



## Resource Allocation Sub (Policy and Resources) Committee

**Date:** THURSDAY, 19 JANUARY 2017

**Time:** 11.30 am

**Venue:** COMMITTEE ROOM - 2ND FLOOR WEST WING, GUILDHALL

**Members:** Mark Boleat (Chairman)  
Jeremy Mayhew (Deputy Chairman)  
Alderman Charles Bowman  
Deputy Roger Chadwick  
Henry Colthurst  
Simon Duckworth  
Stuart Fraser  
Deputy the Revd Stephen Haines  
Edward Lord  
Deputy Catherine McGuinness  
Hugh Morris  
Deputy Joyce Nash  
Deputy Dr Giles Shilson  
Tom Sleigh  
Sir Michael Snyder  
Deputy John Tomlinson  
Alderman Sir David Wootton

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Lunch will be served in the Guildhall Club at 1pm  
NB: part of this meeting could be the subject of audio visual recording

John Barradell  
Town Clerk and Chief Executive

# AGENDA

## Part 1 - Public Agenda

1. **APOLOGIES**

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

3. **MINUTES**

To agree the public minutes of the Sub-Committee meeting held on 15 December 2016.

**For Decision**  
(Pages 1 - 6)

4. **PROJECT FUNDING UPDATE**

Report of the Chamberlain.

**NB: This item is to be read in conjunction with the non-public Appendix at item no. 13 and will be considered by the Grand Committee later this day. The non-public background papers relating to the two projects covered in the report are available on request.**

**For Decision**  
(Pages 7 - 10)

5. **POLICING THE BRIDGES**

Joint report of the Chamberlain and the Comptroller and City Solicitor, together with a resolution of the Police Committee of 3 November 2016 and a report of the Commissioner.

**NB: This report will be considered by the Grand Committee later this day.**

**For Decision**  
(Pages 11 - 28)

6. **APPRENTICESHIPS SCHEME EXPANSION**

Joint report of the Director of Community and Children's Services and the Director of Human Resources.

**NB: This report will be considered by the Community and Children's Services and Establishment Committees.**

**For Decision**  
(Pages 29 - 36)

7. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE SUB-COMMITTEE**

8. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**

9. **EXCLUSION OF THE PUBLIC**

MOTION – That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following items on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of the Schedule 12A of the Local Government Act.

**Part 2 – Non-Public Agenda**

10. **NON-PUBLIC MINUTES**

To agree the non-public minutes of the Sub-Committee meeting held on 15 December 2016.

**For Decision**  
(Pages 37 - 40)

11. **CYCLICAL WORKS PROGRAMME FUNDING FOR 2017/18**

Report of the Chamberlain.

**NB: This report will be considered by the Grand Committee later this day.**

**For Decision**  
(Pages 41 - 50)

12. **GUILDHALL WEST WING - PROVISION OF UPGRADED CLOAKROOM FACILITIES**

Report of the City Surveyor.

**NB: This report will have been considered by the Members' Privileges Sub-Committee earlier this day and is also due to be considered by the Projects and the Corporate Asset Sub-Committees and the Grand Committee.**

**For Decision**  
(Pages 51 - 62)

13. **PROJECT FUNDING UPDATE APPENDIX**

To be read in conjunction with item no. 4.

**For Information**  
(Pages 63 - 64)

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

15. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE SUB-COMMITTEE AGREE SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**

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## RESOURCE ALLOCATION SUB (POLICY AND RESOURCES) COMMITTEE

Thursday, 15 December 2016

Minutes of the meeting of the Resource Allocation Sub (Policy and Resources) Committee held at Committee Rooms, 2nd Floor, West Wing, Guildhall on Thursday, 15 December 2016 at 12.15 pm

### Present

#### Members:

Mark Boleat (Chairman)	Deputy Catherine McGuinness
Jeremy Mayhew (Deputy Chairman)	Deputy Joyce Nash
Deputy Roger Chadwick	Deputy Dr Giles Shilson
Simon Duckworth	Sir Michael Snyder
Deputy the Revd Stephen Haines	Deputy John Tomlinson
Edward Lord	Alderman Sir David Wootton

#### Officers:

John Barradell	- Town Clerk & Chief Executive
Simon Murrells	- Assistant Town Clerk
Peter Lisley	- Assistant Town Clerk
Alistair MacLellan	- Town Clerk's Department
Charlotte Taffel	- Town Clerk's Department
Peter Kane	- Chamberlain
Caroline al-Beyerty	- Deputy Chamberlain
Michael Cogher	- Comptroller & City Solicitor
Paul Wilkinson	- City Surveyor
Dorian Price	- City Surveyor's Department
Iain Simmons	- Assistant Director (Local Transportation), Department of the Built Environment
Simon Glynn	- Assistant Director (City Public Realm), Department of the Built Environment
Gillian Howard	- Department of the Built Environment
David Farnsworth	- Chief Grants Officer
Karen Atkinson	- The City Bridge Trust

#### 1. APOLOGIES

Apologies were received from Henry Colthurst, Stuart Fraser, Hugh Morris, The Rt Hon the Lord Mayor Dr Andrew Parmley and Tom Sleigh.

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

The following Members declared a non-pecuniary interest in items on the agenda: Deputy Joyce Nash, Item 4 (Project Funding Update); Deputy Catherine McGuinness, Item 16 (Christ's Hospital); and Deputy John Tomlinson, Item 4 (Project Funding Update).

3. **MINUTES**

The public minutes of the meeting held on 6 October 2016 were approved.

4. **PROJECT FUNDING UPDATE**

Members considered an update report of the Chamberlain regarding Project Funding.

**RESOLVED**, that the Sub-Committee recommend to the Policy and Resources Committee the following requests for funding totalling £799k from the 2016/17 City Fund provision for new schemes, all subject to the requisite approvals by other committees.

- Relocation of Adult Skills and Education Services to Guildhall Business Library – a contribution of up to £71k, dependent on the project sum approved at Gateway 5 by the Chief Officer after procurement;
- Barbican Estate New Baggage Stores (SBR proposal) – a provision of up to £610k, (including £19k to progress to the next gateway) with the remainder of £591k dependent on the project sum approved at Gateway 5 by the Chief Officer after procurement;
- Top-up loan funding for two Barbican Centre SBR proposals to cover cost increases:
  - Frobisher Crescent Level 4 - £52k
  - New Retail Unit - £66k.

5. **BANK JUNCTION IMPROVEMENTS: EXPERIMENTAL SAFETY SCHEME**

Members considered a report of the Director of the Built Environment regarding Bank Junction Improvements.

**RESOLVED**, that the following be approved:-

- the allocation of the S106 deposits set out in Table 3 (Appendix 1) of the report totalling £121,052 to the Bank junction experimental safety scheme;
- the allocation of up to £670,948 from the On Street Parking Reserve account to the Bank Junction experimental scheme;
- the inclusion of any Transport for London funding to the project budget that arises with a report to this committee to confirm the inclusion and resultant balance on the On Street Parking Reserve or S106 contributions.

6. **EASTERN CITY CLUSTER - PUBLIC ART (YEAR 6 & 7-9)**

Members considered a report of the Director of the Built Environment regarding Eastern City Cluster Public Art.

**RESOLVED**, that the contents of the update report be noted and that the following be agreed:-

- The retention of the project in-house for the next three years;
- any underspend from previous years be transferred to future years of the project;
- the appointment and/or procurement of all services associated with the delivery of the project for years 2017-19 in accordance with Section 5 of the report;
- authority be delegated to the Director of Transportation and Public Realm and Head of Finance to adjust the project budget between staff costs, fees and works (and between Years 7-9), providing the overall budget is not exceeded; and
- a contribution of £360k from the S106 obligation connected with the Pinnacle development at 22 Bishopsgate towards the implementation of the next 3 years of the project.

**7. THE CITY BRIDGE TRUST: PROPOSED REVENUE BUDGETS - 2016/17 AND 2017/18**

Members considered a report of the Town Clerk and Chamberlain regarding The City Bridge Trust's proposed revenue budgets in 2016/17 and 2017/18.

**RESOLVED**, that the following be approved:-

- the revised 2016/17 revenue budget (which included an additional £49,000 over the local risk resource base, to support Strategic Initiatives recently approved by Members of the City Bridge Trust Committee) for submission to Finance Committee;
- the provisional 2017/18 revenue budget (which included an additional £193,000 over the local risk resource base) for submission to the Finance Committee;
- an uplift to the 2017/18 budget of £193,000 as noted within the report and that it also be noted that the figures were derived from an initial review of operational expenditure which took place following the appointment of the Head of Charity & Social Investment Finance, alongside inclusion of support costs for recently approved Strategic Initiatives; and
- the Chamberlain be authorised to revise the budgets to allow for any necessary realignment of funds resulting from corporate projects.

**8. QUESTIONS ON MATTERS RELATING TO THE WORK OF THE SUB-COMMITTEE**

There were no questions.

9. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**

There was no other business.

10. **EXCLUSION OF THE PUBLIC**

**RESOLVED**, that under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following items on the grounds that they involve the likely disclosure of exempt information as defined in Part I of Schedule 12A of the Act.

**Item Nos.**

**Paragraph(s) in Schedule 12A**

11 - 16

3

11. **NON-PUBLIC MINUTES**

The non-public minutes of the meeting held on 6 October 2016 were approved.

