

Committee(s):		Date(s):
Planning and Transportation Committee	For Decision	3 rd October 2017
Subject:		Public
Thames Court Footbridge: acquisition		
Report of:		For Decision/
Director of the Built Environment.		

Summary

This report seeks the views of Members on the acquisition of the footbridge, known as Thames Court Footbridge. The Footbridge is currently not operational and would require a structural survey and works to enable it to be re-opened for public use.

Previously, on the 23 May, your committee agreed that Transport for London should be approached to have Thames Court Footbridge vested in it as a highway structure should the owner of the bridge be willing to transfer it to them. It was also agreed that should TfL and the owner of the bridge be willing to have the footbridge vested in TfL as a highway structure, the Director of the Built Environment should be authorised to enter into any necessary agreements with TfL to enable TfL to exercise the City's local highway authority functions in respect of those parts of the footbridge that are located on highways for which the City is the local highway authority.

It was further agreed, against officer officer recommendation, that should Transport for London be unwilling to accept the vesting of Thames Court Footbridge as a highway structure, then the City Corporation should take over responsibility for its retention and maintenance.

On 25 July, the Planning and Transportation Committee was informed that TfL officers had advised that they did not see any great utility in the footbridge given the location of other pedestrian crossing places over Upper Thames Street in the vicinity and that they did not wish to have it vested in Transport for London. As a result, if the footbridge was to be retained it would need to be vested in the City Corporation. At that stage, Officers advised that the structure would need to be comprehensively assessed before it could be determined what works were needed to be undertaken before it could be safely reopened. Fees for an initial inspection for condition and assessment were estimated at £20,000 and the work was estimated as taking approximately three months to complete.

As a consequence, the Planning and Transportation Committee agreed that an inspection for condition and assessment of Thames Court footbridge be undertaken, and a project be initiated through the City's project management procedure to retain, resurface and (if required) strengthen the footbridge. It should also be noted that should the scale of works be such as to not justify the bridge reopening then the City would be liable for the costs of its removal.

Since that time, the footbridge owner's representative has written to the City Corporation asking for the legal process to transfer ownership to commence and be completed quickly. They had requested this be complete by the end of Sept 2017 but have now agreed to await the decision of this Committee. If this timescale is not complied with, there is a risk that the owners may remove the structure.

The purpose of this report is to seek confirmation from Members that it remains the intention for the City Corporation to acquire the footbridge, notwithstanding that the condition of the bridge has not been assessed and nor has the totality of any financial commitment that may fall to the City Corporation. However, the report explains that in the event that the bridge is acquired, but found to not be repairable at reasonable cost, then the total cost of surveys and removal would be unlikely to exceed £200,000.

Recommendation(s)

Members are asked to

- a) confirm the Planning & Transportation Committee's earlier 'in-principle' decision to acquire Thames Court Footbridge now that TfL has clarified that it does not wish to take it on; and
- b) note that it has not been possible in the time available to carry out an inspection for condition and assessment of the footbridge and that, therefore, there is no knowledge or understanding of the condition of the bridge or of any potential financial commitment that may fall to the City Corporation although in the event that the Bridge is acquired and a decision taken thereafter to remove it then the City's costs are not expected to exceed £200,000.

Main Report

Background

1. The Planning and Transportation Committee have received two reports from officers. The first report recommended removal of the bridge, if Transport for London did not wish to take over responsibility for the structure, but Committee determined that the bridge should remain and, if necessary, become the responsibility of the City. The second report identified a measured process by which the previous Committee decision could be progressed and it

was resolved that “an inspection for condition and assessment of the Thames Court footbridge be undertaken, and a project be initiated through the City’s project management procedure to retain, resurface and (if required) strengthen the footbridge. So, the principle of acquiring the Thames Court Footbridge has been agreed; through the decisions on the 23 May and the 25 July 2017.

Current Position

2. The Committee decisions have been explained to the owner’s representative and they have asked for the legal transfer of ownership to happen quickly. They originally asked for this to happen by the end of August 2017. They have now agreed to await the decision of this Committee in October. However, they are highly likely to expect urgent action to effect the legal transfer of ownership if this is what the Committee agrees.
3. Assuming an early October time limit is imposed by the owner officers will not have time to fully survey the bridge or quantify the risks before ownership and responsibility is transferred. This is even though the structural surveys were promptly commissioned and is due to the appointed surveyors still awaiting a date when they may have access to the highway from TfL. It is expected that a date by when this survey should be completed will be available by the date of your committee. This will also enable officers to advise when it will be possible to report back on the survey findings.
4. The survey delay has also meant that there has been no opportunity for approval of any project that may be required for the bridge to be brought into use, and no certainty of any such approval.
5. However, it would be open to your Committee to include any necessary works within your highways works budget estimates for 2018/19. Alternatively, in the worst case scenario, if the costs of such works were considered disproportionate to the public benefit provided by the footbridge, it would be open to your Committee to include the removal of the footbridge within your budget estimates for 2018/19.

Options

6. Whilst the Committee has considered this matter before the options for action remain to either (i) acquire the bridge now with the urgency sought by the Owner; or (ii) defer acquisition of the bridge pending completion of investigations, clarification of any necessary works, and their approval as a project (accepting the risk that the owner may opt to remove the bridge before the City’s acquisition); or (iii) advise the owner that the City will not acquire the bridge and it should be removed.

