managed public space and what concrete evidence there is of exclusionary design or management practices?

4. How can “good” and inclusive public space be delivered and maintained via S106 and management agreements between the private and public sector?

There has to be a clear structure to identify local needs, and then put the findings out for consultation. There should be an audit to look at the quality and standards of current provision. Spaces and buildings need to remain relevant and affordable. Governance of any section 106 asset should remain as close to the community/neighbourhood as possible. The community must have the capacity and skills, confidence to be involved in the management of community facilities. Time and resource should be made available to do this as part of the section106 agreement

5. What lessons can be learned from any recent London examples you are aware of/involved in? What are the major challenges for upcoming projects in terms of public realm design and management?

The example that I am using is the New Deal for Community improvement in South Islington capital programme and partnership working with Islington Council. The NDC contributed £6 million of its budget of £53million to public space improvement and this was matched by funding from Islington Council. Over six years this led to the redesign of three parks and substantial improvement to two others, Five estates had changes to their external areas, and thirteen streets and adjacent public spaces were redesigned and renewed, emphasising their importance as public spaces. The programme was successful for the following factors

- There was a collective participative decision that fully involved the local community
- The plan was divided up into detailed frameworks with coasted action plans for individual areas, including plans for individual estates
- There was close engagement with residents about other elements of planning i.e. the planning of trees and flowers
- There was a community gardener who worked with residents to develop horticultural skill and allotments on the estates
- There were training and work opportunities for local young and unemployed people
- All projects had a steering group made up of resident and stakeholders from the immediate areas as well as the design team, officers, and councillor and board members
- There was partnership working between the NDC and the council, with joint working and shared budgets
- The Design team were independent and talked to and listened to the local community

6. When and how can local communities be involved in the decision making to ensure public space is not an afterthought?

The principle of sustainable communities should be at the heart of the planning process. Recreation and play should be seen as central to human interaction needs. Recreation and play, contact with nature and aesthetic preferences should be seen as vital in the debate regarding public space. Unless people are included in the strategic phase they will always be trying to recover their rights, because of non-involvement in strategic decision making and improve public spaces. Councils should use consultation and training to use the insight, passion and commitment of local groups, in order for local communities to ensure that public space is not an afterthought.

PPS037

Investigation into the management of publicly accessible space in London.

This is a joint response from Guide Dogs, Royal London Society of Blind People and London Visual Impairment Forum.

Introduction:

Guide Dogs is the UK's largest single provider of mobility and other rehabilitation training for blind and partially sighted people. Each year, we help thousands of visually impaired clients to live independent lives, either with a guide dog or long cane.

Our vision is for a world in which all people who are blind and partially sighted enjoy the same rights, opportunities and responsibilities as everyone else. We help blind and partially sighted people to achieve independence and mobility through the provision of guide dogs and rehabilitation services – yet this independence is limited by the environment in which they must live. We therefore campaign for equal access to transport and the built environment, streets and the public realm, shops and services, health and social care for all blind and partially sighted people.

The Royal London Society for Blind People began its work in 1838, and has since evolved to become the capital's leading provider of education and support services to visually impaired people, particularly children. The organisation campaigns to ensure blind and partially sighted youngsters get the same life chances, at the same time, as their sighted peers. Much of the Royal London's work takes through its Victoria office, which offers support services to blind and partially sighted people through partnerships with many of the capital's 32 boroughs. The organisation has also announced a joint project with the Helen Hamlyn Centre at the Royal College of Art to encourage planners to consider the needs of visually impaired people when designing street layouts. The idea is to give blind and partially sighted people confidence to go out on their own, to counter the inevitable feelings of isolation, loneliness, and depression which sight loss brings.

London Visual Impairment Forum (LVIF) comprises voluntary (not for profit) organisations working with, and on behalf of, blind and partially sighted people in Greater London. Approximately thirty three local and national organisations are actively involved, (see appendix 1).

Response:

1. What rights should Londoners have in public space and how can these rights be maintained through the planning and development process?

Londoners, and visitors, should have the right to expect to be able to access public space and use it in relative safety and comfort.

We recommend involving a pan disability group of people from development concept to implementation of developments. This could be by having an access forum where a range of disabled people are consulted on throughout the birth and delivery of the project.

Where 'public space' is owned and managed by a private developer inclusive design and accessibility should be part of the planning conditions for the development. Requiring an accessibility statement can help to achieve this.

2. What models are there of managing public space in London and what benefits and disadvantages are there to the different ways of managing public space?

Most models at the moment seem to include provision of physical access thereby making provision for people with physical disabilities i.e. wheelchair accessible, lifts, ramps etc However lack when it comes to the provisions for people with sensory impairment especially blind and partially sighted people. The provision of texture, tactile surfaces, good signage both tactile and audible, and good colour contrast to highlight features within the public realm has not had the same attention. Features which meet the requirements of blind and partially sighted people also benefit people with learning difficulties, older people and the wider population. The benefits of inclusive design:

- Add less to the cost than modification at a later stage
- Investing in meeting the needs of disabled people is an investment for the majority of society, particularly in an ageing society.

The disadvantage of not providing and managing an inclusive public space is the exclusion of some members of the public, and/or the cost to retrofit to make the public space accessible.

3. In privately owned or managed public space what concrete evidence there is of exclusionary design or management practices?

It is not within our remit to comment on the general issue of exclusion. However there is evidence that public space can exclude blind and partially sighted people, and other disabled people, if it is not well designed and managed to be inclusive.

4. How can "good" and inclusive public space be delivered and maintained via S106 and management agreements between the private and public sector? Which details need to be set out in such agreements and what are the necessary skills for planners in this process?

Planning conditions and S106 agreements can be used to ensure that a public space is designed and managed to be accessible and inclusive of disabled people and other vulnerable pedestrians.

Planners need to be skilled in the requirements of blind and partially sighted and other disabled people to ensure their access and mobility requirements are well met.

5. What lessons can be learned from any recent London examples you are aware of/involved in? What are the major challenges for upcoming projects in terms of public realm design and management?

There are several examples where fuller consideration of the requirements of blind and partially sighted people from the outset would have been beneficial.

Exhibition Road proposal, if the requirements of blind and partially sighted people had been fully considered from the outset and incorporated into the design this may have avoided the judicial review and cost of revisiting the design which is delaying implementation.

Sloanes Square level shared surface area outside the station. Following concerns raised the LA have had to retrofit by providing tactile paving to indicate crossing points. This area is still a very difficult area for blind and partially sighted people some of whom now avoid using this station.

6. When and how can local communities be involved in the decision making to ensure public space is not an afterthought?

Local communities should be engaged at an early stage, their input valued and used, and feedback provided. This would encourage further involvement in future proposals.

Local community involvement must specifically include blind and partially sighted and other disabled people.

An access group can be useful to involve from the onset. This group should be consulted throughout the design and development of the project and post completion. This will ensure that all the needs of the diverse community are considered. Barriers can be overcome and all members of the public can use it safely and independently. The access group should have a good representation from a range of disability groups. We would like to see all boroughs having an access group which can be consulted for any scheme.

7. How are Borough policies and the Mayor's policies having an impact on the quality and accessibility London's public realm? Are any amendments or new policies, guidance or other advice needed and why?

At the moment there are inconsistencies in guidelines and ways of designing the public realm. For instance, the provision of a level shared surface for pedestrians, vehicles and cyclists can make an area inaccessible for blind and partially sighted people and other groups.

Effective guidance coupled with engagement of disabled people in proposals could help to ensure that the public realm is both inclusive for the whole community, aesthetically pleasing and enjoyable.

Some public parks and other areas of the public realm exclude dogs. Guide dogs and other assistance dogs should always be exempted from such policies otherwise guide and assistance dog owners will be excluded.

8. Are there any other measures or actions the Mayor (or others) should pursue?

All of the above. We would like the Mayor and others to make reference to Guide Dogs 'Inclusive Streets' publication which sets out the key design principles for the provision of inclusive accessible street environments whether in traditional streets or in a shared space design. This was published by Guide Dogs on behalf of the visual impairment sector and endorsed by the Access Association and EHRC. It can be downloaded at :

<http://www.guidedogs.org.uk/whatwedo/campaigns/inclusivestreets/>

In addition, below are the vital requirements of some features within the street and built environment to enable blind and partially sighted to use the pedestrian environment safely and independently:

Tactile paving

Tactile paving should be provided at signal crossings, dropped kerbs, top and bottom of external steps, at station platforms and shared cycle and pedestrian routes. All the different types and the recommended layout is provided in the Department for Transport 'Guidance on the use of tactile paving surfaces' available for free download at

<http://www.dft.gov.uk/transportforyou/access/peti/guidanceontheuseoftactilepav6167>

Pedestrian crossings

Controlled crossing should be provided and must have visual, audible and tactile signals. In addition must have the recommended tactile paving as specified in the DfT 'Guidance on the use of tactile paving surfaces'.

Cycling and shared facilities

Safe and convenient routes should be provided for both pedestrians and cyclists.

Safe and convenient routes should be provided for cyclists on the carriageway.

Shared facilities where pedestrians and cyclists share a path must be effectively segregated with a central delineator which is a raised trapezoidal feature and corduroy paving to denote each side, laid in a ladder-like pattern for the pedestrian and tram-like for the cyclists. See Department for Transport 'Guidance on the use of tactile paving surfaces'

Street furniture

Street furniture should be provided in a consistent pattern and not pose as obstructions on the footway. They should have good contrasting features and at the same time not cause glare as can be the case with stainless steel.

Visual contrast

Material, features and street furniture should have good tonal and colour contrast to enhance visibility for blind and partially sighted people. In addition, they should retain their contrasting features in wet and dull weather conditions. Uniform lighting is also essential and should enhance the street environment at night.

Comments on the Agenda 5 Report

Section 3

3.2 We would like the word 'accessibility' added to this paragraph. The public space should not only be safe but also accessible both are important factors to be considered. In addition both should be considered right at the onset of any decisions to provide a public space. To provide an inclusive space, it is vital to involve disabled people. If the requirements and issues for disabled people are incorporated at the onset, this will save time, costs and prevent retrofit post completion.

3.3 We would recommend the order of words in this paragraph be changed. This paragraph seems to put aesthetics before accessibility. Accessibility should come before user-friendly and attractive. We would like this to be read as '.....public squares and parks are accessible, more user-friendly and attractive'.

- 3.4 We would recommend that consistency should be the key focus. All London boroughs should have consistent management and policies when designing or providing public space to avoid excluding disabled people enjoying the benefits of the public space in some boroughs.
- 3.5 We strongly recommend that all designers, planners and other professionals involved in provide public spaces undergo Disability Awareness training. This is vital to ensure that the needs of disabled people including blind and partially sighted people are considered and taken on board.
- 3.7 We would like to see 'street' added to the phrase 'built environment' which would cover both built and street environment as the word 'built' may be misunderstood to represent building infrastructure and not landscape.

Section 4

4.10 – 4.12

We support the strategies, initiatives, guidance and policies that have been produced to improve the public realm. However, having several documents trying to say the same thing tend to vary in the content. We would advocate consistency and perhaps one document which covers the requirements, issues and process needed to provide an inclusive environment taking into consideration the involvement of disabled people (pan disability approach) This would promote consistency throughout London.