12. **NON-PUBLIC APPENDIX TO ITEM 4 [PROJECT FUNDING UPDATE]**

Members received the non-public appendix for the item on Project Funding.

13. **GUILDHALL COMPLEX - FINANCIAL RESTRAINTS REPORT**

Members considered a report of the City Surveyor regarding Financial Constraints facing the Guildhall Complex.

14. **REQUEST FOR ADDITIONAL FUNDING OF THREE POSTS ON A FIXED TERM CONTRACT BASIS TO DELIVER THE EXPANDED CYCLICAL WORKS PROGRAMME.**

Members considered a report of the City Surveyor regarding a request for additional funding for three posts to deliver the expanded cyclical works programme.

15. **FUNDING OF THREE ADDITIONAL STAFF TO INVESTMENT PROPERTY GROUP, CITY SURVEYOR'S DEPARTMENT**

Members considered a report of the City Surveyor regarding funding for additional posts in the Investment Property Group.

16. **CITY OF LONDON CORPORATION GRANTS REVIEW: GRANT FUNDING FOR CHRIST'S HOSPITAL AND KING EDWARD'S SCHOOL WITLEY**

Members received a resolution of the Education Board, and considered a report of the Town Clerk regarding grant funding for Christ's Hospital and King Edward's School Witley.

17. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE SUB-COMMITTEE**

There were no questions.



18. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE SUB-COMMITTEE AGREE SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**

There was no other business.

**The meeting ended at 12.51 pm**

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Chairman

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# Agenda Item 4

<b>Committee(s):</b>		<b>Date(s):</b>
Resource Allocation Sub	For decision	19 January 2017
Policy and Resources Committee	For decision	19 January 2017
<b>Subject:</b>		<b>Public</b>
Project Funding Update		
<b>Report of:</b>		<b>For Decision</b>
The Chamberlain		
<b>Report author:</b>		
Caroline Al-Beyerty, Chamberlain's Department		

## Summary

This report seeks approval to one-off funding of up to £413k to allow three new project proposals to be progressed. The Priorities Board, the officer group created to provide a more holistic approach to the allocation of project finance, proposes that £380k be met from the 2016/17 annual provisions for new schemes and £33k be met from the On Street Parking Reserve.

Annual provisions have been set aside in both City Fund (£2m net) and City's Cash (£3m) to provide a degree of flexibility to fund smaller value new capital schemes as they arise. A summary of the forecast position for the 2016/17 annual provisions is shown below:

	City Fund £m	City's Cash £m
2016/17 provisions	2.000	3.000
Allocations previously agreed	(0.835)	(0.036)
New Requests:		
• Electronic Social Care Reporting and Case Management System Replacement	(0.250)	
• Guildhall Stonework Repairs		(0.130)
<b>Unallocated balance remaining</b>	<b>0.915</b>	<b>2.834</b>
Future potential requests	(0.125)	(1.518)
Forecast Headroom after allowing for Future Potential Requests	0.790	1.316

If both of these requests were agreed the balance remaining for City Fund would be £915k and for City's Cash £2.834m. After allowing for future potential requests, the headroom balances remaining for City Fund and City's Cash would amount to £790k and £1.316m respectively.

The remaining request relates to funding of £33k from the On Street Parking Reserve to progress to the next gateway the project for essential repairs to the Dominant House Footbridge. This sum can be accommodated within the balance available on the reserve.

## Recommendations:

It is recommended that Members agree to allocate:

- funding of up to £250k from the 2016/17 City Fund provision for new schemes to meet the cost of replacing the Electronic Social Care Reporting and Case Management System, the final amount being dependent on the project sum agreed by the Chief Officer following procurement;
- funding of £130k from the 2016/17 City's Cash provision for new schemes to meet the cost of progressing the Guildhall Stonework Repairs project to the next gateway, subject to the requisite approval by the Projects Sub Committee; and
- a sum of £33k from the On Street Parking Reserve to meet the cost of progressing a project to repair the Dominant House Footbridge to the next gateway, subject to the requisite approval by the Projects Sub Committee.

## **Main Report**

### **Background**

1. The Policy and Resources Committee have agreed to set aside sums of £24m (£3m per annum) over the period from 2012/13 to 2019/20 in both the City Fund and City's Cash financial forecasts (£48m in total) to provide a degree of flexibility to fund smaller value new capital schemes as they arise.
2. In June 2012, the Policy and Resources Committee agreed that only projects that are considered essential and which fit within the following categories may be approved at Gateways 1-4 of the Project Procedure, until further notice:
  - 1) Health and safety compliance
  - 2) Statutory compliance
  - 3) Fully/substantially reimbursable
  - 4) Spend to save or income generating, generally with a short payback period (as a rule of thumb within 5 years)

In addition, under exceptional circumstances, other projects considered to be a priority by the Resource Allocation Sub-Committee will be allowed to proceed.

3. The majority of projects working their way through the early gateways are to be funded either from internal ring-fenced sources such as the Barbican Centre and GSMD Capital Caps and the City Surveyor's Designated Sales Pools or from external sources such as Section 106 deposits and Government/Transport for London grants which are restricted for specific purposes.
4. Decisions about the allocation of resources for those projects that do not have access to these sources of funding are generally taken when a scheme reaches Gateway 4a – Inclusion in Capital Programme, although requests at earlier gateways are also arising on a more frequent basis. To help members to prioritise the allocation of City resources to projects from a wide range of funding sources, the Priorities Board has been created to provide a more holistic approach to the allocation of project finance, by considering bids for funding from a range of available (less constrained) sources, including in particular future receipts from the unallocated pots of the City's Community Infrastructure Levy (CIL).
5. The 2016/17 provisions for new schemes amount to £2m for City Fund (£3m less £1m for the existing Museum building) and £3m for City's Cash.

### **Requests for Funding**

6. There are three requests for funding totalling £413k.

## 2016/17 Annual Provisions for New Schemes

7. The Corporate Priorities Board has identified the 2016/17 annual provisions for new schemes as the most appropriate sources of funding for two of the requests totalling £380k:
  - Electronic Social Care Reporting and Case Management System Replacement – funding of up to £250k from the 2016/17 City Fund provision. This proposal is classified as an **essential** scheme required to fulfil **statutory** local authority duties to deliver services relating to children's and adults social care, special educational needs and disabilities. The anticipated cost of delivery ranges from £40k to £250k, the final sum required being subject to the procurement exercise to be undertaken before authority to start work is granted under Chief Officer delegation.
  - Guildhall Great Hall Stonework Defects – funding to reach the next gateway of £130k from the 2016/17 City's Cash provision. This proposal is classified as an **essential health and safety** scheme to repair high level cracks to the stone pinnacle. The sum of £130k now requested, which is subject to approval by the Projects Sub-Committee, is to cover the costs of scaffolding and assessments; a further request for funding will be made once the estimated cost of the repairs has been determined at the next gateway.
7. The forecast position for the 2016/17 annual provisions is shown in the report summary above.
8. If the City Fund request was agreed, a balance of £915k would remain. A number of future potential requests amounting to £125k have been identified to date, which would result in a headroom balance of £790k if all were progressed to the relevant gateway before the end of 2016/17. This headroom balance is somewhat higher than the £28k anticipated in the December report, due to the deferral of some of the future potential schemes.
9. If the City's Cash request was agreed, a balance of £2.834m would remain. Future potential requests amounting to £1.518m have been identified (excluding a provision for the West Ham Park Nursery site which as yet is unquantified) which would result in a forecast headroom of £1.316m if all were to be progressed. This headroom balance is also somewhat higher than the £657k reported in December, due to the deferral of some of the future potential schemes.
10. Details of the schemes requiring funding in 2016/17 and potential requests for funding in the current and future years is provided in the Appendix.

### On Street Parking Reserve

11. The Corporate Priorities Board has identified the On Street Parking Reserve as the most appropriate source of funding for the third request for funding of £33k as the nature of the scheme aligns with the legally permissible applications of this reserve.
  - Dominant House Footbridge Repairs – funding to reach the next gateway of £33k. This proposal is classified as an **essential health and safety** scheme, primarily to repair the movement joint between the staircase and supporting pier (with an option to extend the scope to include other structural repairs), subject to the approval of the Projects Sub-Committee.

The modest sum required at this stage can be accommodated within the balance available on the reserve.

### Conclusion

12. There are three requests for funding of up to £413k and the Corporate Priorities

Board has concluded that the 2016/17 annual provisions for new schemes provides the appropriate source of funding for two of the schemes totalling £380k.

13. There are adequate resources available to meet both of these requests. After allowing for the future potential requests for funding identified to date, the City Fund and City's Cash unallocated balances are currently forecast at £790k and £1.318m respectively.
14. The Corporate Priorities Board has concluded that the third request for funding of £33k can most appropriately be met from the On Street Parking Reserve, as the nature of the scheme aligns with the legally permissible applications of this reserve.

**Appendix** – Detailed schedule of projects requiring funding from the 2016/17 and future year provisions for new schemes

**Background papers:**

- Electronic Social Care Reporting and Case Management System – Gateway 3 / 4 Options appraisal report; and
- Guildhall Great Hall Stonework Repairs – Gateway 1 / 2 project proposal report.