Evaluation

7. Option (i) ensures that the resolution of your Committee can be given effect, but places as yet unquantified liabilities on the City. However, this can be managed on the basis that as a “fallback”, survey and removal costs should not exceed £200,000. This sum allows for bridge removal costs should this be

necessary and any further surveys that may be necessary after the initial structural survey.

8. Option (ii) protects the City against the unquantified liabilities involved in accepting responsibility for the bridge structure, but risks removal by the Owner, which would undermine the decision of your 23 May Committee. Your committee did not accept the view that the bridge was of limited benefit, and was of the view that the bridge provided benefit to the public by providing a useful crossing point over Upper Thames Street. Whilst the owner may choose to remove the bridge themselves this is not certain. The City's acquisition would save the Owner its costs of removing the bridge and therefore there is an incentive for the Owner to defer removal and transfer the bridge at a later date. The likelihood of this will depend on the Owner's arrangements however it should be assumed that removal of the bridge in this scenario would be likely.
9. Option (iii) would be contrary to the approach adopted by your 23 May and 25 July Committees and would inevitably result in the removal of the bridge and the opportunity to reinstate this facility would be lost.
10. If the bridge is acquired, it would become a highway structure, under the responsibility of the Planning and Transportation Committee. Future maintenance costs would be met from within current local risk budgets.

Corporate & Strategic Implications

11. None

Implications

12. The financial implications cannot be quantified at this stage but can be managed on the basis of the "fallback" removal option costed not to exceed £200,000. Once the project to inspect the bridge and determine the costs of retaining the bridge is started and the detailed costs are known, it might be decided to remove the bridge after all. Failure to complete the transfer of ownership quickly may lead the owner to remove the bridge. This would run counter to the previous decisions taken by the Planning and Transportation Committee.
13. There is currently no financial provision within the Built Environment Directorate's (DBE) budgets for survey works, repairs or bridge removal. Any such costs would have to be met from compensatory savings elsewhere within DBE service budgets.

Conclusion

14. Option (i) would ensure your Committee's previous decisions can be given effect. Your Committee has concluded that the bridge provides public benefit,

and the “worst case scenario” cost of £200,000 (although potentially wasted expenditure) allows for the public benefit of the bridge to be fully explored and potentially reinstated. However detailed costs of this approach have not been quantified and nor have resources been identified.

15. Delaying acquisition would enable detailed costings to be provided but may result in the owners deciding to now dispose of the bridge.
16. Officers can be certain to secure the retention of the bridge by the swift transfer of ownership now. Therefore, Members are being asked to confirm their decision to proceed on the basis of acquisition whilst recognising that the full detailed cost of this approach has not been quantified.

Background Papers:

Two previous Committee reports and minutes

Iain Simmons Assistant Director (City Transportation)

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Appendix 1

From: Sowdon, Guy @ CBRE Global Inv London [<mailto:Guy.Sowdon@cbreglobalinvestors.com>]
Sent: 07 August 2017 10:50
To: Simmons, Iain
Cc: Gilchrist-Fisher, Chris @ CBRE Global Inv London; Breslin, Chris @ London SMC
Subject: Thames Court - Footbridge

Dear Iain,

It is my understand that you have recently had a meeting with Chris Breslin of CBRE who we instruct as the property manager for Thames Court, I am the asset manager acting on behalf of the landlord.

I am informed that the outcome of this meeting was that you intend for the current landlord to retain responsibility for the bridge until the City of London are able to make a decision on whether they would like to transfer the bridge to their ownership. You noted that this could take 12 months and that the answer may still be that the City of London does not want the structure.

These are certainly not the sort of timelines that we were initial led to expect. For clarity we have refrained, at the request of the City of London, from removing the bridge when we were obliged to do so. It was stated that due to recent voting activity being in favour of it, the bridge was required by the City of London.

Having been ready to execute the removal and then withdrawn at your request, we now have abortive costs to consider. Whilst our obligations to this structure are now likely debatable further to the above, we will require a definite answer from you on whether the transfer will happen immediately (with completion of the transfer being no later than 31st August) or removal should be executed, in which case we will need to re-open the project for removal on your confirmation.

We require a response on this no later than Friday 11th August.

I would be grateful if you could respond to me on this at the earliest opportunity, otherwise I would be grateful if you could call me to discuss.

Kind regards,

Guy

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Appendix 2

From: Simmons, Iain [<mailto:Iain.Simmons@cityoflondon.gov.uk>]
Sent: 11 August 2017 18:10
To: Sowdon, Guy @ CBRE Global Inv London <Guy.Sowdon@cbreglobalinvestors.com>
Cc: Gilchrist-Fisher, Chris @ CBRE Global Inv London
<Christopher.GilchristFisher@cbreglobalinvestors.com>; Breslin, Chris @ London SMC
<chris.breslin@cbre.com>
Subject: RE: Thames Court - Footbridge

Guy

Thank you for sending me your communication. I understand your request to resolve the issue of responsibility (ownership) of the bridge to a mutually acceptable and swift timetable. The politicians at the City wish for matters to be concluded quickly also.

I have been liaising with colleagues on the quickest way that this can be achieved.

A decision to accept responsibility for the bridge will require a formal sign off. Our terms of governance require actions that take several weeks. Therefore, it will not be possible to complete the legal documents, as you request, by the end of August 2017. However, the City will work at pace and a completion by the end of September is achievable, subject to political approval.

Thank you once again for deferring the removal of the bridge. A few more weeks should lead to an acceptable outcome for both parties.

I will call you on Monday to explain our processes in more detail. I am in the office for most of next week; should you wish to meet up.

Best regards

Iain Simmons

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