4.19 We would like 'Representation of disabled people' included in the list of stakeholders to be contacted.

End

PPS037 Appendix 1

London VI Forum

Membership List

2010

Action for Blind People

Association for Blind Asians

Barnet Borough Sight Impaired

Blind in Business

British Retinitis Pigmentosa Society

Croydon Voluntary Association for the Blind

Enfield Vision

Essex Blind Charity

Eye to Eye Group Newham

The Guide Dogs for the Blind Association

Blind Independence Greenwich

Haringey Phoenix Group

Kent Association for the Blind

Kingston Association for the Blind

MertonVision

Metropolitan Society for the Blind

Metro Sports

Middlesex Association for the Blind

National Federation of the Blind

National Blind Children's Society

Nystagmus Network

Organisation of Blind African Caribbeans

Royal National Institute of Blind People

Royal London Society for the Blind

SeeAbility

Sight Action Havering

Sutton Association for the Blind

Talking News Islington

Thomas Pocklington Trust

Uveitis Information Group

VocalEyes

Visually Impaired in Camden

Visually Impaired Society of Richmond

8 December 2010

Dear Alexandra

Investigation into the management of publicly accessible space in London

Land Securities welcomes the opportunity to contribute to the London Assembly Planning and Housing Committee's investigation into the management of publicly accessible space in London. As the UK's largest REIT and as one of the foremost developers in London, we strongly believe a high quality, accessible and well managed public realm is critical to successful development and long term asset value. It is also an aspect of our schemes that tenants focus on when choosing within which areas to locate and which buildings to occupy.

We have reviewed the London First response and, as members of that organisation, we fully endorse the views expressed. We do have some supplemental points, from a Land Securities perspective, that we trust you will find helpful in your investigation.

Land Securities is eager to see the principle of pooling S106 contributions and Public Realm credits become commonly adopted. Both these techniques can lead to greatly improved public realm. The former works on the principle that S106 monies from various development schemes go into a pool to achieve a single vision for an area. Such a technique makes larger overarching improvements possible, in contrast to a piecemeal, development by development approach which can result in fragmented and uncoordinated public realm, often characterised by street clutter. The pooling approach benefits residents and business alike, and can be used to create broader pavements, spaces that can be designated for temporary use, 'green oasis', information points, sensible and coordinated art projects, pedestrian friendly crossings and better lighting. Other stakeholders and developers tend to be happier to agree to the pool as the property values in the area can be lifted by the works. London First highlights this approach in its submission.

Public realm credits would give the private sector the confidence to invest in public realm at an early stage in the development cycle in the acknowledgment that this investment will be documented from a planning perspective. London First rightly acknowledged the strides made by Westminster City Council in developing a public realm credit scheme. We are pursuing these approaches with Westminster City Council at present in respect of our interests along Victoria Street, following the success of similar initiatives such as the Oxford Circus diagonals and Kensington High Street.

In terms of management, we believe that the newly created Business Improvement Districts should be given greater powers to receive monies from the pool and general rates to provide cleaning, security, information and general PR and marketing responsibilities. They have a greater incentive to lift and improve districts and less political distractions when it comes to allocating funds.

Finally, we would echo London First's views that high existing use values in the CAZ mean that decisions to redevelop are often marginal. Increased burdens on development will mean buildings are refurbished rather than redeveloped, forgoing the opportunities for public realm.

This is a real risk and therefore the overall scope of planning obligations must be carefully managed however public realm should clearly be a high priority.

We are encouraged that there are positive signs that Planners and Cabinet members recognise the need to de-clutter public realm and to move to a more coordinated approach. This investigation by the London Assembly Planning and Housing Committee's is a good example of this changing approach and we look forward to learning the outcome of your study.

...

Yours sincerely

Development Manager

PPS039 English Heritage

Date: 10th December 2010

Dear Ms Gavron

Investigation into the management of publicly accessible space in London

Thank you for the opportunity to provide comments on the issue of management of publicly accessible space in London. We believe that the historic environment is a key issue in the future of management of public space in London and that English Heritage as a strategic partner can play a key role.

When considering how to manage change in London, especially in relation to public spaces, we would suggest that the following key themes are relevant to your investigation:

- London's historic environment is a shared resource.

It should be recognised that capital's heritage assets and the wider historic environment including its spaces (public and private) is a finite resource that collectively defines London's cultural identity. Many of London's spaces such as the River Thames, the four World Heritage Sites, many conservation areas, registered parks and gardens, existing urban street patterns, public squares, gardens and commons are heritage assets. Many have also historically been accessible to the public. Undermining the historic interest of these spaces, or changing their accessibility by introducing inappropriate change can have irrevocable impacts upon London's image as a world city and undermine the contribution that the historic environment makes to quality of life in London as a place in which to live, work and relax. To achieve successful change and management, design and heritage policies should be strengthened so that they provide a sound strategic framework in which to guide future local plan making and development proposals, especially on matters relating to public space provision and management.

- Understanding the historic significance of spaces as part of London's environment is vital.

It is important to understand the contextual qualities of places and the spaces that help define them, both at the local and strategic level. This includes the identification and appreciation of the heritage values associated with spaces and places, who values them and why. For example, many of London's spaces have an emotional content for communities derived from their collective experience of the space and they can also encapsulate wider values such as cultural identity. It is essential that the historic, architectural, aesthetic and communal values of spaces are understood, appreciated, and enhanced where opportunities occur. This should inform the development of new spaces and/or the refurbishment of existing.. Negotiations for change and funding agreements should clearly recognise the values associated with spaces (public and private), especially where they are of historic interest.

- The historic significance of spaces should be managed to sustain its values and contribute to good design and place-making.

Both at a strategic and local level approaches to the regeneration of spaces should embrace the proven benefits of heritage conservation and the contribution it can make to achieving place-shaping and sustainable development. It has been proven that good, responsive heritage conservation can be a catalyst for positive change by enabling future developments to contribute to London's unique character and distinctiveness.

More detailed thoughts on your questions are in the attached paper.

We welcome the opportunity to discuss and work with you and the GLA in development of a robust proactive approach to public space provision and management at the forthcoming London Assembly

Planning and Housing Committee.
Yours sincerely

Senior Regional Planning Advisor

Detailed Comments

Investigation into the management of publicly accessible space in London

1. What right should Londoners have in the public space and how can these rights be maintained through the planning and development process?

Public spaces should be made accessible to all. The planning and development process through the consideration and negotiation of proposals should seek to ensure existing and new spaces are publically accessible and inclusively designed.

Many of London's spaces for example urban street patterns, public squares, gardens and commons are heritage assets, contain historic interest and have historically been accessible to the public. Many of these spaces contain emotional meaning for communities derived from their collective experience of the space and can symbolise wider values such as cultural identity. It is essential that this public right is retained and extended where opportunities occur in the case of developing new spaces or renovation of existing spaces.

2. What models are there of managing public space in London and what benefits and disadvantages are there to the different ways of managing public space?

No specific comments to make.

3. In privately owned or managed public space and what concrete evidence there is of exclusionary design or management practices?

No specific comments to make.

4. How can 'good' and inclusive public space be delivered and maintained via S106 and management agreements between private and public sector? Which details need to be set out in such agreements and what are the necessary skills for planners in this process?

When negotiating development schemes it is essential to ensure that the quality of any existing public space is appropriately enhanced, whilst the design of new public spaces should be of the highest quality and contextually responsive. In all cases it is important to ensure that the historic interest in terms of the design, scale, form, materials and context are identified, understood and valued as part of the development, delivery and management process. This includes understanding the relationship between the objectives of conserving the historic environment and promoting inclusive design. These are not mutually exclusive issues, but closely inter related matters which could if understood, appreciated and articulated through robust planning decisions (and conditions) and S106 agreements deliver successful public spaces. Educating planners in understanding the value of the historic environment and its relationship with urban design principles and public realm provision is essential.

5. What lessons can be learned from recent London examples you are aware of/involved in?

What are the major challenges for upcoming projects in terms of public realm design management?

The major challenges facing public realm provision, is the need for proposals to recognise the historic interest of existing spaces (public or private) and the wider historic context. For example many existing spaces have evolved due to past developments, whether planned or organically created, which have resulted in a legacy of spaces that collectively help define the character of a place. In specific cases, the existing spaces have been specifically designed to meet a particular function or aesthetic requirement, such as the setting to a prominent building, or townscape set piece.

Understanding the historic rationale and design qualities of existing spaces can help ensure future

changes in the provision of public spaces is successfully introduced and managed.

6. When and how can local communities be involved in the decision making to ensure public space is not an afterthought?

It is essential to actively involve the local community at an early stage in the design and management of public spaces. This includes both existing and proposed public spaces. In the case of existing spaces it is important to ensure that the existing emotional meaning of the space to the local community and its historic interest is identified and valued and used as a basis to introduce change or better management practices. Where the spaces are part of a conservation area, community involvement in preparing appraisals and their management plans can ensure active engagement in subsequent decision making and ensure that public space is not an afterthought. If improvement or enhancement of historic spaces is an objective in a Conservation Area Management Plan it is often easier to then secure Section 106 monies or other funding to realise that improvement. Neighbourhood plans or facilitating community engagement into area planning frameworks are also other opportunities. Where new space is being provided but within a poorly defined or not yet established local community, then it is essential to consider carefully function and purpose of the spaces being created. The overriding aim should be for these spaces to be the 'glue' between the buildings and the heart of any future community identity and collective experience.

7. How are the Borough policies and the Mayor's policies having an impact on the quality and accessibility of London's public realm? Are any amendments of new policies, guidance or other advice needed and why?

It is important to ensure that the planning policy framework for the development and management of public spaces recognises the historic interest of spaces both public and private. With this regard we welcomed the 'Place-Shaping' section of the Mayor's Draft Replacement London Plan (DRLP) and its inclusion of policy 7.5 Public Realm. In general we supported the strategic aim of ensuring London's public spaces are secure, accessible, and easy to understand and maintain subject to further amendments to help strengthen the objective of developing high quality public realm with the need to conserve London's historic environment and heritage assets. However robust the strategic framework is, it is still important to ensure that these objectives are actively carried forward into the Borough Local Development Framework's and implemented in accordance with the details of the strategic policy. This includes recognising the heritage value of the public realm as part of planning decisions and plan making. To ensure this is achieved best practice guidance is a very useful tool in which demonstrate how new and existing spaces within the historic environment have been successfully developed and managed. English Heritage publications which can help contribute to this understanding and advocacy include the Streets for All guidance (<http://www.englishheritage.org.uk/professional/advice/advice-by-topic/planning-and-transport/streets-for-all/>), whilst Easy Access to Historic Landscapes (<http://www.english-heritage.org.uk/publications/easy-access-historiclandscapes/>) helps provide a practical approach to increasing accessibility to historic landscapes.

8. Are there any other measures or actions the Mayor (or others) should pursue?

We would welcome the opportunity to work with the Mayor in developing guidance for the Boroughs and other stakeholders in how policies related to the public realm in the DRLP are implemented. A series of case studies which include public spaces of historic interest could be used to help illustrate how, when and by whom successful publically accessible spaces can be assured for all Londoners to use and enjoy.

