

Committee(s)	Dated:
Planning and Transportation Committee – For Decision Culture Heritage and Libraries Committee – For Information Resources Allocation Sub (Policy and Resources) Committee – For Decision	26 March 2018 14 May 2018 3 May 2018
Subject: Funding for Enforcement Officer for City's Bridges	Public
Report of: David Smith, Director of Markets and Consumer Protection	For Information
Report author: Steve Blake, Markets and Consumer Protection Department	

Summary

The purpose of this report is to seek approval to the funding from Bridge House Estate of an additional post managed within the Markets and Consumer Protection Department for a Licensing Officer to be dedicated to carry out enforcement activities on the City's Bridges, particularly those bridges, parts of bridges and adjacent areas which are normally within the jurisdiction of neighbouring Local Authorities.

Recommendation(s)

Members are asked to:

- Agree to the creation of a full time Licensing Officer post dedicated to enforcing across the City's Bridges and
- Agree to the funding of this post from the Bridge House Estates Fund.

Main Report

Background

1. Reports were given to the Port Health and Environmental Services Committee (PHES) on 4 July and 21 November 2017 regarding the issue of illegal street trading and the sale of peanuts from trollies mainly on and around City Bridges.

2. At the PHES Committee meetings several actions were agreed to combat illegal street trading.

Following this, from August 2017 until the time of writing this report the following actions have been achieved:

- 52 illegal traders have been stopped.
- 3 ice cream vans have been seized.
- 5 peanut trolleys have been seized.
- 21 traders have been prosecuted (including those still pending) with two prosecutions still pending and Criminal Behaviour Orders will be sought on these prosecutions.

These actions are all within the City's local authority jurisdiction.

3. The actions outlined above have contributed towards a reduction of illegal street traders within the City; however, illegal trading is still taking place on the bridges in the areas which fall within the boundaries of Southwark and Tower Hamlets. In addition, the action has been funded through the Licensing Team's City Fund local risk budget and this is neither sustainable or appropriate, particularly where action is needed just outside of the City's local authority boundaries.
4. The problems experienced with current enforcement actions in the reports to Court and PHES suggested some possible short, and longer-term measures to try to proactively manage and dissuade this type of activity. It is apparent that illegal traders are opportunistic and swiftly adapt to patterns of enforcement necessitating evening and weekend operations as well as those undertaken in the normal working week.
5. The short-term measures included investigating enforcement on Tower Bridge and this report concentrates on enforcement proposals across all the City's Bridges.
6. Members will be aware that at Millennium Bridge the City boundary runs across the middle and therefore the illegal traders set up and trade within one metre of this boundary knowing that Licensing Officers from the City of London do not have the authority to act against them.
7. Similarly, City of London officers have no authority to enforce on Tower Bridge as this falls within the boundaries of the London Borough of Tower Hamlets and Southwark. Both Boroughs have advised that they do not have the necessary resources to effectively enforce against illegal traders on the Bridge although Tower Hamlets are now being more active with respect to traders near Tower Bridge. A recent raid by bailiffs has closed the premises in Cable Street in Tower Hamlets believed to be used to store nut selling carts which were then used in trading in City, Southwark and Tower Hamlets.
8. A working group of Officers has been set up to co-ordinate action across all three authorities which includes City, Southwark, Tower Hamlets, TfL, and City of London Police. The second meeting of this group is due to meet to agree action plans on March 29 at Wood Street Police Station.

9. This report therefore focuses on the City's Bridges and presents a solution to deal with the ongoing issues of illegal trading which is currently not being regularly enforced.

Current Position

10. Illegal traders within the City of London are being proactively enforced by the City's Licensing Team with successful prosecution and seizure of goods. This has resulted in very limited activity by peanut sellers and no ice cream vans being seen in the City since late 2017.
11. There are, however, ongoing issues with illegal traders (peanut sellers, ice cream vans and sellers of other paraphernalia) on the City's Bridges which is especially prevalent on Millennium Bridge (Southwark side) and Tower Bridge.
12. City Officers have no enforcement authority on the south side of Millennium bridge and Tower Bridges although they are owned, funded and managed by the Bridge House Estates reflects poorly on the image and reputation of the City. This is also true of trading which has previously taken place to the south of London Bridge, in Southwark.
13. Tower Bridge, which receives circa 830,000 visitors per annum to the exhibition regularly has six peanut sellers (2 on the south and 4 on the north) 7 days a week and also attracts ice cream vans, souvenir and jewellery sellers.
14. In addition, at peak seasonal times they attract other undesirable elements such as gamblers and pickpockets which are reported to the Police who have attended but they disperse immediately.
15. Complaints are regularly received from visitors and members of the public regarding these traders as they identify them as being engaged by the City of London.
16. The Department of Built Environment (DBE) position has always been that illegal traders on our bridges is not acceptable as it is a security and safety concern with having mobile carts containing gas bottles and congestion on narrow pavements. There are also health issues as they attract pigeons and other vermin who deposit their droppings on the structure and pavement accelerating the deterioration and increasing the maintenance liability.
17. Security staff at Tower Bridge regularly move these traders on but as they have no powers they return once security have left. Consideration has been given to giving security enforcement powers, but this would remove them from their important primary duties of managing safety and security on the Bridge.
18. We are therefore currently reliant on our respective boroughs to enforce and as already advised they do not have adequate resources and can only respond on a very infrequent basis.