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<b>Committee(s):</b>	<b>Date:</b>
<b>Policy and Resources Committee Resource Allocation Sub Committee</b>	19 January 2017
<b>Subject:</b> Policing the City Bridges	<b>Public</b>
<b>Report of:</b> The Chamberlain and the Comptroller and Comptroller and City Solicitor	<b>For Decision</b>
<b>Report authors:</b> Karen Atkinson and Deborah Cluett	

## 1. Summary

- 1.1 This report addresses a request to the City Corporation as trustee of Bridge House Estates (“BHE”) from the Police Committee on behalf of the City of London Police (“CoLP”) for annual funding for CoLP from Bridge House Estates of £214,000.
- 1.2 The request by the CoLP is within the criteria for funding by BHE, and similar funding has been provided in the past.
- 1.3 In considering whether or not to expend the funds as requested by CoLP, the City Corporation, as sole trustee of BHE, must ensure that the expenditure is compliant with the duty on the City Corporation as sole trustee to act in the best interest of BHE (see Annex 2 for a summary of the principal duties and responsibilities of charity trustees).
- 1.4 The report advises that CoLP have satisfactorily demonstrated that the annual sum requested reflects the costs of policing the bridges.
- 1.5 The report advises that the expenditure is within the City Corporation’s powers as sole trustee of BHE, and recommends that the request be agreed subject to regular review.

## Recommendations

That the Resource Allocation Sub-Committee approves the provision of funding totalling £214,000 from BHE revenue budget to fund the cost of policing of the City Bridges on an annual basis, subject to:-

- the concurrence of the Policy and Resources Committee, acting as sole trustee of BHE in respect of expenditure of BHE funds;
- the sum being kept under review; and
- the City Corporation as sole trustee of BHE remaining satisfied that such expenditure is in the best interests of BHE).

## **2. Background and historical context**

- 2.1 A recent Law Officer's Opinion (of the City of London Law Officers i.e. the Comptroller and City Solicitor, the Remembrancer and the Recorder) (see Appendix 1 of the Report to Police Committee which is attached as Annex 1 to this report) confirmed that in respect of London Bridge, Blackfriars Bridge and Southwark Bridge, there was a duty on BHE to fund the policing of those three bridges. In respect of Tower Bridge and the Millennium Bridge, it is open to the City Corporation as trustee of BHE to fund the policing of those bridges on the grounds that such activity contributes to the "maintenance and support" of those bridges, which is the primary purpose of the BHE charity, subject to the City Corporation as trustee being satisfied that such funding is in the best interests of the charity.
- 2.2 Although BHE has historically funded the policing of the City bridges, this had been suspended pending clarification of the statutory position.
- 2.3 Following clarification in the recent Law Officer's Opinion, on 3 November Police Committee received a report from CoLP on the issue (see Annex 1) and agreed the recommendation to approach BHE for annual funding of £214,000.

## **3. Evaluation**

- 3.1 The Chamberlain, through the Head of Charity and Social Investment Finance, acting for BHE, has reviewed the Estimated Costs Summary and Assumptions provided by CoLP in the report to Police Committee and is satisfied that they represent reasonable expenditure.
- 3.2 In respect of London Bridge, Blackfriars Bridge and Southwark Bridge, payment by BHE of the costs of policing those bridges would be compliant with BHE's statutory duties. In respect of Tower Bridge and the Millennium Bridge, expenditure on policing those bridges can reasonably be regarded as contributing to the maintenance and support of the bridges. The payment in respect of Tower Bridge and the Millennium Bridge is considered in the best interests of BHE (including the reputation of the charity) in order to ensure that the level of policing service appropriate to the bridges, including an adequate level of support to social services provision, can be maintained.
- 3.3 The provision of the funding by BHE is recommended. However, it would be prudent for BHE to keep under review whether such expenditure is in the best interests of the charity in future years, to ensure that any change in circumstances or other relevant issues can be taken into account, if applicable, before making further annual payments. It is anticipated that the annual payments will continue unless a change in circumstance or other relevant issue arises, in which case the matter would be reported to your Committee.



#### **4. Conclusion**

- 4.1 It is open to BHE to provide annual funding of £214,000 as requested and this is recommended.

**Annex 1 – Report to Police Committee 3 November 2016 and related Minute from meeting**

**Annex 2 – Summary of Trustee Duties**

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## ANNEX 2

### Summary of Charity Trustees' role

The City Corporation, acting through the Court of Common Council and committees to which functions of the Bridge House Estates Charity have been delegated, is the sole trustee of the Charity. Therefore all Members of the Court (or those committees) collectively, perform that role. All Charity trustees must always act in the best interests of the Charity and manage any conflicts of interest or loyalty accordingly.

<sup>1</sup>When Members of the Court (at the Court itself or across committees) are dealing with business associated with the Charity, they must ensure that the best interests of the Charity are paramount.

The City Corporation, as trustee of Bridge House Estates has the following main duties:-

1. To ensure the charity is carrying out its purposes for the public benefit.
2. To comply with the charity's governing documents and the law.
3. To act in the charity's best interests.
4. To manage the charity's resources responsibly.
5. To act with reasonable care and skill.
6. To ensure the charity is accountable.

The courts have developed principles of trustee decision-making which trustees should be able to show that they have followed. These are that in making decisions about the charity, trustees must:

1. act within their powers (i.e. consistent with the charity's objects and powers.)
2. act in good faith, and only in the interests of the charity.
3. make sure they are sufficiently informed, taking any advice they need.
4. take account of all relevant factors.
5. ignore any irrelevant ones.
6. manage conflicts of interest.
7. make decisions that are within the range of decisions that a reasonable trustee body could make in the circumstances.

While the City Corporation is acting in its general corporate capacity as trustee of Bridge House Estates, the Charity Commission's guidance for Local authorities acting as a charitable Trustee is helpful in providing clarification where an organisation must balance its competing duties and interests (available on their website at : <https://www.gov.uk/government/publications/local-authorities-as-charity-trustees> ); as is the Charity Commission's Conflicts of Interest Guidance, CC29 (also available on their website at: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/343408/CC29- PDF.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/343408/CC29- PDF.pdf) )

The report presented to Court of Common Council on 16 January 2014 entitled "The role of the City of London Corporation as Trustee of the Bridge House Estates" clarifies the distinct functions and responsibilities of Committees that conduct business relating to the Charity as they existed at the time, and is listed as a background document to this report .

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TO: **POLICY AND RESOURCES COMMITTEE**

19 January 2017

FROM: **POLICE COMMITTEE**

3 November 2016

5. **POLICING THE CITY BRIDGES - BUSINESS REQUIREMENT**

The Committee considered a report of the Commissioner setting out information concerning the demand for and cost of providing policing services to the five vehicular and pedestrian bridges crossing the River Thames in the City of London.

Members noted that Bridge House Estates was a charity responsible for the upkeep of the Bridges and, therefore, if funding was being sought from this source, it was vital that it was within the Charitable Objects of the charity.

Members discussed the proposals for additional funding from Bridge House Estates and agreed that the additional funding for Counter Terrorism deployments on the Bridges and for patrol and response to calls on the Bridges were likely to be within the Charitable Objects of Bridge House Estates.

However, Members agreed that the additional funding for a Marine Support Unit Constable was not likely to be considered to be within the Charitable Objects and therefore agreed that this funding should be removed from the funding request to Bridge House Estates.

Members noted that, given that the additional funding was related to staff costs, the funding should be increase in future years in line with pay increases.

**RESOLVED – That:-**

- a) the report be noted; and
- b) that approval be given to a formal approach being made to the Bridge House Estate for annual funding of £214,000, to cover the cost of policing services on the five City Bridges, with increases in future years to account for pay increases.

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<b>Committee(s):</b> Police Committee	<b>Date:</b> 3 <sup>rd</sup> November 2016
<b>Subject:</b> Policing the City Bridges	<b>Public</b>
<b>Report of:</b> Commissioner of Police Pol 48-16	<b>For Decision</b>
<b>Report authors:</b> Superintendent Helen Isaac	

## 1. Summary

- 1.1 This report provides information on the demand for and cost of providing policing services to the five vehicular and pedestrian bridges crossing the River Thames in the City of London. Following the Opinion received from The Remembrancer in September 2016, it is believed there is a case from statute for the Bridge House Estate (BHE) to fund the policing of Blackfriars, London and Southwark Bridges and a case also to support funding of policing services for Tower and Millennium Bridges. In considering the case for funding, this report concentrates in particular on the additional policing services provided to the City Bridges, which are largely demanded due to their location, structure and prominence as important thoroughfares across the River Thames.
- 1.2 The report summarises legal opinion on the case for funding over the last 100 years, considers the findings of a £224,000 business case for funding from the BHE made in 2011 and uses information gathered for an updated case for funding compiled in 2015. It refers to Royal National Lifeboat Institution (RNLI) and Corporation of London data gathered for a recent report into the growing demand for policing services in response to welfare issues on City Bridges.
- 1.3 The report includes an estimation of costs incurred in particular through the provision of intelligence-led counter terrorism deployments on bridges, bridge patrols, and responding to calls over concern for the safety of individuals. It includes the cost incurred by the force through the permanent attachment of an officer to the Metropolitan Police Marine Support Unit (MSU), who respond to many of our concern for safety calls by boat in support of City of London Police (CoLP) officers. The cost of CCTV and ANPR cameras has been excluded from this latest report due to their inclusion in the wider Ring of Steel project, to be presented separately.
- 1.4 The cost of providing policing services to the five City Bridges, taking account of the available data, is estimated at £272,000 per annum.