PPS040 Natural England

Natural England submission to the London Assembly

Investigation into the management of publicly accessible space in London

The role of Natural England

Natural England is the government's advisor on the natural environment. We provide practical advice, grounded in science, on how best to safeguard England's natural wealth for the benefit of everyone. Our remit is to ensure sustainable stewardship of the land and sea so that people and nature can thrive. It is our responsibility to see that England's rich natural environment can adapt and survive intact for future generations to enjoy.

We work with farmers and land managers; business and industry; planners and developers; national, regional and local government; interest groups and local communities to help them improve their local environment.

Our responsibilities include:

- ☐ Managing England's green farming schemes, paying more than £400million a year to maintain the two-thirds of all agricultural land which is under agri-environment agreements
- ☐ Increasing opportunities for everyone to enjoy the wonders of the natural world
- ☐ Reducing the decline of biodiversity and licensing of protected species across England
- ☐ Designating National Parks and Areas of Outstanding Natural Beauty
- ☐ Managing most National Nature Reserves and notifying Sites of Special Scientific Interest

The scope of this submission

This submission relates to parks and other green space as a component of the public realm. Natural England's advice is that well-managed green space is an important part of the public realm in London because it benefits communities in the following ways:

- ☐ improving levels of physical activity
- ☐ attracting and retaining business investment
- ☐ supporting psychological health and wellbeing
- ☐ reducing ambient heat and flooding
- ☐ removing CO2 from the atmosphere
- ☐ helping to conserve and enhance biodiversity

1. What rights should Londoners have in public space and how can these rights be maintained through the planning and development process?

1.1 Consideration of the question of rights should be informed by

- ☐ What evidence exists to show the demand and need for, and benefit and use of, access to green space
- ☐ What standards of provision are justified by these needs

- How well these standards are satisfied at present

☐ How the planning system can respond

Evidence of demand, need, benefit and use of green space

1.2 Access to green space is important for recreation and amenity, but the benefits of access go beyond these as ends in themselves.

1.3 Recent research by the Universities of Bristol and East Anglia has suggested that the provision of open spaces, such as parks and other green spaces, for recreation provides an important health resource especially in urban areas. The research provided new evidence that good access to urban green space is associated with higher use, higher physical activity levels and a lower likelihood of people being overweight or obese¹. Recent studies in England have also shown that the amount of green space in an area is generally associated with better health, including reduced mortality, and that the benefits for people occur irrespective of their socio-economic background².

1.4 We observe from this information that there is a need for people to have access to green space if they are to experience the health benefits which arise from it.

1.5 In September 2010, Natural England, together with Defra and the Forestry Commission, produced the report 'Monitoring Engagement with the Natural Environment (MENE)'. The research looks at how and why people engage with the natural environment (the 'natural environment' is defined as the green open spaces in and around towns and cities as well as the wider countryside and coastline). This is the first year of a three year research project, based on evidence from a national sample of nearly 50,000 people across England.

1.6 The MENE study made some significant findings for London:

☐ London adult residents made the lowest number of visits to the natural environment of any region in the country. This is despite two thirds of the capital being classed as 'green' or 'blue' (water) space³.

☐ Levels of participation were significantly lower amongst the oldest age groups (aged 65 and over), within the black and minority ethnic (BME) population and members of the DE socio-economic groups (socio-economic groups are listed in annex 1).

☐ Visits by residents in the most deprived neighbourhoods, those in the lowest socioeconomic groups and the BME population, were more likely to be to urban destinations and to places closer to home.

1.7 It could be observed from this that the green (or blue) space is not used in London as much as it could be, especially by some sections of the population. Moreover if levels of use of green space are to be increased in these sections of the population, particular attention would need to be paid to improving the attractiveness or accessibility of local green spaces.

1 Stone, D., *Green space access, green space use, physical activity and overweight: a research summary*, Natural England

2 Mitchell, R. and Popham, F. (2008) 'Effect of exposure to natural environment on health inequalities: an observational population study', *The Lancet*, vol 372, pp1655–1660.

3 State of the Natural Environment report, Natural England 2009

Access to natural green space standards

1.8 It has been shown that improving the landscape and biodiversity richness of a previously uninteresting open space can increase its level of use, so that more people benefit from the park. Green spaces with high biodiversity value encourage people to walk and explore more, hence take more exercise⁴. Thus, whilst there are a variety of standards which may be used to represent the need for, or desired provision of open space, Natural England advises specifically that it is important for people to have access to areas of natural green space. It has developed standards for natural green space provision based on distance and size of green space, which reflect what we know of people's behaviour. We know, for example, that most parents are unwilling to allow their children to be unaccompanied more than 300m from home⁵. The recommended standard is provision of

- ☐ of at least 2 hectares in size, no more than 300 metres (5 minutes walk) from home;
- ☐ at least one accessible 20 hectare site within two kilometre of home;
- ☐ one accessible 100 hectare site within five kilometres of home; and
- ☐ one accessible 500 hectare site within ten kilometres of home; plus
- ☐ a minimum of one hectare of statutory Local Nature Reserves per thousand population.

1.9 In London a significant step forward has been made by the GLA in assessing the existing level of provision through the identification of Areas of Deficiency in access to nature. They are defined as localities that are more than one kilometre walking distance from a publicly accessible Site of Borough or Metropolitan Importance for Nature Conservation. Sites with restricted access, such as private sports clubs, or where there is a charge for entry, have been excluded. Based on the 2001 Census, it is estimated that 1.75 million Londoners live within the areas of deficiency.

1.10 We observe therefore that in relation to recognised standards, there are significant areas of deficiency, where people do not enjoy the opportunity of access to natural green space that are desirable. It could be argued that in the Areas of Deficiency, when the question of rights is considered, the aim should be to give people more access to natural green space.

Service and quality standards

1.11 Whilst those standards set out above relate to the quantity and distribution of natural green space, it may also be argued that people have rights in relation to the service provided by parks and their quality. Visitor service standards have been outlined by Natural England for certain types of green space: National Nature Reserves; Country parks and Local Nature Reserves. The service standards cover a range of core facilities, which visitors should expect to find.

1.12 Quality standards are perhaps a further step away from rights, because rather than defining what should be 'expected', they set out standards of excellence, that which should be 'aspired to'. They are nevertheless a useful comparator.

Establishing and maintaining rights through the planning and development process

1.13 The size and distribution standards referred to above can be used by the planning and development process to ensure provision of a suitable quantity and distribution of green space. The 300m and 2km standards advised by Natural England, or the 1km standard which has been used by

4 Improving Londoners' Access to Nature, London Plan (Consolidated with Alterations since 2004) Implementation Report, February 2008

5 Natural England, March 2010, 'Nature Nearby': Accessible natural Green Space Guidance

the Greater London Authority, are valuable standards to apply to new housing developments, growth areas and in the master planning process. Indeed, using the Areas of Deficiency as a starting point, the 'London Plan Implementation Report, Improving Londoners' Access to Nature', referred to above, identifies areas where there is a particular opportunity for planning and development to improve public access to nature.

1.14 The service and quality standards which can be met at any site are determined in large part by the initial design. Quality and service in green space is often difficult, or impossible, to achieve through management or maintenance, if the initial design is not carefully made. Thus, where development can provide or improve green space, it is essential to secure high quality design at the outset.

1.15 Protection of vulnerable spaces is also a key role for the planning process. Statutory natural green space (including NNRs and SSSIs), and non- statutory green space (including Sites of Metropolitan and Borough Importance) depend on LDF policies and development control for effective protection.

1.16 *The planning system has a valuable role to play in ensuring a suitable quantity and distribution of green space, securing high quality green space design, through design enabling green space to provide services to the public, and in protecting vulnerable sites from damaging development or use.*

2. What models are there of managing public space in London and what benefits and disadvantages are there to the different ways of managing public space?

Models of good practice in London

2.1 Mayesbrook Park, London Borough of Barking & Dagenham is the site of a partnership project between London Borough of Barking & Dagenham, Natural England, Environment Agency, Greater London Authority, Thames River Restoration Trust and London Wildlife Trust. It is one of the Mayor's Priority parks. A master-plan for transformation of the park was developed through community engagement, and focuses on making the park a high quality local resource designed to help the community cope with climate change. The transformation will include

- water quality improvement , to re-establish the lakes in the park as a usable amenity
- opening out of the Mayesbrook watercourse, to create flood risk management capacity and to deliver landscape and accessibility benefits
- landscaping and planting which will exemplify climate change adaptation and provide shading, cooling and water management benefits
- improved play facilities

2.2 Mayesbrook Park stands out as an exemplar because of the

- Partnership over funding, which has public sector contributions, but also corporate sponsorship from the insurance sector, lottery funding and funding from an adjacent housing development through planning obligations
- Multifunctionality of the transformation
- Join up of public and private sector resources
- Long term sustainability in relation to climate change
- The combination of physical transformation and community outreach and engagement, which means that the park will provide what local people want and will be used and cared for all the more for this

2.3 Neighbourhoods Green is a partnership that aims to enable Registered Social Landlords and communities to take responsibility for the environmental potential of green space through the facilitation of, and engagement with, local residents. In some cases this has led to spectacular transformation of open space within or adjacent to social housing. The open land within social housing is highly significant in that in some parts of London, even at a whole borough level, there is more land within social housing estates than there is public open space.

2.4 A great example promoted by Neighbourhoods Green is that of the Notting Hill Housing Group, described in detail in Appendix 2. In this example, small publicly owned spaces were seen by this social landlord as important to the quality of life of their residents. The poor design, state and misuse of these parks depressed quality of life. The Notting Hill Housing Group galvanised and facilitated resident groups to decide and take action to improve the open spaces. The consequent improvements were reflected by increased use of the spaces, decreased antisocial behaviour and increased property values.

2.5 The Neighbourhoods Green partnership comprises Natural England, the National Housing Federation, CABE, Groundwork, Keep Britain Tidy Group and numerous social housing organisations. It has given rise to the 'Natural Estates' project, hosted by the London Wildlife Trust. The Natural Estates project has recently received funding to begin work with residents of 9 estates and 8 social housing landlords across London, to facilitate and demonstrate community involvement in managing open space, and to build capacity in social landlords to continue this work.

2.6 Environmental Stewardship is an agri-environment scheme that provides funding to farmers and other land managers in England to deliver effective environmental management on the land. Funding and advice through Environmental Stewardship is helping land managers to conserve, enhance and promote the countryside by:

- looking after wildlife, species and their many habitats;
- ensuring land is well managed and retains its traditional character;
- protecting historic features and natural resources;
- ensuring traditional livestock and crops are conserved;
- and providing opportunities for people to visit and learn about the countryside.

2.7 Environmental Stewardship can fund both the physical management of the land and capital works to enable educational access. The maintenance and improvement which it enables can open new space for public access or improve the visitor experience in places which are already accessible.

2.8 The scheme works in the form of 10 year agreements between Natural England and the land manager. Natural England will consider entering into agreements where it will provide greatest public benefit, 'added value'. At the present time there are 81 agreements in London. These agreements deliver in the region of £500K per year for land management. This is a small part of the national budget, which has been largely focussed on rural areas. There is, however, potential to increase the use of this funding in urban green spaces if good applications are received.

5. What lessons can be learned from any recent London examples you are aware of/involved in? What are the major challenges for upcoming projects in terms of public realm design and management?

Examples

5.1 The Olympic Park provides an inspiring green infrastructure springboard for East London and within the wider Thames Gateway. As well as biodiversity, it will be delivering across multiple of objectives, public access, climate change adaptation in landscape design and river restoration, the provision of multiple functions which characterises green infrastructure. Natural England is working with the ODA to capture the lessons learned as one of the Learning Legacy Case Studies which they are preparing.

5.2 Barking Riverside also provides a benchmark for how multifunctional green space can be planned in from the earliest stages of master planning and seen through into detailed design. Its design recognises that green space is an important part of making a neighbourhood where people will want to settle and stay because they feel proud of where they live. Like the Olympic Park, a high proportion of the development area will be green space, and this green space will be well connected to green space nearby, helping to make Green Grid cohere, and it will respond to the key landscape features of the locality. Natural England expects both developments to be recognised by others as setting the standard. Some more information on key features of Barking Riverside is in Annex 3

Major challenges

5.3 Harnessing the broader value of green space to society – it will be observed by most or all of the major green space managers in London, as elsewhere, that management of green space is under budget pressure. Yet cuts to the budgets for green space may cost society more than they save. For example:

- People who live within 500m of accessible green space are 24% more like to meet recommended levels of physical activity. Reducing the sedentary population by just 1% would reduce morbidity and mortality rates valued at £1.44 billion for the UK.
- Climate change benefits can be achieved from a wide range of vegetation, due to shading of surfaces and the natural cooling effect of evaporation from leaves. Urban green spaces can give a cooling effect of -1 to -2Co. In winter the shelter from wind by woody vegetation means buildings lose less heat.
- In built up areas extensive sealing of the soil by development has occurred. Restoring green space in towns and management to open up soil structure, can reduce flood risk.

5.4 The multifunctionality of green space presents a challenge in ensuring that its full economic value is accounted for in achieving the overall best solutions in the management of pressured budgets. It presents a challenge too in the join up of separate departments or organisations involved in the management of its different functions.

5.5 Climate change & adaptation - Research by Natural England (unpublished as yet, 'London Landscape Climate Change Adaptation Strategy') identifies the likely impacts of climate changes on London's natural environment including public spaces. Direct impacts of climate change on public spaces include potential flooding in winter and desiccation in summer of amenity grasslands such as public parks, playing fields and sports pitches. Future planting of trees, shrubs and other vegetation will need to be guided by climate change considerations such as drought tolerance and evaporative cooling. The increasing seasonality of rainfall means we will need to seek opportunities within public spaces to incorporate water storage

into the design of public spaces e.g. ponds, rain gardens etc. Hotter, drier summers and warmer winters are also likely to lead to increased usage and demand on London's public spaces. Increased use of Public Rights of Way, parks and open spaces may lead to increased erosion of footpaths and spaces. Management will need to be flexible and sensitive to ensure that pressures to accommodate increased usage do not compromise the landscape character and function, e.g. pressure to provide hard paving footpaths, pressure to plant trees for shade on open grassland etc.

7. How are Borough policies and the Mayor's policies having an impact on the quality and accessibility London's public realm? Are any amendments or new policies, guidance or other advice needed and why?

7.1 Guidance needed:

London Climate Change Partnership, Climate South East and Natural England have developed a project called "Playing Fields for Life" which will develop management guidance, training and demonstration projects on sustainable management of playing fields and sports pitches. Techniques will include sustainable urban drainage, drought tolerant grass mixes, tree planting etc. This project is currently seeking funding

Natural England and the London Climate Change Partnership are to establish a 'Natural Resilience Working Group' to develop a spatial framework for delivering climate change adaptation, and adaptation of London's natural environment. It will be a spatial plan which will identify where greening actions can be targeted to deliver most benefits.

8. Are there any other measures or actions the Mayor (or others) should pursue?

8.1 Natural England's overarching aim is to ensure that the natural environment is at the heart of the city today and in the future. It is vital to secure the future of London's natural environment for its intrinsic value, the wellbeing and enjoyment of people and the economic prosperity that it brings. This requires a range of action from us collectively

1. This year a highly significant point has been reached in the restoration and management of the nation's most important wildlife sites, known as Sites of Special Scientific Interest (SSSI). The Government target to secure favourable or recovering condition on over 95% of SSSI area has been met. The challenge now is to ensure the long term sustainability of these sites, connecting them with the wider landscape, to create robust natural areas that can be enjoyed and appreciated by Londoners.

2. Greater co-ordinated action and targeting of initiatives by London's land managers to achieve the greatest results for the natural environment. This is required in particular because of tightening budgets for green space management. It requires the support of mechanisms to aid the join up and sharing of land management initiatives, such as the London Parks and Green Spaces Forum (described in Annex 4.)

3. Over the last year, for the first time, a comprehensive assessment has been undertaken of the natural landscape character of London, its 'natural signature' (described in Annex 5). The challenge now is, through policy and practice, to value the natural landscape for the benefits it delivers for the capital's economy and the contribution it makes to a sense of place and quality of life.

4. Recognise and quantify the multifunctional value of parks and green space, and draw in sectoral investment which sustains their value in particular to health, education, climate change adaptation, and attracting business investment.

5. Ensure active engagement of local communities in managing the natural environment in London. This is important because active engagement of the public can: increase the sustainability and levels of use of green space; improve the quality of green space and the service it provides to the public; and provide physical exercise opportunities which provide cost effective health solutions (for example, every £1 invested in BTCV's environmental volunteering 'green gym' program, £4 is returned to society⁶). An audit of volunteering in London's parks and green space has been undertaken by the London Parks and Green Space Forum (LPGSF). A strategy to increase volunteering opportunity and enable green space managers to use it more is now in preparation by LPGSF.

6. A pioneering project has been developed for Mayesbrook Park, in Barking and Dagenham, to demonstrate new approaches to the design and management of parks to support adaptation to climate change. This has been enabled partly by funding from the Mayor's Priority Parks programme. It will be important to learn lessons from the Mayesbrook Park project and apply these to other parks in London.

7. The All London Green Grid should provide a means to both enhance the value of existing green space (by ensuring that it is part of a coherent network) and reduce Areas of Deficiency (by providing new or better green space). It is important to ensure that there is a coherent approach, at a whole London level, to securing investment in the Green Grid.

8. Work with planners and decision makers to secure the natural environment as a defining feature across London, so that its benefits are widely enjoyed and contribute to quality of life and a sense of place. In doing so to learn and apply lessons from exemplar developments such as the Olympic Park and

Barking Riverside. Natural England is intending to undertake a case study of the Olympic Park, for consideration by planners and developers.

6 BTCV, Social Return of Investment Research

Annex 1

'Definitions of socioeconomic groups'

MENE annual report from 2009-10, Appendix 3, page 62.

A

☐ These are professional people, very senior managers in business or commerce, or are top-level civil servants.

☐ Retired people, previously grade A, and their widows/ widowers.

B

☐ Middle management executives in large organisations, with appropriate qualifications.

☐ Principal officers in local government and civil service.

☐ Top managers or owners of small business concerns, educational and service establishments.

☐ Retired people, previously grade B, and their widows/ widowers.

C1

☐ Junior management, owners of small establishments, and all others in non-manual positions.

☐ Jobs in this group have very varied responsibilities and educational requirements.

☐ Retired people, previously grade C1 and their widows/ widowers.

C2

☐ All skilled manual workers, and those manual workers with responsibility for other people.

☐ Retired people previously grade C2, with a pension from their job.

☐ Widows/widowers, if receiving pensions from their late spouse's job.

D

☐ All semi skilled and unskilled manual workers, and apprentices and trainees to skilled workers.

☐ Retired people, previously grade D, with a pension from their job.

☐ Widows/widowers, if receiving pensions from their late spouse's job.

E

☐ All those entirely dependent on the state long term, through sickness, unemployment, old age or other reasons.

☐ Those unemployed for a period exceeding 6 months (otherwise classified on previous occupation).

☐ Casual workers and those without a regular income.

☐ Only households without a chief wage earner are coded in this group.

Annex 2

Inner city public spaces; the role of housing associations: Notting Hill Housing Group

Notting Hill manages 18,000 properties across a number of boroughs in north and west London. Many of our properties, particularly in our heartland boroughs of Kensington & Chelsea (RBK&C) and Hammersmith & Fulham, are street properties in mixed tenure communities throwing up very different kinds of management problems and issues to those of managing more traditional estates. The few open spaces that are available to our residents in these inner city environments are publicly owned and managed by local authorities. For our residents, all living in flats and 95% without gardens, these spaces provide a critical lifeline to improve the quality of their lives.

Colville ward in North Kensington is the most densely populated ward in the UK and around 60% of its residents live in social housing units in tall Victorian houses mostly built on the garden square model. The original central private squares have long since been transformed into 'pocket parks' and are managed by RBK&C. Notting Hill, the predominant landlord, manages around 1000 flats in the ward in converted 6-8 storey street properties. Communal areas are limited to the shared entrance hall and staircase. A high proportion of the tenancies are single-parent households, elderly residents or residents with special needs. Overcrowding is commonplace and child density at around 40% is double the national average of 20%.

The quality of these pocket parks and the added value they potentially bring to the lives of our residents therefore merits our attention as landlords. At best they offer our tenants an extension to the family home - additional space to play, sit, socialise and exercise. At worst they can become threatening places spiralling quickly into decline through lack of management attention and investment colonised by street-drinkers, irresponsible dog-owners and anti-social behaviour. Either way they impact positively or negatively on the quality of life and health of our residents, the desirability of the neighbourhood and ultimately our management costs and property prices, all of which justify our intervention into an area non-traditional to housing associations - improving public open spaces in inner city areas. Over the last few years Notting Hill has led the redevelopment of three pocket parks in North Kensington - all owned by the Royal Borough. Two of these - Powis Square and Colville Square were within a wider multi-tenure area regeneration project, both had suffered from neglect, and been taken over by street drinkers, were uninviting and offered few family amenities or garden attractions. Maintenance had fallen to a bare minimum, a number of trees were dead or dying, there were few flowers and the bushes were full of litter.

The third, Tavistock Gardens, was at the end of the notorious North Kensington front-line, All Saints Road, an unused sunken garden known locally as 'Dog Shit Park' taken over by street drinkers. Visibility from the street was restricted by a metre high brick wall, dense bushes and overgrown trees, entrances were narrow, steep brick staircases which lead into a warren of brick paths and worn grass areas, irresponsible dog owners would release their pets into the park while they stood at the entrances. This small forgotten park had become a 'no-go' area with many local people not even knowing of its existence. It was no coincidence that street crime in the ward was rising, the sale of drugs and associated prostitution prevalent and many of our residents were requesting transfers out of the area. The link between the spiral of decline of the environment, falling property prices and the rise of insecurity and crime is now well acknowledged. In all three cases, the key to change was the residents who had had enough and were hungry for improvements. Our challenge was to harness their frustration, channelling and refocusing their energy into a can-do approach that would assist them through the complex process or maze of regenerating urban spaces. We became adviser, mediator, negotiator and go-between.