## Recommendation

It is recommended that members:

- 1) Note this report.

- 2) Approve a formal approach to the Bridge House Estate for annual funding of £272,000.

## 2. Background and historical context

- 2.1 In considering the obligations of the BHE, on the 14<sup>th</sup> December 1917 Law Officers concluded in a report, *“We are therefore of opinion that the Bridge House Committee have the duty imposed upon them “if they see occasion” to appoint watchmen and defray the cost of watching”*. With regard to Tower Bridge, the Law Officers concluded *“no obligation to watch or to pay for watching is imposed”*. The Law Officers refer to a ‘compact’ entered into by the Bridge House Estates Committee in 1895 and say *“[that compact] appears to have been based upon a good consideration to pay £2000 in respect of watching the several Bridges. That compact stands”*.
- 2.2 An Order of the Court of Common Council on 20<sup>th</sup> October 1938 declared that the amount of payment for watching bridges was fixed at £7000 per annum. A subsequent Order dated 16<sup>th</sup> December 1943 declared the amount be reduced to £5800 per annum. The last payment made to the Force was in 2004/5 when the contribution was £11,800. Material has not been found to suggest why the payment was not routinely increased with inflation, although using a historical inflation rates calculator, £5800 in 1943 would be worth approximately £246,500 in 2016.
- 2.3 In 2005, the Comptroller and City Solicitor reviewed the opinion expressed by Law Officers in 1917 and agreed with their conclusion.
- 2.4 In 2011 a business case was compiled by City of London Police (CoLP) in response to a letter from the Remembrancer, which invited the Force to bid for additional resources from BHE to provide security for the Bridges. This stated, *“Historically a contribution was made to the City of London Police from Bridge House Estates to pay for Watchmen to watch the Bridges. The primary objective of the Bridge House Estates Fund is for “the maintenance and support of London Bridge, Blackfriars Bridge, Southwark Bridge, Tower Bridge and Millennium Bridge” with any surplus funds being applied to charitable purposes under a Cy-Pres scheme.”*
- 2.5 The service overview in the current Service Level Agreement between City of London Police and Bridge House Estates, states the following:

*“The City of London Police currently provide a service whereby officers are tasked to specifically patrol all the named bridges within the City of London. These patrols are provided by a combination of our mobile patrols, foot patrols and our Mounted Section.*

*In addition to the above the City of London Police has an officer on a full time basis to the Marine Policing Unit based at Wapping Police Station on the River Thames a short distance from Tower Bridge. The Marine Unit also provides a visible 24 hour presence on the Thames in support of the broader river community.”*



- 2.6 A briefing note compiled in April 2015 by the Chamberlain's Department states that "following correspondence between the Chamberlain's Department and the City Police, the contribution ceased as justification was not provided to demonstrate what extra duties the Police were performing in relation to the bridges. BHE has not been used to relieve the City from public sector funding constraints and it was considered inappropriate to meet expenditure on general policing from the charity."

### 3. Current legal position

- 3.1 In appendix one, the Remembrancer sets out detailed Opinion dated September 2016 on policing of the City Bridges and the obligation on the Bridge House Estates to provide funding. This document concludes:

"The private acts governing London Bridge, Blackfriars Bridge and Southwark Bridge make it clear that an obligation to fund the policing of the bridges is cast on the Bridge House Estates. In respect of Tower Bridge, although there is no overt reference to an obligation on the Bridge House Estates to fund the watching or policing of the bridge, a case can be made that certain police resource attributable to policing Tower Bridge may be funded by Bridge House Estates. This can be inferred from the reference to the "maintenance and support" of the bridge by the Bridge House Estates provided for by section 65 of the Act. Such an approach seems to be taken by the SI 2004 No. 4017 in dealing with the Millennium Bridge."

### 4. 2011 business case for funding policing services

- 4.1 The 2011 business case concluded that four specific activities were undertaken by the Force in policing the City's Bridges:
- a) Day to day and pre-briefed patrol activity on foot and by specialist uniformed officers, such as the Dog and Mounted Sections, Support Group, Roads Policing Unit and the firearms department at an estimated cost of **£105,000** per year.
  - b) Permanent attachment of an officer to the Metropolitan Police Marine Support Unit with responsibility for policing the river Thames and checking the security of the bridges from the river at a cost of **£50,000** per year.
  - c) Staffing the London Bridge police entry point (during peak hours Monday to Friday, this was one of the Force's counter terrorism tactics at the time) at an estimated cost of **£37,000** per year.
  - d) CCTV cameras and ANPR cameras covering vehicle traffic and pedestrians entering and leaving the City using the bridges at a cost of **£32,000** per year.
- 4.2 The total annual estimated cost of policing the City Bridges in 2011 was **£224,000**.

## 5. Assumptions

**Table 1: PC and PS cost assumptions**

Rank	Band	Annual Costs			Monthly Costs	Daily Cost	Hourly Rate
		Low	Mid or Near Mid	High	Top of Band		
		£	£	£	£	£	£
Constables	1-11	39,777	50,443	57,975	4,831	242	34.51
Sergeants	23-26	60,141	61,897	64,671	5,389	269	38.49

Source: CoLP Finance Department

- 5.1 Table 1 above sets out the figures used to estimate the cost of policing the City's Bridges. For the purpose of these calculations, the cost includes national insurance and pension contributions. The highest band constable (£57,975 per annum) and sergeant (£64,671 per annum) costs are assumed in this report.
- 5.2 This report takes account of the most recent Opinion from the Remembrancer dated September 2016 and therefore assumes inclusion of all five vehicular and pedestrian bridges within the City of London in calculations, these being Tower, London, Southwark, Millennium and Blackfriars Bridge respectively.

## 6. Costs of policing the City Bridges

**Table 2: Summary of estimated costs 2016/17**

Function	Category of Cost	Costs (Top of Band)	
		Weekly	Annual
		£	£
Costing for tasked Counter Terrorism deployments on City Bridges	1 x Sergeant - 10 hours per week- at highest grade of rank	365	20,015
	4 x Constables - 20 hours per week - at highest grade of rank	2,761	143,572
<b>Total</b>		<b>3,416</b>	<b>163,587</b>
Costing for patrol of and response to calls for service on City Bridges	2 x Constables - 2 hours per day, 7 days a week - at highest grade of rank	966	50,247
<b>Total</b>		<b>966</b>	<b>50,247</b>
Costing for Marine Support Unit Constable	1 x Constable - annual cost	1,230	57,975
<b>Total</b>		<b>1,230</b>	<b>57,975</b>
<b>Overall total</b>		<b>5,612</b>	<b>271,809</b>

Source of costings: CoLP Finance Department

- 6.1 The position in 2016 is similar to 2011, with revised costs and activities summarised in table two above and explained in the text below. CCTV and ANPR costs included in the earlier report have been removed as these are included in the wider Ring of Steel project which will be for separate consideration. The current estimated cost of providing policing services to the five City Bridges is £272,000.

## **Tasked counter terrorism deployments**

- 6.2 Following the 2011 business case, the Force has moved on from entry point counter terrorism tactics and now has in place the scientifically developed and evaluated Project Servator. The Force has a permanent Project Servator team and in addition to this, other uniformed and covert departments deploy Project Servator tactics in teams around the clock as part of the tasking directed by the fortnightly meetings of the Force's Security Group.
- 6.3 Deployments to locations are unpredictable and intelligence-led, with teams directed to areas by the CoLP Counter Terrorism Co-ordinator. Security Group meetings consider these deployments and agree the locations against the intelligence and as high profile, high traffic and in most cases iconic locations for vehicles and pedestrians crossing into the City, the bridges regularly feature as tasked locations, depending on intelligence at the time.
- 6.4 Tasked locations have been extracted from 22<sup>nd</sup> February to 30<sup>th</sup> October 2016 and this data shows that on average, twenty counter terrorism deployments each week take place on City Bridges. These deployments are not always directed by a sergeant depending on the team involved, hence the difference in weekly hours between sergeant (ten hours) and constable (twenty hours) hours attributed. Deployment costs assume four constables, although depending on the team deployed this could be significantly more or slightly less, part of the unpredictable nature of the tactics. This activity equates to a total cost of **£163,587** per annum as shown in table 2 above.

## **Directed patrols and response to calls for service on City Bridges.**

- 6.5 Although it is not possible to calculate the *exact* amount of time and cost spent carrying out patrols and responding to incidents on City Bridges, this figure has been calculated estimating two officers patrolling/responding on bridges for two hours per day, seven days a week.
- 6.6 Computer Aided Dispatch (CAD) data extracted for a year from 30<sup>th</sup> July 2014 to 29<sup>th</sup> July 2015 for a previous report on policing of the bridges showed a considerable number of calls for police services at City Bridges. Due to the need for a lengthy manual search of annual CAD data to sift out inaccurate location information and the time available for completion of this task, quarterly data from 11<sup>th</sup> October 2015 to 11<sup>th</sup> January 2016 was extracted and sifted to provide a more recent portrayal of calls from the last year for police attendance. This data has been multiplied by four for an estimated annual total and shows a similar demand for Southwark, London and Blackfriars Bridges when compared against the 2014/15 data captured for the 2015 report.