We assisted the establishment of an action group, offering funding, guidance and administrative support. We ensured the profile of the projects was kept high with councillors, police, local businesses and encouraged active consultation with the wider community through newsletters, fun days and planning-for-real events. We found funding for feasibility studies, involved the residents in competitions to select landscape architects, negotiated a cocktail of funding for capital works from the local authority, government programmes, bicycle initiatives, land-fill charities and local fund-raising. And finally we project managed the capital works before handing back the management responsibility to the council. The regeneration of these pocket parks resulted in noticeable area improvements that went way beyond the thoughtful designs, planting and new play facilities. The marked increase of people in the parks went hand in hand with a marked decrease of neighbour complaints, crime and anti-social behaviour. Our tenants began to request transfers into the area rather than out - the neighbourhood had begun to stabilise. The process of involving residents from start to finish had increased awareness around social responsibility - some went on to become school governors, RSL board members and local councillors. Others were satisfied with the increase of neighbourliness - summed up succinctly by one resident: "I don't need to attend meetings any more, I now know my neighbours".

Annex 3

Barking Riverside

The ambition is to create a neighbourhood consisting of 10,800 homes, where people will want to settle and stay because they feel proud of where they live.

Barking Riverside is being delivered by Barking Riverside Ltd, a Joint Venture company between the Homes & Communities Agency and Bellway Homes plc.

In June 2009 Barking Riverside Ltd was given the go-ahead by London Thames Gateway Development Corporation and the London Borough of Barking and Dagenham for the first two stages of development.

☐ 140 acre new ecological park around the size of Barking Park

☐ A mosaic of open space: Ecology Park, Ripple Road Nature Reserve and the City Farm

☐ 40% of the site as open space including walkways and cycle ways linking the Quarters and existing neighbourhoods

☐ Art and Culture strategy that is alive within the development

☐ Access to the river is a key feature

☐ The proposals have been designed around the need to protect and provide new habitats and wildlife

☐ In order to respond to climate change and reduce the risk of flooding, the landscape will store and slow down water run-off.

(Image Attached)

Annex 4

The London Parks and Green Spaces Forum's mission is: "To promote a network of accessible quality green space, as a major contribution towards a healthier and more sustainable world city."

The London Parks and Green Spaces Forum was established in 2001 through the combined efforts of a number of organisations that shared an interest and involvement in the delivery of park and green space services in and around London.

The Forum was established in response to an increased awareness of the importance of green space among those responsible for making and delivering national, regional and local policy. The objective is to maximise the opportunity that now presents itself and to make sure that London secures its fair share of resources that are being directed towards green space – now and in the future.

Annex 5

London's Natural signatures; The London Regional Landscape Framework (prepared for Natural England)

This study sets out to achieve a number of clearly defined goals, all of which focus on key Natural England objectives:

- Defining a vision for London's Natural Landscapes;
- Ensuring that the geography of London is informed as much by the natural as by the built environment;
- Enabling local policy-makers to recognise key natural landscapes;
- Ensuring planners are aware of opportunities for restoring, enhancing or recreating natural landscapes.

In doing so the intention is to provide a robust yet flexible framework that can be developed and built upon; and which sits alongside the important work already undertaken in, for example, the Mayor's Draft Geodiversity Strategy (2008) and Biodiversity Strategy (2002) and other key policies and guidance

PPS041 Crossrail

The London assembly Planning and Housing Committee

Investigation into the management of publicly accessible space in London

Thank you for the invitation to contribute a response to the questions set by the Committee.

1. Background to Crossrail and its urban realm

1.1 The Crossrail route, running 118km from Maidenhead and Heathrow in the west to Shenfield and Abbey Wood in the east, will include 11 major stations reconstructions and 28 surface station upgrades. To date new urban realm and transport interchange schemes have been designed for areas outside the stations on the central part of the route (made up of 7 stations from Paddington to Custom House). There are 11 spaces in all as some stations have two entrances. In 2011 the aim is for a further 8 schemes will be designed for the most significant stations on the surface part of the route. The design of the stations and the urban realm/ transport interchange immediate outside the stations has been integrated with the design of the new stations.

1.2 Crossrail has agreed an approach to the design and implementation of the urban realm through a Memorandum of Understanding (MoU) with its key partners (the boroughs, TfL, Network Rail, DfT and LDA). The MoU is attached as **Appendix 1** to this report. The MoU recognises the importance of the urban realm to the success of Crossrail:

The Crossrail 'experience' will go beyond a reliable and punctual train journey and high quality station design. Future Crossrail passengers will also judge the success of the railway by their experience of using the spaces outside the stations as they arrive and leave.

1.3 The MoU sets down how, with the agreement and involvement of the local borough or boroughs, Crossrail will commission designs for areas of urban realm which go beyond what Crossrail itself can fund and deliver. These urban realm and transport interchange 'masterplans' will set the context for the design of the stations and Crossrail's immediate urban realm as well as mapping out wider physical improvements of the urban realm which could be delivered if other third party funds become available. This funding, required in the medium/long term (post 2015) could include: TfL and borough LIPs funding, section 106 contributions and any TfL capital funding for interchange improvements. In order to achieve co-ordinated and integrated schemes Crossrail has also worked closely with developers for the schemes above the stations who in some instances will be funding improvements outside their front doors.

2. Responses to Planning and Housing Committee Questions

Access, ownership and management of public space

2.1 The great majority of roads, pavements and other spaces outside Crossrail stations are in borough ownership and will be returned to the boroughs to manage following completion of the construction of the stations and the improved urban realm. The schemes that have been designed for the central part of the route have been done with the close involvement of the boroughs and the final schemes will need to be formally agreed with the boroughs under the Crossrail Act. The function of these areas – to make journeys to and from the stations by foot, bike, bus, taxi etc – as convenient as possible means that maximum accessibility has been a prerequisite of the designs. Crossrail will also work with the boroughs to ensure that the designs provide spaces which are manageable and maintainable.

Lessons learned

2.2 The Jubilee line was acclaimed for its architecture but its immediate public realm was in some instances did not match the quality of the stations. There are examples of successful public realm and

transport interchange (Canada Water, Canary Wharf, Canning Town) but at other stations the delivery of the urban realm was lacking and the expected over site development has not taken place (Southwark, Bermondsey). Since the opening of the Jubilee line there have been some excellent examples of high quality public realm serving new stations (St Pancras, Shepherds Bush) which Crossrail can learn from.

2.3 Crossrail is breaking new ground in terms of its co-ordination of its various elements: the designs for its stations, urban realm and over site developments are being developed together to produce integrated and complimentary designs. This should ensure that the omissions of the past are not repeated.

Major challenges for upcoming projects

2.4 The major challenge for Crossrail and the boroughs along the route is to maximise improvements to the urban realm and physical regeneration generally around the stations, beyond what Crossrail itself can fund. The way Crossrail is tackling this issue is through its Memorandum of Understanding which sets out how a number of funding streams will be co-ordinated in order to deliver a comprehensive improvement to the urban realm outside the stations. The MoU sets out a way of working between all the potential funding bodies which is aimed at producing a jointly agreed designs for both the urban realm and transport interchange and a mechanism for co-ordinating implementation..

Borough and Mayoral Policies

2.5 As the designs for the urban realm are produced they are subject to design review by boroughs, TfL, DfL and the GLA to ensure that they are in line local and Mayoral policies. There is some excellent design advice produced by the GLA group which has helped gain widespread agreement on a number of principles which Crossrail is applying to its urban realm relating to: safety and security, accessibility, legibility, adaptable and sustainable, well-connected and clutter-free, characteristic and diverse (reflecting local needs and context), and stimulating and enabling regeneration opportunities.

PPS041 Attachment: MoU

Memorandum of Understanding for the Urban Realm and Transport Interchange at Crossrail Stations

1. Introduction

The Parties:

- Nominated Undertakers: Crossrail Ltd (CRL) and London Underground (LU)
- The Local Planning/ Highway Authorities
- Transport for London (TfL)
- Department for Transport
- Network Rail
- London Development Agency

2. Purpose

The Crossrail 'experience' will go beyond a reliable and punctual train journey and high quality station design. Future Crossrail passengers will also judge the success of the railway by their experience of using the spaces outside the stations as they arrive and leave. CRL, together with its key stakeholders, therefore intends to set high standards for the immediate surroundings of the stations in terms of the design and functionality of the transport interchange and the urban realm. For the areas outside the stations to be successful they will need to be planned and implemented by a number of public bodies. Funding may also come from a variety of sources. The purpose of this Memorandum of Understanding is to set out the strategy agreed by the Parties for the development of the urban realm and interchange around Crossrail stations (see Section 6 below) and plans for subsequent implementation. The key aim is to establish a joint commitment to take the review of transport and urban integration forward and to assist all Parties in delivering their responsibilities in an integrated way.

3. Status

This Memorandum is without prejudice to any Party's contractual or regulatory obligations or statutory functions and nothing in the Memorandum shall constitute a fetter upon any statutory discretions whether highway, traffic or planning authority or otherwise.

This Memorandum is not a legally binding document and does not contain any binding commitments or obligations (express or implied) on the Parties. However, the parties enter into this Memorandum in good faith and with a view to its implementation consistent with the parties' respective contractual or regulatory obligations, statutory duties and responsibilities.

4. Background: the Parties' Roles and Statutory Duties

Crossrail Ltd

Crossrail Ltd (CRL) is the nominated undertaker under the Crossrail Act 2008 charged with the design and construction of a new railway from Maidenhead and Heathrow in the west to Shenfield and Abbey Wood in the east. Crossrail Ltd is a wholly owned subsidiary of TfL. The Crossrail Project is jointly sponsored by the Department for Transport and Transport for London.

London Underground Ltd

London Underground is the nominated undertaker under the Crossrail Act 2008 for works at Tottenham Court Road and Bond Street. London Underground is the infrastructure manager and

operator for the Crossrail Bond Street, Tottenham Court road, Farringdon, Liverpool Street and Whitechapel stations.

Local Authorities on Crossrail Route

There are 18 Local Authorities (LAs) which are affected by Crossrail works. LAs are responsible in approving detailed station design and discharging planning conditions for applications made

under the Crossrail Act 2008 and the Town and Country Planning Acts. LAs have a responsibility to ensure that the Crossrail stations, the oversite developments and the public realm works are well integrated with their surroundings and on that basis it is essential that the masterplans and/or public realm strategies are agreed by the LAs. LAs as the local highway authority are responsible for preparing Local Implementation Plans (LIPs) and Local Transport Plans (LTPs) and their subsequent funding bids. It is understood that LAs could include provision in the LIP/LTP documents for the delivery of complementary measures around Crossrail stations.

Department for Transport

Department for Transport (DfT) is joint Sponsor of the Crossrail project. It is also responsible for policy on Local Transport Plans (LTPs) outside London. In July 2009 the third round of Local Transport Plan guidance was published and local authorities are no longer required to submit their LTPs to DfT for approval.

Transport for London

Transport for London (TfL) is joint Sponsor of the Crossrail project and, on behalf of the Mayor of London, it approves Local Implementation Plans (LIPs) and runs the funding process associated with supporting their delivery. TfL has a wider duty under Section 141 of the 1999 GLA Act to “develop and implement policies for the promotion and encouragement of safe, integrated, efficient and economic transport facilities and services to, from and within Greater London” TfL’s obligations also include consultation on changes it proposes, notably bus and junction changes, and provision of adequate operational and staff facilities.

Network Rail

Network Rail is one of Crossrail’s Industry Partners and will deliver those parts of Crossrail which are part of the surface railway. This is subject to the contracts that NR has with CRL and DfT and subject to funding. Network Rail also has a role as an asset owner, infrastructure manager and a landlord.

London Development Agency

The London Development Agency (LDA) is the Mayor’s agency responsible for driving London’s economic growth. Its aim is to support London’s sustainable growth by helping to provide a high quality of life for Londoners. The LDA promotes London to the world, supports London’s businesses and helps people to improve their skills and job prospects. It is also committed to making London a low carbon city and creating great spaces and places for Londoners to live and work. In relation to Crossrail, the LDA’s concern is that the impact of the wider regeneration benefits of the project are maximised.

5. Overriding Principles

All Parties recognise:

- CRL, working with other bodies, will be developing transport interchange and urban realm plans
- The funding for Crossrail in relation to the development of the urban realm and transport interchanges is in most cases limited to those areas immediately outside the stations affected by the implementation works which the nominated undertaker is required to reinstate to the satisfaction of the local authorities. Crossrail’s duties and obligations are set out under the Crossrail Act 2008

- Funding for improvements to the urban realm and transport facilities over a wider area may be provided by a range of different sources. These could include the local authority (by utilising TfL’s LIP or DfT’s LTP funding, section 106 agreements and/or Community Infrastructure Levy if it is introduced, and other council resources), TfL, over site developers (also section 106 agreements). The aim is to co-ordinate this funding with the Crossrail funding. It is recognised that section 106 developer contributions are making an

important contribution to the Crossrail funding package (Policy 6.5 of the Consultation Draft Replacement London Plan).

The overriding principles are as follows:

- All Parties will, subject to funding, cooperate and endeavour to provide adequate and appropriate resources to manage and deliver their respective responsibilities in relation to the Urban Realm and Interchange Strategy (see 6 below) in a timely manner; forums will be established to co-ordinate this work where appropriate.
- All Parties will commit to resolving urban realm and transport interchange interfaces optimally taking into account their respective contractual and regulatory obligations and powers imposed under the respective powers granted to each, the timescales, agreed deliverables, funding availability and impact on each other. At each stage each party will make reasonable efforts to aim for value for money and minimise impact on Crossrail's programme.
- All Parties intend, insofar as is reasonable, to share information relevant to each area of interface in an open, honest and complete manner. Where appropriate, agreements on confidentiality will be made, formally where necessary, whereby the Parties undertake to protect each others' commercial positions, both internally and in terms of external procurement.
- All Parties will work to agree and establish a clear delivery mechanism and process that meets their obligations for the schemes agreed.

6. Urban Realm and Interchange Strategy

The strategy for transport interchange and the urban realm at new stations and stations subject to major rebuild is as follows:

- Designs for the urban realm and plans for transport interchange outside Crossrail Stations are developed together and alongside the station designs and will be presented to local planning authorities during discussions on Schedule 7 submissions.
- Designs for the urban realm and plans for transport interchange are developed together with the local planning authorities and other key stakeholders including TfL and LDA (plus CABE and / or English Heritage where appropriate). Consultation on urban realm plans and plans for transport interchange will be undertaken with other stakeholders as appropriate given local considerations.
- CRL – in agreement and partnership with TfL and the local authorities - will produce master plans for the areas around stations (including on-network stations in town centres) where there are significant station rebuilds or where significant land use change is envisaged. The aim of these masterplans is to ensure the urban realm and interchange designs sit within an appropriate and up to date context and maximise the benefits brought by Crossrail. The status, statutory or otherwise, of these masterplans will be determined by the local authority and their content will be subject to any fundamental principles set out in LAs' development plans.

Where masterplans are not required, it is proposed that the planning and implementation of urban realm / interchange improvements is carried out in the same way i.e. a partnership between Crossrail, local authorities and, if within London, the GLA group (GLA, TfL and LDA).

7. Transport Interchanges – Design Requirements

The planning of interchanges associated with Crossrail Stations will be guided by TfL's Interchange Best Practice Guide, appropriate government guidance and legislation, and the LA's development plan. Crossrail's interchanges range from the significantly remodelled multi-modal interchange at Paddington to suburban on-network Crossrail Stations which will need to cater for buses through new or relocated bus stops and 'feeder modes' such as walking, cycling and motor vehicles.

The Best Practice Guide establishes a Design and Evaluation Framework with the following principles:

- Efficiency: operations; movement to and within the interchange; sustainability
- Usability: accessibility; safety and accident prevention; personal security; protection.
- Understanding: legibility; permeability; wayfinding; information.
- Quality: perception; built design; spaces; sense of place.

8. Urban Realm – Design Requirements

Using best practice, the design of the urban realm adjacent to Crossrail Stations will aim at high quality based on the following principles:

- Safe and secure, in terms of crime, fear of crime, terrorism and casualty reduction.
- Accessible, with step-free access on key pedestrian desire lines.
- Attractive, in line with the aspirations of the Local Authorities, Crossrail and stakeholders.
- Legible, such that wayfinding is provided, as far as possible, without the use of signage¹ (e.g. through the use of landmarks and sight-lines).
- Adaptable and sustainable, so that the possibility of a different use of the space is not precluded in the designs.
- Well-connected, minimising barriers of all kinds.
- Characteristic and diverse, reflecting local needs and context and – where relevant – local design standards.
- Stimulate/ enable regeneration opportunities.

As with the Transport Interchanges, the designs will be subject to the LA's development plans and government guidance and legislation.

¹ Where signage is necessary a strategic approach will be adopted. Within London this will be the Legible London system.

9. Urban Realm and Interchange Steering Groups

With the agreement of the local authority, CRL will lead where masterplanning is required, with, in London, TfL leading on the associated transport interchange plans. These plans would be produced in partnership with local authorities, the GLA group (TfL and LDA) and other funding bodies, taking into account the views of other stakeholders as appropriate. Outside London, where masterplanning is required, plans will be produced in partnership with the local planning and highway authorities. In order to carry this out steering groups will be set up, or an existing structure used / amended to fulfil 'terms of reference' is included at Appendix A.

Contributions towards wider transport improvements could be funded by local authorities prioritising available financial support provided by TfL and the DfT through the Local Implementation Plans (in London) and Local Transport Plans (outside London), however it is recognised that in a period of reduced funding individual borough spending priorities may vary. In TfL's case transport improvements could also be delivered through capital spending. LAs could also fund wider improvements through developer contributions and the over station developers in central London could fund a wider urban realm improvement (through Section 106 agreements and/or Community Infrastructure Levy if it is introduced). Funding from other third parties such as Business Improvement Districts could also be sought where possible. The challenge of getting funding in place in the current economic downturn is recognised and emphasises the need for co-operation and partnership. Designs will aim to reduce operational and maintenance costs where possible while maintaining user benefits.

It is envisaged that, with the relevant local authorities' agreement, groups will be established covering all the stations on the central London tunnelled route. Stations requiring master plans on the on-network route would be subject to discussion with local authorities. (At present it is envisaged that the following stations will warrant masterplans, although this is subject to discussion with the local authorities: Maidenhead, Slough, Hayes and Harlington, Southall,

Ealing Broadway, Romford, Ilford and Abbey Wood. At some of these locations partnership work between the LA, Crossrail and others has already started.)

Appendix A.

Urban Realm and Interchange Steering Group

DRAFT TERMS OF REFERENCE

This document sets the terms of reference for the Crossrail Urban Realm Steering Group (URSG) meetings

Purpose and Functions:

- i) To act as a focus for discussion on urban realm and transport interchange issues with local planning authorities and other stakeholders related to the construction of Crossrail;
- ii) To plan and review urban realm, interchange plans and master plans for Crossrail;
- iii) To achieve concurrence on master plans in a timely manner, in accordance with the overall Crossrail project programme;
- iv) To facilitate the identification and processing of any consents, notifications and approvals necessary
- v) To facilitate the identification and obtaining potential funding for those aspects of the master plans that fall outside those elements which must be funded by one or other of the Parties as required by their obligations.
- vi) To avoid duplication of effort by using suitably amended existing groups where appropriate

Core Attendance:

- i) CRL, including its Industry Partners, consultants and contractors;
- ii) The Highway Authority;
- iii) The local planning authority;
- iv) Neighbouring Highway/Planning Authorities (as appropriate);
- v) LDA (Design for London)
- vi) Transport for London representation incorporating LUL, Surface, London Rail as suited to individual site interests ;
- vii) Network Rail;
- viii) Other bodies by invitation (potentially including the relevant Government Office).

Scope:

An Urban Realm Steering Group (URSG) may be set up to cover all the relevant schemes within a local authority area or may be set up for specific stations.

Frequency:

The frequency of URSG meetings will be as agreed by the group.

Conduct:

- i) A chair will be appointed for each URSG.
- ii) The agenda for the meeting will be circulated not less than 5 working days before the meeting and minutes of the meetings will be taken.
- iii) Crossrail will set up the URSG unless otherwise agreed with the local authority or unless an existing forum is being used.

PPS042 Grosvenor

8 December 2010

INVESTIGATION INTO THE MANAGEMENT OF PUBLICLY ACCESSIBLE SPACE IN LONDON

Thank you for your letter to Grosvenor, dated 13 October 2010, regarding the above investigation being undertaken by the Planning and Housing Committee.

Improving the quality of the public realm is a clear aspiration of Grosvenor with regard to its historic estates of Mayfair and Belgravia and is a key element of our ongoing strategy for, and continual management of, these areas.

As you may be aware, Grosvenor's initiatives and success in this area has received widespread recognition and we are keen to share our experiences and expertise with others working towards the shared goal of improving London's public spaces.

I hope our submission is both of interest and assistance to you and the Assembly, and I would be pleased to respond to any queries you may have.

Yours sincerely

Planning and Environment Manager

Enclosed Document: Grosvenor [17 pages]

RESPONSE TO THE LONDON ASSEMBLY

DECEMBER 2010

SUBMISSION TO THE LONDON
ASSEMBLY PLANNING AND HOUSING
COMMITTEE

Investigation into the management of
publicly accessible space in London

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"Our strategy is to improve the experience of living and working in Mayfair and Belgravia. We recognise that for residents, businesses and visitors, the public streets, squares and gardens are as important as the buildings themselves."

Chief Executive Officer
Grosvenor Britain and Ireland

1.0 Introduction

Grosvenor is a privately owned international property company based in London. We undertake a range of property development, investment and management activities across the UK. We have carried out major city regeneration projects in Liverpool and Cambridge, and continue to be active with a range of development projects and opportunities in London and other UK cities.

Grosvenor is perhaps best known, however, for its ownership, management and continual improvement of the historic estates of Mayfair and 8elgravia, totalling some 300 acres, in London. This includes our proactive promotion, design and delivery of public realm improvements across the Estate, including our innovative working partnership with Westminster City Council.

Grosvenor is pleased to be invited to assist the London Assembly with its investigation into the management of publicly accessible space in London. We hope our response, incorporating the lessons of our experiences and expertise in this area, is a useful contribution to your exercise and the shared goal of promoting better streets and public spaces in London.

We would, of course, be delighted to provide further information or address any additional queries the Assembly may have.

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2.0 Public Realm and the Grosvenor Estate in London

2.1 Context

Mayfair and Belgravia are celebrated internationally as two of the finest locations in London in which to live and work. They are defined by a rich and historic fabric dating from the 1700s and display many examples of period buildings of exceptional quality and heritage value as well as more recent examples of buildings of outstanding architectural merit. They have played an important part in the development of our city.