- 6.7 Due to earlier legal opinion excluding Tower and Millennium Bridges, the data for these was not captured and included in the 2015 report. However, the quarterly data shows that Tower Bridge experienced 48 calls for service, an estimated total of 192 for the last year and Millennium Bridge 18 calls, an estimated total of 72 for the year.
- 6.8 From the 2014/15 data Southwark Bridge had 67 calls recorded, including concern for safety reports, abandoned calls for assistance and concerns about suspicious circumstances being reported. From the quarterly data there were 24 calls equating to an estimate of 96 for the last year.
- 6.9 London Bridge is by far the busiest bridge in terms of calls for service, with 589 CADs in 2014/15, including concerns for safety, suspicious circumstances, violence and road traffic collisions. From the quarterly data there were 109 calls equating to an estimate of 436 for the last year.
- 6.10 Blackfriars Bridge saw 131 calls for service in 2014/15, with concerns for safety and suspicious circumstances again common reasons for police assistance being required. The quarterly data showed 39 calls equating to an estimate of 136 for the last year.
- 6.11 Sadly, City Bridges are an increasing draw for vulnerable people who may also be suffering from mental health issues. Officers are called to incidents on a regular basis following reports of someone having jumped into the Thames or considering or attempting to do so. There were 239 concern for safety CADs to City Bridges in the year 11<sup>th</sup> October 2015 to 11<sup>th</sup> October 2016, the actual figure as opposed to an estimate from quarterly data as less sifting was required due to the ability to search on a specific code for concern for safety CADs.
- 6.12 A 'concern for safety' CAD is a call for assistance where there is a concern for a person's safety and could be reported by a member of the public, member of the emergency services, by the individual themselves, or a friend or family member. In relation to the concern for safety CADs on City Bridges, the call could relate to a suicide, or attempted suicide. It could also relate to a person in crisis and in need of support, for example, if a passerby notices someone upset or distressed on a bridge and telephones the police, this would be recorded as a concern for safety. This may be totally unrelated to suicidal thoughts.
- 6.13 Officers are tasked throughout the week with carrying out daily patrols of the bridges to look for and where possible, interact with those who may be a cause for concern. When officers are involved in an interaction with an individual resulting in detention under section 136 of the Mental Health Act 1983, (either as a result of a concern for welfare call or through coming across someone on patrol), incidents are often protracted and involve the abstraction of at least two officers, sometimes for hours at a time, to wait with the individual for hospital transport and carry out a handover at the hospital, prior to being released to continue policing duties.

- 6.14 Data from the RNLI report 'River Safety in Central London,' shows that 25% (117) of the Tower Lifeboat Station's 255 bridge incident calls in 2015 were for City Bridges. This is a sobering figure as the City stretch of the river forms only a small proportion of the 16 miles of Tidal Thames covered by the Tower Lifeboat Station. RNLI data for the current calendar year is available to the 7<sup>th</sup> August and shows that 47% (85) of their 182 bridge incident calls have involved City Bridges. Proportionally to 7<sup>th</sup> August, this figure (85) is already 77% of all calls received for City Bridges for the whole of 2015. It should be noted that these calls were calls for service and there may not have been any real risk of someone jumping; this does however help to illustrate the demand on policing services at City Bridges, as calls will inevitably have involved a policing response from CoLP officers.
- 6.15 To add another level of context to the RNLI data, statistics from the Corporation of London's high harm and high vulnerability analyst have been collated and are presented for illustration in table three below. This data is an accumulation from various sources, but is primarily police data from CADs (calls received from members of public or victims) and intelligence reports submitted by officers. Each CAD and intelligence report has been reviewed by the analyst to ensure the data collection is accurate.
- 6.16 This data includes only incidents of suicide or attempted suicide and does not include the remainder of the picture i.e. those calls to the bridges to deal with people for whom there is a concern for safety, which may be a person in crisis or a cry for help. These other calls would not be classed as an attempted suicide or suicide and will vary from overall concern for safety CAD data for this reason. The incidents in table three range from completed suicide attempts resulting in death, to people saved from the river and those involving successful intervention before someone was able to jump in.

**Table 3: Suicide and Attempted Suicide within the City of London Attributable to City Bridges**

Data Collection Period	Attempted Suicides Within the City of London Attributable to City Bridges
April 2014-March 2015	41
April 2015-March 2016	46
<b>April 2016 to 5th September 2016</b>	<b>52</b>

Source: City of London Corporation

- 6.17 This data is useful in illustrating clearly the impact of bridge related demand on the CoLP. Used with other data sets it paints a vivid picture of an increasing demand, with suicide and attempts from five months of data for this year already higher than the last full year.
- 6.18 From quarterly data, an estimated total of 932 calls for service on the five bridges occurred over the year to 11<sup>th</sup> October 2016, an average of 2.55 per

day. This is not dissimilar to the actual number of 2.11 calls per day quoted in the 2015 Policing the Bridges report, but is slightly higher, taking into account that the earlier report did not include data for Tower or Millennium Bridges.

- 6.19 The police response to these calls and the increasingly protracted nature of many of these, combined with the tasked daily foot, mounted and mobile security patrols on bridges leads to the conclusion that the cost of two PCs for two hours per day, seven days a week would be a reasonable estimate for this activity, at a total cost of **£50,247** per annum.

#### **Permanent attachment of an officer to the Metropolitan Police Marine Support Unit**

- 6.20 The force continues to attach an officer to the Marine Support (MSU) at a cost of **£57,975** per annum. The MSU has responsibility for policing the River Thames and checking the security of bridges from the river and will inevitably be called out to assist CoLP officers in the event of someone jumping or threatening to jump from one of the City Bridges. The prime purpose in continuing this attachment is to ensure the security and safety checks around City Bridges continue as an essential part of our policing response, at the cost of providing one officer to this specialist team.

### **7. Conclusion**

Recent legal opinion agrees with the historical view that a case is made in statute for funding of the policing of London, Southwark and Blackfriars Bridges by the Bridge House Estate. The Opinion dated September 2016 concludes there is also a case to support the funding of the policing of Millennium and Tower Bridges. Demand data for the five City Bridges has been considered and whilst the overall number of calls for police service is reasonably consistent, there has been a marked increase in the number of people either committing or attempting to commit suicide from City Bridges, with an associated impact on police resources. Estimated costs for three specific areas of policing activity on City Bridges have been calculated, these being; patrol and response to calls for service, tasked counter terrorism deployments and an officer attached to the Marine Support Unit, with the total cost of policing estimated at £272,000 per annum.

### **Recommendation**

It is recommended that members:

- 1) Note this report.
- 2) Approve a formal approach to the Bridge House Estate for annual funding of £272,000.

### **Appendices**

Appendix one: Policing the Bridges and allocation of costs to the Bridge House Estates: Opinion



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**Policing the Bridges and allocation of costs to the Bridge House Estates**

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**OPINION**

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**Introduction**

1. This Opinion considers the nature and extent of the City's obligations as to the policing of the City's bridges and the extent to which those costs may be attributed to the Bridge House Estates. It focuses on general policing responsibilities rather than any specific project, although the issue has recently received renewed attention as the result of a project to install river cameras at the bridges. Issues concerning the quantum of any contribution and a Trustee's general duty to act in the best interests of Trust are not dealt with in this Opinion.
2. In order to provide context and to inform interpretation, some historical constitutional background is included. This has however been confined to material which assists in deciding the extent of the obligations and sources of funding rather than providing a broader narrative. After a short account of the history of the 'Watch', each bridge is considered in turn, concluding, in each case, with an assessment of the position under current legislation.

**Establishment of Watches and the Bridges**

3. In what appears to be a remarkably coordinated national move, the Statute of Winchester 1285 (13 Edw. I), commanded that watch be kept in all cities and towns and that two Constables be chosen in every "Hundred" or "Franchise"; specific to the City, the Statuta Civitatis London, also passed in 1285, regularised watch arrangements so that the gates of London would be shut every night and that the City's twenty-four Wards, would each have six watchmen controlled by an Alderman. This system, where each householder

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took a turn at being an unpaid watchman, remained more or less unchanged until the early 18th century.

4. The first (un-numbered) section of the City of London Police Act 1839 (2 & 3 Vict c.xciv) stated that “the Mayor Aldermen and Commoners of the City of London, in Common Council assembled, are willing and desirous to contribute out the Revenues and Possessions of the Mayor and Commonalty and Citizens of the said City a portion of the expense of the said Police Force”.
5. The Act consolidated and rationalised a system of policing in the City which had evolved from medieval times. The 1839 Act did not create a wholly new body, as by 1832 the “new” Force was effectively in existence in the form that it was to take by statute. It did, however, put it onto a statutory footing as was the case with the Metropolitan Police and other police forces established throughout the country after 1829.
6. The 1839 Act provided by section LVII that the City was required to pay one quarter of the expenses of the City Force from City’s Cash. By section LVIII, the remaining three quarters were to be met by a local police rate. Watching the bridges was accounted for separately and recorded as a reimbursement from the Bridge House Estates before the quantum was calculated. In 1896 the City of London Police Committee reported to the Court of Common Council the three sources of police funding, viz City’s Cash, Bridge House Estates and a local Police rate. At this point, all City Police funding came from the City (in whatever guise) and none came from central Government.

**London Bridge**

*Historical background*

7. A bridge across the Thames in approximately the same position as the current structure built in the late 1960s has existed since Roman times.
8. The title of the Corporation to the Bridge House Estates is very ancient and arose before the doctrine of trusts was fully developed. The early conveyances and grants, dating from

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the twelfth century, contain the words ‘to the Proctors’ or ‘Wardens of London Bridge’ or ‘the brethren and sisters of the Chapel on the Bridge’, or more simply ‘to God and the Bridge’.

9. In the minutes of the Court of Common Council for 1 Feb 1817, watch stations are recorded as covering the wards of Bridge, Candlewick, Billingsgate and Dowgate. The same Common Council record shows that the watch house for those 4 wards was at the “Bridge Watch House”. Watch houses, the record continues, were to be open all day and night with patrols every 2 hours. It seems highly probable, especially in light of the strong criticism of the behaviour of various watches and the natural desire on the City’s part to make sure its money was prudently spent, that patrols would cover the full extent of their territory and would, therefore, patrol the whole of the ward - across London Bridge to the southern ward boundary. The contemporary recognition of the boundary of the City as being on its southern side is evidenced by documents of the period; for instance the Robert Morden and Philip Lea map, first published around 1700 and re-issued c1715 and which is particularly detailed, shows the ward boundary on the southern side.

***Current Position***

10. From the Corporation of London (Bridges) Act 1911 onwards, “the Corporation” has been defined to mean “the Mayor and Commonalty and Citizens of the City of London Trustees of the Bridge House Estates”, recognising the Corporation’s distinct trustee capacity.
11. The current London Bridge was constructed pursuant to the powers contained in the London Bridge Act 1967 (1967 c.1).
12. Section 35(1) of the 1967 Act provides “Whereas the existing London Bridge is wholly within the city and is exempt from all assessments, now it is hereby declared as follows:-
  - (a) the bridge as reconstructed under this Act shall be wholly within the city”...

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13. The obligation on Bridge House Estates to pay for policing on the bridge is set out in s35(1)

“(c) The bridge shall be vested in the Corporation and shall be maintained, repaired, cleansed, lighted and policed at the cost of the rents and profits of the Bridge House Estates”.

14. The term 'policed' used in section 35 of the 1967 Act does not receive further explanation. The Act which authorised the building of the bridge replaced under the powers conferred by the London Bridge Act 1967 - the London Bridge Act 1823 (4 GeoIV c.50) - does, however, provide a greater indication of what the term might be taken as encompassing.

15. Section 93 of the 1824 Act provided for the appointment of the Watch (the advent of the City of London Police then being 15 years distant) in the following terms -

“That the said Mayor, Aldermen and Commons, in Common Council assembled, or such Committee or Committees as aforesaid, are hereby empowered from time to time, if they see Occasion, to appoint such Number of fit and able bodied Men as they shall think proper, to be armed and clothed in such Manner as the said Mayor, Aldermen and Commons, in Common Council assembled, shall direct, to be employed as Watchmen, Guards or Patroles, either on Foot or Horseback, upon the said Bridge, or temporary Bridge (if any), and to appoint any Person or Persons to be Superintendent or Superintendents thereof, and from time to time remove any of the said Superintendents, Watchmen, Guards or Patrole, and to appoint others in their Room, and from time to time to make such Rules, Orders and Regulations for the better governing the Superintendents, Watchmen, Guards or Patrole, and for the watching and guarding the said Bridge, and keeping the Peace thereon, as the said Mayor, Aldermen and Commons, in Common Council assembled, or such Committee or Committees as afore said, shall think proper”.

16. Section 94 set out the duties of the Watch as follows -

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“And be it further enacted, That the Superintendents, Duty Watchmen, Guards and Patroles, shall use their best Endeavours to prevent Fires, Murders, Burglaries, Robberies, Disturbances, Obstructions, Stoppages, Breaches of the Peace and all Outrages, Misdemeanours and Disorders on or near to the said Bridge, and to that End are hereby jointly and severally empowered and required, without further Warrant, to arrest, apprehend and detain in the Watchhouse of the Ward of Bridge, or in any other Watchhouse or convenient Place, (whether provided or appointed by the said Mayor, Aldermen and Commons, in Common Council assembled, or such Committee or Committees as aforesaid, or otherwise,) all Malefactors, Rogues, Vagabonds and other disorderly and suspicious Persons, who shall be found committing any Disorder or Offence, or loitering, wandering or wantonly or negligently obstructing the Passage, or misbehaving themselves, or whom the said Superintendents, Watchmen, Guards and Patroles shall have just cause or reason to suspect of any evil Design, and the Person or Persons so apprehended to convey as soon as conveniently may be, before One or more of the said Aldermen of the said City, to be examined and dealt with according to Law”.

17. It seems clear from the drafting of these sections that the intention was to apply a wide interpretation to the duties of the obligations of those employed as 'Watchmen, Guards or Patroles' both on and near to the Bridge. Accordingly, there are reasonable grounds to assume that the interpretation of the term 'policed' in the 1967 Act should be a broad one. Moreover there would appear no reason to adopt a different approach to interpretation when considering other City Private Acts which refer to the watching or policing of bridges without additional statutory elucidation. (The Law Officers' Opinion of 1874 referred to below acknowledged that there was a general police duty to patrol the bridges, as with other public highway, but pointed to the fact that there was no express relief for the Corporation from its statutory duties to watch the bridges [London, Southwark and Blackfriars], and therefore it was justified in making arrangements to contribute to police expenses in respect of those bridges.) .

**Blackfriars and Southwark Bridges**

*Historical Background*

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18. Blackfriars Bridge was the second bridge to span the river within the City's boundaries. First built in 1760, the original Blackfriars Bridge was erected pursuant to statutory powers and the current bridge is also a statutory bridge.
19. In its first recital the Blackfriars Bridge Act 1756 (29 GeoII c.86) gives "the City of London in Common Council assembled" the power and authority to build and maintain the bridge. The Act provides that the "mayor, aldermen, and commons, shall also, from and after the said bridge shall be created and made passable... appoint such a number of able-bodies watchmen as they shall judge necessary to be kept upon the bridge for the Safety and Protection of Persons passing over the same". The Act authorises the "mayor, aldermen, and commons, in Common Council assembled" to levy tolls for passage over the bridge. The Act then sets out the toll rates. By way of explanation for the toll, the Act records that repairing, preserving, supporting, making streets, purchasing houses [to be demolished], will amount to a "considerable charge and expense". It goes on to record that the money raised shall "also [be] for repairing, lighting and watching the said bridge".
20. Southwark bridge was not, originally, a City of London Corporation bridge. It was erected in 1815 by a private company. It appears that the City disliked the tolls levied by the private company and in 1864 the City leased the bridge and abolished the private toll.

***Current Position***

21. The present Blackfriars Bridge was constructed pursuant to the Blackfriars Bridge Act 1863 (26 & 27 Vict c.LXii), section 16 of which provides -

“[The] Bridge shall be maintained, supported, repaired paved, watched lighted, watered and cleansed, out of the rents and profits of the Bridge House Estates, and any funds now applicable to those purposes shall form part of the Bridge House Estates.”

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22. The Corporation of London (Bridges) Act 1911 (2 Geo.V c.cxx) authorised the reconstruction of Southwark Bridge and set out the basis of contributions towards the costs of policing. Section 61 of the Act 1911, states that Southwark Bridge – a ‘new bridge’ under the Act - is to be “policed by the Corporation out of the funds of the Bridge House Estates”. In Southwark Bridge’s case, the pillars on the southern side also seem to be within the City.

**Tower Bridge**

*Historical Background*

23. The bridge was built in response to public agitation for cross - river facilities below London Bridge occasioned by a large increase in vehicular traffic in the latter part of the 19th century. The Corporation promoted the Bill to authorise construction of the bridge in 1884 and it was passed in 1885. The bridge was opened in 1894.

24. The costs of policing the bridge featured in Opinions of the Law Officers delivered in 1895 and 1917 referred to further below. The general approach was that there was no obligation on Bridge House Estates to pay for the policing of Tower Bridge. However, there was found to be justification for the “compact” between Bridge House Estates Committee and Police Committee (in respect of the Bridge House Estates contribution to policing the bridges) to include policing costs in respect of Tower Bridge, on the basis of the number of men engaged daily in watching Tower Bridge.

*Current position*

25. Section 58 of the Corporation of London (Tower Bridge) Act 1885 (48 & 49 Vict. c.cxcv) provides that,

“Subject to the provision of this Act the Corporation may from time to time make such byelaws as they think proper for the opening and shutting of the Tower Bridge and for the regulation and management of the traffic on the Tower Bridge and on so much of the approaches and other works authorised by this Act as the Corporation

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shall therein specifically define as places to which such byelaws shall be applicable and may from time to time alter vary or repeal such byelaws or any of them as they shall think fit so as the same be reduced into writing and be under the common seal of the Corporation and be allowed by the Board of Trade and the Tower Bridge and all places to which such byelaws shall be applicable shall for the purposes of such regulation and management and for the enforcement of such byelaws and for the recovery of any penalties for the breach or non-performance thereof be deemed to be within the city and liberties thereof and the jurisdiction powers authorities rights privileges and duties of justices of the peace and of the police and peace officers of the city shall extend to all such places”

26. The Corporation of London (Blackfriars and other Bridges) Act 1906 (6 EdwVII c.clxxx) confirms that Tower Bridge is to be treated as being within the City for the purposes of policing and the criminal law.
27. These Acts do not explicitly state that the City Corporation is to underwrite the costs of policing Tower Bridge. They do, however, make clear the City’s regulatory responsibilities under byelaws and for the jurisdiction of the City’s police and Justices of the Peace.
28. Section 65 of the Act also provides for the application of the rents and profits of the Bridge House Estates to the in the “maintenance and support” of Tower Bridge as is the case for (in varying terminology) the other City bridges. The supplementary Royal Charter governing the Bridge House Estates granted in 1957 (which enlarged the Corporation's purchase and investment powers as Trustees of the Bridge House Estates) did not distinguish the Tower Bridge Act 1885 from the principal Acts governing the other bridges.
29. Since the passage of the Act it appears that Bridge House Estate’s responsibility for “maintenance and support” of Tower Bridge has been taken to include responsibility for meeting the expenditure of policing the bridge where this is justified by the extent of the policing resource sought in respect of the bridge.