However, London has become dominated by its traffic, and suffers not only from congestion and pollution, but from the adverse visual effects that traffic infrastructure brings to the quality of its streets and public spaces. London's historic areas have also experienced this intrusion. Whilst retaining the many fundamentals of high architectural and urban quality long associated with them, Mayfair and Belgravia have not been immune to the adverse effects which the car has introduced.

Grosvenor continues to proactively respond to these challenges which Mayfair and Belgravia face today. Prominent among these is the desire to ensure that they retain and enhance their reputation as places which set new standards for urban life through a high quality environment. A key part of this is our aspiration to achieve an appropriate balance between pedestrians and vehicles. Delivering high quality streets and spaces which fulfil the needs of all users of the realm is our vision, but recognising that places are for people and that traffic should play a complementary role in that vision and not a dominant one.

To deliver this ambition of high quality streets and spaces, Grosvenor has embarked upon a major initiative of public realm projects and improvements across its Mayfair and Belgravia estates, a programme currently envisaged running to 2020. We have already completed several projects, including Elizabeth Street in Belgravia (value approximately £2.5 million) and Mount Street in Mayfair is due to complete in late December 2010 (value approximately £4.5 million).

In progressing this initiative, and in helping to ensure that publicly accessible spaces are successful, many factors are of paramount importance - including:

- A shared vision;
- Clear design guidance;
- Funding mechanisms for delivery;
- High quality, well-designed schemes;
- A partnership approach; and
- Communication and Engagement.

2.2 Vision and Strategy - Creating Places for People

A shared vision and strategy is a fundamental prerequisite in promoting and delivering improvements to the public realm. Grosvenor appointed Gehl Architects in 2006 to work with us in preparing and promoting such a vision and strategy. In preparing this, Grosvenor engaged with a wide range of stakeholders to ensure the strategy was both reflective of their priorities, but was also a strategy that was widely shared and supported.

Grosvenor's strategy "Places for People: Public Realm Strategy for Mayfair and Belgravia" was published and launched in 2007 to wide acclaim. A copy is enclosed separately with our response.

2.3 Public Realm Handbook

Following the launch of its Places for People Strategy, Grosvenor began work on detailed design guidance for public realm improvement schemes. Working in close liaison with Westminster City Council, Grosvenor published its Mayfair and Belgravia Public Realm Handbook in July 2009. This complements Westminster's own design guidance document - The Westminster Way. A copy of our Public Realm Handbook is enclosed separately with our response.

2.4 Grosvenor / WCC Public Realm Joint Funding Agreement and Partnership Approach

In late 2007, Grosvenor and Westminster City Council (WCC) entered into an innovative joint funding agreement for the delivery of public realm improvements in Mayfair and Belgravia. These improvements are focused upon areas where Westminster City Council has statutory responsibility and not on private land owned by Grosvenor. The agreement enables world class public realm improvements to be designed and delivered by Grosvenor for the Council at a fraction of the costs to the Council that it would have incurred under traditional procurement and delivery mechanisms.

The Agreement, which initially focuses upon three schemes - Mount Street, Elizabeth Street and Duke Street, allows for improvements costing up to a maximum of £1 0 million, which the Council funds up front utilising some of its business rates rebate from the Government. After five years, Grosvenor reimburses the cost of the schemes to Westminster City Council (see **Appendix 1**). In addition, we have also been leading, with Westminster Property Association, a public realm credits system that encourages the private sector to invest pro-actively in improving public space.

Grosvenor has also led the development of a traffic management tool (Mayfair Traffic Management Study), working in partnership with WCC, TfL and other key landowners in the West End. This tool enables these bodies to study what the effects of a public realm scheme may be before the scheme is implemented. We are currently seeking to develop a similar tool for Belgravia.

2.5 Aspirations and Public Realm Schemes

Grosvenor's aspirations regarding the public realm have been highlighted above, and are set out in more detail in the separately enclosed documents:

- Places for People: Public Realm Strategy for Mayfair and Belgravia; and
- Public Realm Handbook for Mayfair and Belgravia.

The scale of our ambition is more tangibly witnessed by visiting our newest public realm schemes at Elizabeth Street in Belgravia and Mount Street in Mayfair. Both these schemes have set new standards for public realm design in London and are of world class standard.

In addition to Mount Street and Elizabeth Street, we are also intent on progressing improvements to Brown Hart Gardens in Mayfair, a unique Grade II raised piazza, built in 1905. Since July this year we have been undertaking an innovative and sustained programme of community and stakeholder engagement regarding this project - looking at ways to include the community in contributing to design ideas and also to enable community and stakeholder empowerment in the future management of the space.

These three projects have been presented in the Case Studies in Appendices 2 and 3.

¹ Grosvenor would be delighted to arrange visits to these schemes and other projects on the Estate.

2.6 Communication and Engagement

8/82

In undertaking its public realm improvements initiative, Grosvenor has prepared and carried out a significant and sustained communication and engagement programme. This has embraced engagement with stakeholders from early preparation of our vision document (Places for People: Public Realm Strategy for Mayfair and Belgravia) and Public Realm Handbook down to public consultation on particular schemes' design and construction.

This engagement / working with WCC has included:

- Statutory bodies, including TfL and utility companies;
- Local community societies and groups;
- Residents' groups;
- Councillors
- Traders;
- Landowners;
- Key bodies such as NWECC and English Heritage; and
- Other associations and landowners.

Communication tools have also included exhibitions, newsletters, email, blogs, newspaper articles and notices and posters as well as dedicated meetings and presentations, and also a dedicated helpline set up by the construction contractor. A specific communications team was also established within Grosvenor for the construction phases of Mount Street and Elizabeth Street.

Grosvenor also set up a dedicated public realm website which sets out key information on our aspirations, goals and plans - www.grosvenorpublicrealm.co.uk.

The Engagement and Consultation process regarding our Brown Hart Gardens project has also been extensive (see Appendix 3 [Not included]) . .

3.0 Management of Publicly Accessible Space in London

This section presents Grosvenor's direct response to the questions raised in the London Assembly's request for assistance letter, dated 13 October 2010.

3.1 Public Space and the Rights of Londoners

What rights should Londoners have in public space and how can these rights be maintained through the planning and development process?

The "rights" of Londoners may be considered from several perspectives, including legal, societal, behavioural, commercial, community, movement and environment. (Legal rights are obviously enshrined in primary and secondary legislation and are not addressed within this response). All of the "rights" will both depend upon and influence, to varying degrees, the nature and context of the particular public space under consideration, whether that be the opportunity to create a new public space or improve an existing public space. There are several factors which are important to successful public spaces and positive perceptions of them by users. Public space should:

- Promote accessibility for all users and not exclude sectors of society;
- Provide a safe environment for users at all times of the day, including improved lighting;
- (In London) redress the current imbalance towards priority for vehicles and traffic and give greater priority to people and cyclists;
- Provide an environment which is free of unnecessary clutter and which enables people to move around easily on foot (or by bicycle), with high levels of permeability;
- Present opportunities to linger, relax and enjoy their environment and surroundings;
- Present opportunities, where appropriate, for a range of community or commercial activities or events to take place;
- Be clean, safe and litter free;
- Facilitate the social and business interactions and transactions that help build and strengthen social and commercial communities;
- Both promote and be delivered in as sustainable a way as possible.

Different parts of London will face different challenges at a variety of levels regarding public space. In central London, though, there is one characteristic which seems pervasive - the historical and current dominance of public space by motor vehicles. Addressing this issue should be a priority of central London, particularly the West End, where the "rights" of Londoners and visitors to move around easily on foot or by bicycle is clearly overshadowed by the "rights" of motor vehicles.

The Planning and Development process is key to ensuring that London's public realm meets the needs of its users and the expectations associated with one of the leading cities of the world. Fundamental to the success of both is:

- A shared vision;
- A clear planning policy context that facilitates development and improvement;
- Detailed design guidance for public realm schemes; and
- A supportive planning regime that assists in funding cohesive and co-ordinated public realm improvements rather than ad hoc implementation.

In addition, though somewhat outside the preserve of mainstream planning, is the importance of clear accountability and responsibility for cleaning, maintaining and managing public spaces. Both the public and private sectors have roles to play in this regard, the balance of which is currently under scrutiny as cutbacks in the public sector begin to be implemented.

3.2 Models for Managing Public Space in London

What models are there of managing public space in London and what benefits and disadvantages are there to different ways of managing public space?

Grosvenor has extensive experience of managing a range of both private and public spaces - including Belgrave Square and Eaton Square gardens which are open to residents of those areas. These Squares have "Garden Committees" which bear much responsibility for managing their appearance, use and upkeep. Committee membership is composed of local residents and representatives from Grosvenor.

Grosvenor reopened Brown Hart Gardens in Mayfair in 2007 (see **Appendix 3**). This amenity space is a Grade II listed structure which had been closed by the former leaseholder for some twenty years due to issues of anti-social behaviour and vandalism.

Grosvenor is currently working with the local community to improve the space and bring it up to the standards and expectations usually associated with a modern amenity space. Extensive public engagement has been taking place, not only about the nature of physical improvements, but also regarding new innovative management structure which incorporates and facilitates local community empowerment and participation in its management, maintenance and operation.

The details of the management structure proposal are presented in the Case Study in

Appendix 3. The advantages of such approaches, which may only be appropriate or practicable for some types of public space or certain locations, include increased participation, responsibility and empowerment by the local community - creating a situation which builds closer relationships between the landowner, local authority, local community and users of the space. It helps create opportunities for events and activities on public spaces that can lead to an income stream which could assist in meeting maintenance and repair costs - in effect the public space becomes financially self-supporting.

During this process we have also looked at other examples of public space projects and management, both in London and abroad. These are also presented in Section 4.0 and include:

- Arnold's Circus, London
- Bedford Square, London
- The Highline, New York
- Gillett Square, London
- Culpepper Community Square, London
- St Mary's Churchyard Playground, London
- Paley Park, New York

3.3 Privately Managed Public Space and Exclusion

In privately owned or managed public space and what concrete evidence there is of exclusionary design or management practices? (sic).

We have long opposed gated communities and where gates have been used on our estate, they have been to restrict vehicles, not people.

Brown Hart Gardens is an example of a project involving privately owned public space which Grosvenor is seeking to make as inclusive as possible, both in physical design terms and its management structure. Grosvenor's schemes at Mount Street and Elizabeth Street are also designed to be as inclusive as possible.

3.4 Delivering Public Space

How can "good" and inclusive public space be delivered and maintained via 5106 and management agreements between the private and public sector? What details need to be set out in such agreements and what are the necessary skills for planners in this process?

Section 106 Agreements provide an opportunity to both deliver and maintain public realm improvements. However, under their current guise, the opportunities they offer are primarily piecemeal in nature when considered at the borough or neighbourhood level.

Grosvenor has contributed towards and welcomes the innovative public realm credits approach developed by Westminster City Council and would suggest that the potential for its applicability in other London boroughs be assessed. This approach enables S106 funding to be pooled and therefore a comprehensive, co-ordinated and cohesive approach to public realm improvements can be taken - by either the public sector, private sector, or both working in partnership.