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30. This assumption of responsibility is consistent with the approach taken by the Law Officers when advising on the policing of the Bridges. In the opinions in 1895 and 1917 referred to at para 23 above, the Law Officers expressed the obligation as a 'compact' between the (then) Bridge House Estates Committee and the Police committee by which the former was to contribute an annual sum to policing costs. The actual sum was a matter for negotiation between them. However, different approaches appears to have been adopted between London Bridge, Blackfriars Bridge and Southwark Bridge (subject to statutory duties in respect of watching or policing the bridges), and Tower Bridge (where there is no such express duty, and the expenditure was based upon the specific [additional] police resource requested).

**The Millennium Bridge**

*Historical background*

31. This bridge is unlike the other City bridges in not being a construction initiated by the Corporation or governed by a City Private Act. The responsibility for the Bridge was conferred by The Charities (Bridge House Estates) Order 2001 (SI 2001 No 4017) made by the Charity Commission. The Commission obtained locus as the result of the cy-pres scheme authorised by The Charities (The Bridge House Estates) Order 1995 (SI 1995 No 1047).

*Current position*

32. The 2001 Order adds the Millennium and describes its object (in the appendix) as to enable the Charity to “own and maintain” it. No further guidance on interpretation is given. The Order refers (in paragraph 2 of the scheme set out in the appendix) to the “ownership and maintenance” of the other City Bridges “as provided for in the subsisting trusts”. The opening paragraph of the Scheme set out in the appendix states the Bridge House Estates as being regulated by (inter alia) the Private Acts currently governing each bridge. This appears to infer that “own and maintain” is to be taken as encompassing the rights and obligations contained in those Acts, being the Acts by which the Charity is

**NOT PROTECTIVELY MARKED**

regulated. It therefore appears that “own and maintain” as used in the Order is to be construed broadly. If so, it may be taken as including reference to policing.

**Conclusion**

33. The private acts governing London Bridge, Blackfriars Bridge and Southwark Bridge make it clear that an obligation to fund the policing of the bridges is cast on the Bridge House Estates. In respect of Tower Bridge, although there is no overt reference to an obligation on the Bridge House Estates to fund the watching or policing of the bridge, a case can be made that certain police resource attributable to policing Tower Bridge may be funded by Bridge House Estates. This can be inferred from the reference to the “maintenance and support” of the bridge by the Bridge House Estates provided for by section 65 of the Act (para 28 above). Such an approach seems to be taken by the SI 2004 No. 4017 in dealing with the Millennium Bridge (para 31 above).

34. Alternatively, were that interpretation found wanting, the general trustee duty to maintain trust property may be sufficient to provide locus in respect of Tower Bridge (and the Millennium Bridge). In any event, there would seem to be insufficient reason to depart from the previous Opinions of the Law Officers in supporting the view that the obligation cast on the Bridge House Estates may extend to the costs of policing the bridges, and describing the arrangements for meeting them from the Estates as being in the nature of a “compact” as referred to in para 30 of this Opinion.

35. In relation to the other City Bridges, it is clear that an obligation to fund the policing of the bridges arises by statute.

**P R E Double**

**City Remembrancer**, for the Law Officers

Guildhall

September 2016

# Agenda Item 6

<b>Committees:</b> Community and Children's Services – For Decision Establishment – For Decision Resource Allocation Sub (Policy and Resources) – For Decision	<b>Dated:</b> 13 January 2017 17 January 2017 19 January 2017
<b>Subject:</b> Apprenticeships – Expansion of the Apprenticeship Provider Service	<b>Public</b>
<b>Report of:</b> Director of Community and Children's Services Director of Human Resources	<b>For Decision</b>
<b>Report author:</b> Simon Cribbens, Community and Children's Services	

## Summary

The City of London Corporation (City Corporation) is committed to delivering 100 apprenticeships across its departments in 2017/18. The delivery of this commitment, and the outstanding level of service the City Corporation seeks, will require additional staffing and resources.

This report seeks Member approval of the proposed staffing structure, which includes the creation of additional posts over and above the existing apprenticeships team and funding to support it at a cost of £250,000.

It is intended that the delivery of this programme will create a pool of talent to meet the City Corporation's future business needs. This will deliver savings against future recruitment costs. The expansion of the programme will also deliver savings against the cost of training currently funded by departments, which will in future be met through the Apprenticeship Levy. The establishment of an outstanding service will also provide the potential to generate income as a provider meeting the increased demand for apprenticeships from other public bodies.

## Recommendation(s)

Members of the Establishment and Community and Children's Services Committees are asked to:

- approve the proposed structure of the apprenticeship provider service and additional supporting roles.

Members of the Resource Allocation Sub (Policy and Resources) Committee are asked to:

- approve a baseline budget increase of £250,000 to fund those posts that cannot be met from the draw down of Levy funds, to be allocated to the relevant departments.

## **Main Report**

### **Background**

- 1 The City Corporation has set an ambition to be an exemplar in the recruitment, training and development of apprentices.
- 2 The commitment to a future apprenticeship programme of 100 apprentices per annum to meet this ambition is supported by the City Corporation's Officer Summit Group, and has been agreed by the Establishment Committee. It has been further agreed by that Committee that the delivery of apprenticeships will be through an "employer-provider" model, utilising the City Corporation's existing in house Apprenticeship Service.
- 3 This programme, and the enhanced level of support and service that it commits to provide, requires the creation of additional posts to secure, support and monitor delivery. The Establishment Committee agreed in principle to the establishment of this service for which the proposed budget is £250,000 in 2017/18. This was subject to the provision of detailed proposals – as set out in this report - and Member approval.
- 4 Demand and competition for apprentices will increase significantly as public sector bodies act to meet the government's target (2.3 per cent of workforce) and larger employers subject to the new Apprenticeship Levy seek to draw on their levy to meet their skills needs. Against this background the City Corporation apprenticeship offer will deliver the quality, brand and remuneration required to secure the number and quality of apprentices it seeks.

### **Current Position**

- 5 The City Corporation is already both an employer of apprentices and an approved apprenticeship provider - training and supporting apprentices employed by the City Corporation and a range of other City businesses. The number of internal apprentices employed within the City Corporation has remained broadly static over the last few years at around 25 to 30. To grow from this position and to offer a sustainable 100 apprenticeships year on year, will require additional staffing resources in the provider service and related roles. This report seeks approval for the creation of the required additional roles and the corresponding increases to baseline budgets.

### **Future funding of apprenticeships**

- 6 From April 2017 large employers will pay a new Apprenticeship Levy (the levy) – set at 0.5 per cent of the gross pay bill. The City Corporation has already made budgetary provision for its levy contributions.
- 7 The levy will be paid monthly into the Digital Apprenticeship Service (DAS), through which employers will be able to channel their levy funds to their chosen apprenticeship provider (which for the City Corporation is its own internal service). The City's Apprenticeship Service will claim funding each month, in

relation to the number and type of apprenticeships it is providing. Funding caps will be in place to limit the maximum spend for individual apprenticeships.

- 8 The levy can be used to fund training, education and the end point assessment of apprentices. The levy can also meet some other costs – such as administration related to the delivery of the apprenticeships.
- 9 However, there are several costs which cannot be met by the levy. These include:
  - wages of the apprentice
  - contributions for travel expenses
  - wages for line managers or other colleagues supporting the apprentice
  - post apprenticeship support
  - apprentice recruitment.

### **Additional resource implications for the City**

- 10 The expansion of the apprenticeship programme will require additional staffing and service provision. Where eligible, the cost of some posts will be fully recoverable from levy funding. However, the City Corporation's declared approach to apprenticeships - in terms of the quality and depth of support to apprentices, and the breadth of the Apprenticeship Service's role - will require additional resourcing for elements that cannot be funded by the levy. These include:
  - apprentice recruitment
  - outreach work with schools and communities to promote the scheme
  - pastoral support
  - post apprenticeship support (including support to secure employment within and outside of the Corporation)
  - support to managers and supervisors.
- 11 In addition to these elements, it is proposed that additional resources support increased capacity in Human Resources (creating a lead officer) and commissioning.
- 12 The budget to support these additional roles is costed at £250,000. This allows some flexibility within the parameters of the proposed salary grades. The proposed roles are detailed below and the staffing structure is appended.
- 13 In addition to the opportunity provided to individuals through the expansion of the apprenticeship programme, its delivery will provide significant benefits and cost savings to the City Corporation. It is intended that the programme will deliver a pool of talent from which the City Corporation can meet its future business needs. In doing so the City Corporation will reduce recruitment costs, and reduce the risk and cost of failed appointments.
- 14 Further savings will be delivered through the future inclusion of higher level apprenticeships, which will allow departments to provide employees with

professional training that is funded by the levy instead of local departmental budgets.