Grosvenor's own joint funding agreement with Westminster City Council (see Section 2.4 and **Appendix 1**) contains the requirement for specific maintenance plans to be prepared for the public realm schemes delivered under that initiative (see **Appendix 5**). In preparing similar documents or management agreements, planners will benefit from liaison with local authorities' own highways, trees, street cleaning and lighting maintenance teams or representatives.

Within these areas, Business Improvement Districts have a key role to play in both improving and maintaining public space.

3.5 Lessons Learned from Recent London Examples

What lessons can be learned from any recent London examples you are aware of / involved in? What are the major challenges for upcoming projects in terms of public realm design and management?

Grosvenor's aspirations are to deliver a 10 year programme of significant public realm improvement projects across Mayfair and Belgravia in London. By Christmas 2010, we will have completed two large scale public realm projects at Mount Street and Elizabeth Street, and are about to embark on two other improvement projects at North Audley Street and Duke Street. These are all projects that focus upon delivering world class public realm schemes to streets which are (statutorily) public highways and not within the formal responsibility of Grosvenor (see Section 2.4).

From Grosvenor's perspective there are several lessons to be learned from this experience, which we hope will benefit wider applicability across London, including:

- It is demonstrably clear that the public and private sectors can work together to deliver high quality (world class) public realm improvement schemes, at a significantly lower cost to the taxpayer as compared to the public sector undertaking such schemes alone;
- Such collaborative partnerships provide improved opportunities for innovation and exploration of best practice derived from international experiences from around the world and can reduce the dominance of scheme design by Highway Engineers;
- The combination of public and private sector expertise enables exchange of increased understanding of respective priorities, obligations and aspirations - resulting in the design and delivery of public realm schemes which are not only of exceptional quality, but robust and much more responsive to the public and private sector sensitivities and therefore mutually much more satisfactory; and

- The fundamental need for statutory utility companies to recognise that the part they play in the appearance, delivery and maintenance of public spaces is a crucial one, and that their current performance in this context falls short of expectations and requirements.

Public realm (space) projects, including those which Grosvenor is advancing directly, face many challenges, including:

- Overcoming a current and historical professional philosophy that focuses too much on facilitating space and supporting infrastructure for traffic and vehicles at the expense of people and walking and cycling;
- Sustainability - reducing the emissions associated with the construction of public realm schemes and ensuring they are as sustainable as possible;
- Funding - particularly in the current difficult economic climate;
- Utilities - utility providers most often have little accurate information about the nature and precise location of their networks below ground. This is a major constraint upon design and construction. In addition, they usually act in an unco-ordinated way;
- Utilities (2) - post construction, it is often the case that utility companies dig up parts of schemes to repair or replace infrastructure (instead of taking advantage of the opportunity to do so during the construction phase of the public realm scheme), and the standard of reinstatement is usually low;
- An ever-present challenge is engaging with and seeking approval (for design) from the myriad of statutory bodies with responsibility for our public spaces in London;
- Keeping construction programmes to the minimum possible and ensuring that local businesses can continue to satisfactorily function and perform during this time, as well as minimising the impact upon local residents, visitors and traffic;
- Persuading statutory bodies that good public realm design is also about removing (unnecessary) signage clutter from our streets and spaces;
- Related to the above point, overcoming the difficulties posed by a regulatory regime that insists upon signage for the many activities that take place in our streets, most usually associated with managing traffic and ensuring that enforcement regimes can be successfully prosecuted without ambiguity. This emanates from an institutional approach to the insertion of signage in streets capes to indicate both what *is* permissible by people, traffic, vehicles and cyclists, as well as what *is not* permissible. The benefits of the removal of clutter and the subsequent positive impact upon the streets cape is well illustrated by Grosvenor's recently completed scheme of Elizabeth Street in 8elgravia (see **Appendix 2**);
- Designing and implementing public realm schemes before the moratorium on such schemes imposed in London by the Olympic organisers - about which much more information needs to be provided; and
- At a detailed design level, seeming reluctance from the public sector to innovate with the use of materials and lighting - albeit this is usually from the perspective of uncertainty regarding the costs of future maintenance needs. This can also extend to the use of setts in streetscapes.

3.6 Engagement with Local Communities

When and how can local communities be involved in the decision-making to ensure public space is not an afterthought?

Engagement with local communities should occur as early as possible with regard to both the planning and design and development process. This encompasses:

- Engagement with local communities (which includes landowners and businesses as well as residents) with regard to the preparation of planning policy concerning public spaces; and
- Engagement with regard to the design of development opportunities and provision of public space.

At a scheme level, engagement with the community should embrace design and the construction process. Brown Hart Gardens is an example of a project where engagement with the local community was the first step undertaken, prior to considering design of the space (see **Appendix 3**).

For public realm improvements advanced by the public sector, close liaison by the local authority with landowners can be fundamental in helping ensure that such schemes are successfully integrated into the physical, economic and social environment of the location.

3.7 Public Realm and the Policy Context

How are Borough policies and the Mayor's policies having an impact on the quality and accessibility of London's public realm? Are there any amendments or new policies, guidance or other advice needed and why?

The policy context may benefit from consideration of the following factors:

- Facilitation of an improved environment for closer public / private sector collaboration and working in partnership to deliver schemes, perhaps using the Grosvenor / Westminster City Council model as an example;
- Creating better balance between the needs of people (pedestrians and cyclists) and those of motor vehicles - at present, consideration of the needs of traffic and vehicles tends to dominate the policy context;
- Create opportunities for more innovative funding mechanisms, such as the 5106 Public Realm Credit initiative advocated by Westminster City Council;
- Continuing and augmenting its promotion of good design and ensuring that public spaces are created as places for people;
- It is important that the issues associated with the impacts from statutory utility companies are addressed, both through policy and legislative means;
- Helping to facilitate an environment for decision-making at local authority level that enables the speed at which public realm improvements are delivered to be improved; and
- Simplification of the regulatory regime.

3.8 Other Measures and Actions

Grosvenor would submit that the priorities for attention with regard to public realm include:

- Creating the environment for innovative funding mechanisms;

III Addressing the impacts and issues associated with statutory utility companies and coordinating their actions;

III Improving co-ordination between all agencies and bodies with responsibility for London's streets and spaces;

III Ensuring that London's public spaces are created as places for people through promoting greater propriety for walking and cycling;

III Encouraging and facilitating contributions to public realm improvements from occupiers as well as landowners;

III Ensuring that when there are major infrastructure interventions (a particular example being Crossrail), the provider must deal with the associated public realm implications (and opportunities) in a holistic manner;

III Continuing to promote best practice in design and promoting de-cluttering; and

III Encouraging and facilitating greater collaboration and partnership working between the public and private sectors.

4.0 Conclusions

There are a wide range of "guardians" involved in making the streets and public spaces of London what they are. From individual users and building occupiers, to developers, utility companies, statutory authorities, highway engineers and, of course, landowners. All these bodies have a significant individual and cumulative impact upon the quality of our streets and spaces - our public realm.

Unfortunately, it is often too easy for them to consider and focus upon their own individual activities and impact upon our streets rather than seeking a co-ordinated approach to today's urban challenges.

Achieving a co-ordinated approach to the public realm is a challenge that should not be underestimated. Grosvenor, working with many stakeholders, and in partnership with Westminster City Council, has embarked upon that process with regard to its own Estate in London – creating places for people in Mayfair and Belgravia. We promote the same aspirations within our development projects throughout other parts of London and the UK.

Within the current difficult economic climate, it is important that the fundamental contribution which public realm makes to the economic, social and environmental quality and credentials of London as a world city remains high on governmental priorities. Its contribution to our city is a vital one. Within this context, seeking new ways of working in partnership between the private and public sectors (at both technical and funding levels) is more important than ever .

. It is our hope that our experiences (and our contribution to your investigation) will be of interest and benefit to others seeking to promote public realm improvements in the capital. We would be delighted to share them in more detail with those seeking that goal.

(Blank Page 17 of Grosvenor submission)

PPS043 inmidtown

08 December 2010

Dear Alexandra,

R.E. Management of Publicly Accessible Space in London - Response from inmidtown

inmidtown is the Business Improvement District (BID) for Holborn, Bloomsbury and St Giles. Representing over 550 businesses, it is the second largest BID in the UK. Inmidtown supports the views and response to these issues, of London First

A major part of inmidtown's remit is to enhance the district both to make it more attractive to existing businesses and to encourage new investors and companies to choose midtown as their preferred location. To achieve this requires proper management of and investment in the public realm and the transport infrastructure. The construction of Crossrail, in particular the new Tottenham Court Road station, has already proved a major catalyst for investment in the district as can be seen in the newly completed Central St Giles building.

inmidtown has recently appointed Sir Terry Farrell and Associates to produce an indicative 'Framework' for the district. The study will build upon the planning policies of the LB Camden and the Mayor. Being conscious of the difficult economic times, Sir Terry has been asked to produce a plan .that is both practical and achievable. The plan will help guide inmidtown's response to the many development, transport and public realm opportunities that will arise both from the construction of Crossrail and the wider promotion of 'midtown' as a location of choice for businesses.

Although still in its early stages, the study will include many public open spaces, some already existing and other proposed as new amenities for residents and businesses. The successful management of these public open spaces will be vital to the long term success of Holborn, Bloomsbury and St Giles.

Together we have considered the questions posed by the Committee. Our comments are outlined below. We hope that they help to inform the committee's deliberations and would be happy to discuss them in more detail if you felt that this would be helpful.

Yours sincerely

Chief Executive

inmidtown Response to Investigation Questions

Question 1 - What rights should Londoners have in public space and how can these rights be maintained through the planning and development process?

1.1 The rights of Londoners should fall into two categories. First, when new public space is being created, or amendments proposed to existing public open space, Londoners should have the right to be fully engaged in the process through meaningful consultation throughout the planning process.

1.2 Secondly, when public open space exists there should be a clear presumption in favour of public access and use throughout to lifetime of any associated development. This should be subject to individuals behaving in a peaceful and lawful manner, including abiding to any local bylaws or agreed regulations.

Question 2 - What models are there of managing public space in London and what benefits and disadvantages are there to the different ways of managing public space?

2.1 There are a range of models, many of them practiced in 'midtown'. These include large, local authority managed spaces (LB Camden) through to privately managed estates. In the latter case there are, in 'midtown', some good examples, such as The Bedford Estate and some poorer examples, such as public open space managed by some housing associations.

2.2 We also have examples of local groups taking over the management of part of the public realm. These tend to be local community groups, rather than business organisation.

2.3 The key issues that arise from each form of management are accessibility, accountability, quality and cost and these vary according to the management technique involved. For example, The Bedford Estate is well managed at a significant cost to the wider estate but may not always be open to the public. Others are managed at low cost and accessible to the public but at a low quality. The key is to get the right balance between these factors.

Question 4 - How can "good" and inclusive public space be delivered and maintained through s106 and management agreements between the public and private sector? Which details need to be set out in such agreements and what are the necessary skills for planners in this process?

4.1 The key to providing good public open space is both the fine detail agreed from the start and subsequent prudent management of the space.

4.2 Most design officers and planners are aware of this issue but do not necessarily have the time or the skill set to judge. With the cuts in public expenditure, it seems likely that this situation will worsen.

4.3 In addition, the planning system is re-active, rather than proactive, with planners responding to proposals put forward by developers.

4.4 Developers need both to be encouraged to provide well managed public space but also helped through being given examples of best practice that they can emulate.

[END]