15 The development and delivery of an exemplar service will also provide the potential for the City Corporation's Apprenticeship Service to market to, and meet the future demand from, other public sector bodies increasing their apprenticeship numbers (in line with government expectations). As such, the Service offers the opportunity to generate income in future years.

### **Roles and structure**

16 The roles outlined below have been costed at the grades proposed by departments. It should be noted that they are subject to formal job evaluation and therefore may change. It is anticipated that, since the new roles are based upon broadly comparable existing roles, any changes to proposed grades will be minimal and the resulting impact on the overall budget can be absorbed within the Department of Community and Children's Service's (DCCS) local risk.

#### *City Corporation funded roles*

17 Six new roles will deliver the elements of the service that cannot be funded through the levy:

Four of these, which will sit within the Apprenticeship Service, will be created to deliver the additional quality and elements of service that the City Corporation scheme seeks. These roles consist of:

- 1 x Quality and Performance Manager (Grade F)
- 1 x External Provider Manager (Grade E)
- 2 x Recruitment, Outreach and Welfare Officer (Grade C)

At mid salary scale, these posts with on costs are budgeted at £183,000.

One role will sit within Corporate HR to meet the increased demand on that service and provide a dedicated apprenticeship lead within that department:

- 1 x Human Resources Officer (Grade D) role will be created. This role is budgeted at £44,000.

One part time role will provide capacity within the DCCS Commissioning team to provide performance management of the in-house service, and were it necessary the commissioning of alternative provider services:

- 1 x (0.4) Commissioning Officer (Grade D) at a budgeted cost of £17,500.

<b>Role</b>	<b>Number of posts</b>	<b>Grade</b>	<b>Salary (mid scale + 27.5% on costs)</b>	<b>Total</b>
Quality and Performance Manager	1	F	£61,136	£61,136
MIS Co-ordinator	1	E	£49,712	£49,712
Recruitment, Outreach & Welfare Officer	2	C	£36,146	£72,292

HR Officer	1	D	£43,886	£43,886
Commissioning Officer (0.4)	0.4	D	£17,554	£17,554
<b>Total</b>				<b>£244,580</b>

### *Apprenticeship Levy funded roles*

18 The functions of the Apprenticeship Service that can be funded via the monthly draw down of levy resources will be delivered by the roles set out below:

<b>Role</b>	<b>Number of posts</b>	<b>Grade</b>	<b>Salary (mid scale + 27.5% on costs)</b>	<b>Total</b>
Training Manager	1	E	£49,712	£49,712
External Programme Delivery Manager	1	E	£49,712	£49,712
Tutor/Assessor	4	C	£36,146	£144,584
Service Administrator	1	C	£36,146	£36,146
MIS Administrator	1	C	£36,146	£36,146
<b>Total</b>				<b>£316,300</b>

19 The expansion of apprentice numbers will be delivered in four cohorts across 2017/18, and as such levy income will build across the year. Therefore recruitment to these posts will be staggered to reflect the growth in apprentice numbers across the year and mitigate the risk of salary costs for these roles exceeding levy income.

20 These roles reflect functions previously funded through the Skills Funding Agency to deliver apprenticeships, which will now be funded by the levy.

### **Proposals**

21 The roles and structure (as set out) to deliver the City Corporation apprenticeship programme are proposed to Members for approval.

22 For those roles funded by the City Corporation, it is proposed that Members approve an increase in the baseline budget totalling £250,000 per annum within the relevant departments.

### **Corporate & Strategic Implications**

23 For those posts where the salary costs may be met from levy funds there remains a risk that the City Corporation might not be able to draw down sufficient funds to cover this. This risk is considered minimal given the target number of apprenticeships and will only be present in the first half of the year, having diminished during that period. Should this risk materialise, the DCCS will absorb, where possible, any resulting overspend.

- 24 Should proposals for the creation of an internal apprenticeship provider service be rejected, it will be necessary to identify an alternate apprenticeship provider. This would be subject to a procurement exercise and would still require the creation of supporting roles.
- 25 Salary costs for the apprenticeships that are to be created in 2017/18 will be met from a centrally controlled, ring fenced fund that has been established as part of the City Corporation's overall budget setting process. It is anticipated that, in subsequent years, departmental budgets will be increased where sustainable apprenticeship opportunities are established.

## **Conclusion**

- 26 Delivering an outstanding apprenticeship service will require additional roles to meet both the increased level of delivery and enhanced level of service. To achieve this will require funding in addition to that which can be drawn down from the Apprenticeship Levy.
- 27 In providing these resources and the service they support, the City Corporation can fulfil the challenge of its publication *The City's Business* to "walk the talk" and be an exemplar in how apprentices are recruited, trained and developed.
- 28 Establishment and Community and Children's Services Committees are asked to approve the creation of the additional posts to support the expansion of the City of London Corporation's apprenticeship scheme. Resource Allocation Sub-Committee is asked to approve an increase to the baseline budgets of the DCCS and Corporate HR to meet the cost of those additional posts that cannot be met from the draw down of Levy funds.

## **Appendices**

- Appendix 1: Structure chart

## **Background Papers**

- New Apprenticeship Scheme and Paid Work Experience – Establishment Committee; 25 October 2016
- Apprentices Update – Community and Children's Service Committee; 18 November 2016

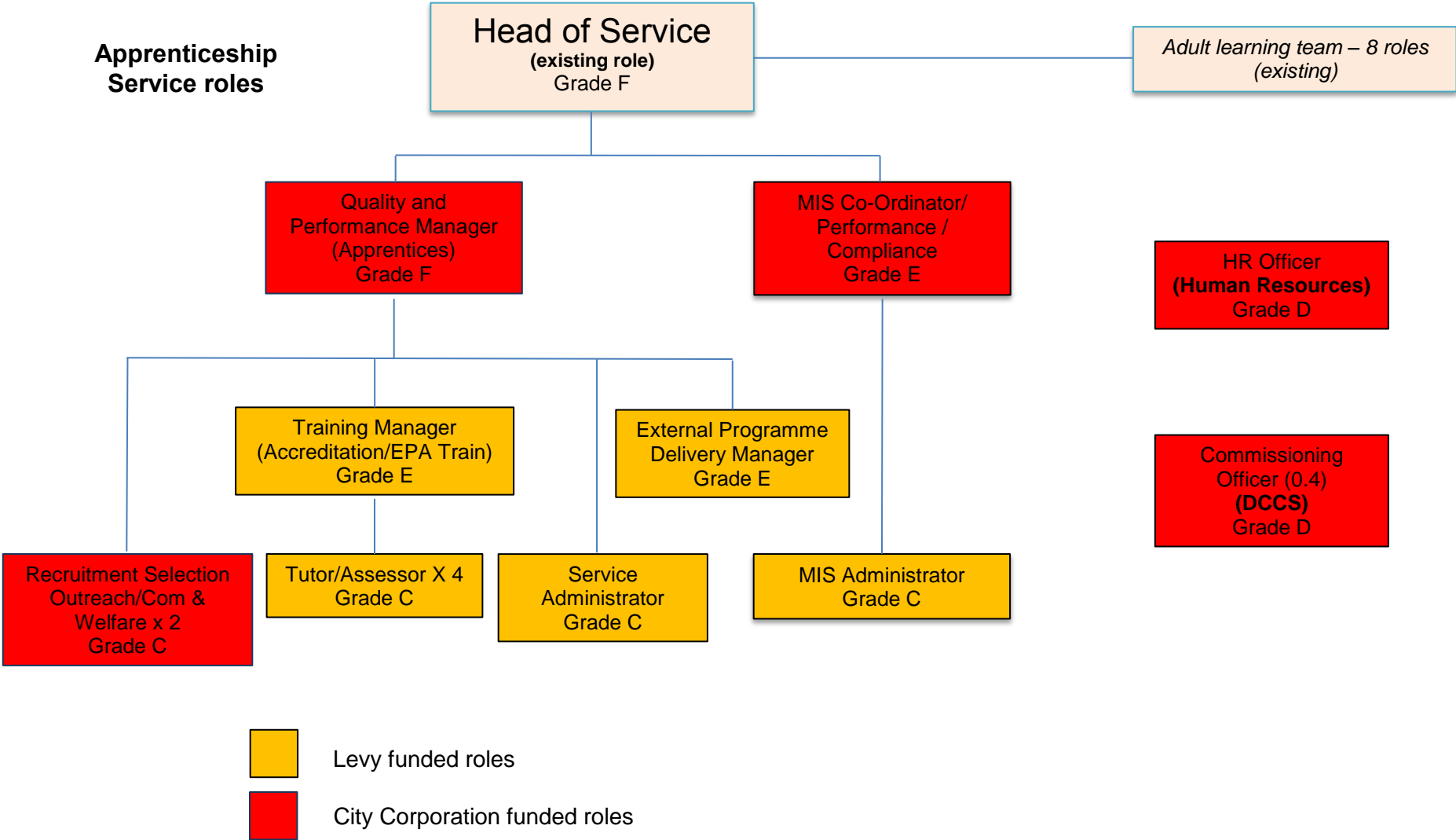
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**Appendix 1: Proposed structure to support CoL Apprenticeship Delivery**  
**Department of Community & Children’s Services and Human Resources**

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