19. Several meetings have been held to discuss the issues with council officers, Police, TfL, local resident groups and other interested parties to agree a way forward which could be implemented effectively.
20. One of these actions was for neighbouring boroughs to delegate authority to the City to enforce within their boundaries and I am pleased to advise that an agreement in principle has been reached with the London Borough of Southwark for the south side of the Bridges.
21. Similar discussions have also been held with the London Borough of Tower Hamlets and whilst there is agreement in principle at Officer level this remains to be ratified through Tower Hamlets political governance procedures. As the matter was a subject of report which was agreed at PHES in November 2017 and the delegations were agreed by Court at the 8 March 2018 this can now proceed. It is anticipated being completed by the end of June 2018 following the same template being agreed with Southwark.

Options

22. The current position of illegal traders on City's Bridges which fall within neighbouring boroughs will not be addressed as they do not have the necessary resources to effectively enforce against these traders.
23. To do nothing would not improve the problem and will continue to be an issue on the City's Bridges and reflect poorly on the City of London as owners of popular visitor destinations.
24. With the agreement of the neighbouring boroughs the City will have the necessary authority to enforce. However, to maintain the current level of enforcement within the City and expand to include those parts of the bridges that fall within the London Borough of Southwark and Tower Bridge additional resources will be required. As these areas of enforcement lie outside of the City Local Authority area the City Fund allocation is not appropriate to this role of controlling, maintaining and policing the City Bridges. Funding for this additional activity is therefore sought from the appropriate fund which appears to be the Bridge House Estate.
25. Licensing Team will continue to carry out enforcement action against illegal traders in the City although without additional resources to deal with traders outside of the City's local authority boundaries on and near City bridges this is likely to provide only a palliative effect and, in particular, will not help the situation on and around Tower Bridge.

Proposals

26. It is therefore proposed to recruit and designate a licensing officer whose primary role will be to enforce across all the City's Bridges.
27. As this will be a bridge and adjoining areas specific role it is proposed to seek agreement to fund this post from the Bridge House Estate.

Corporate & Strategic Implications

28. This report incorporates the comments of both Open Spaces who now operate Tower Bridge and DBE who consider and maintain the physical infrastructure of the bridges

29. This proposal will support the Corporate Plan:

- To provide modern, efficient and high quality local services, including policing, within the Square Mile for workers, residents and visitors,
- To provide valued services, such as education, employment, culture and leisure, to London and the nation.
- It will support the aim of the new Corporate Plan by strengthening the character, capacity and connections of the City, London and the UK for the benefit of people who live, learn, work and visit here. In doing this it will support two main aims in that it
 - 'contributes to a flourishing society' in ensuring people are and feel safe and,
 - 'shapes outstanding environments' in that our spaces are secure, resilient and well maintained.

30. This proposal will support two key strands of the City's Cultural Strategy:

- Animating the Heritage – increasingly helping people to discover our outstanding heritage assets, to bring history alive,
- Breaking down Barriers – focusing on the importance of opening in all directions, welcoming visitors to the Square Mile and taking the City's cultural offer to all of London, engaging more effectively with our local Borough partners.

Implications

31. The anticipated cost of this post is £50,000 p/a and it is proposed that it is provided for an initial period of 3 years and reviewed after this period. The short breakdown of anticipated costs is as follows: -

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| • Assistant Licensing Officer | £38k |
| • Additional resources where multiple selling sites are identified | £5k |
| • Additional overtime payments | £5k |
| • Equipment (Bodycams) | <u>£2k</u> |
| | £50k |

Conclusion

32. With the success of the Licensing Team in enforcing within the City of London there is now an opportunity to deal with the issues on the City's Bridges. Although not within our boundaries the ongoing issues reflect very poorly on the City as owners and maintainers of these structures.
33. With the City being promoted as a visitor destination the bridges are obviously an attraction for tourists as well as local communities and the presence of illegal traders detracts from their enjoyment and experience.
34. Officers have been frustrated by the boundary issues as well as the lack of regular enforcement action from neighbouring boroughs and therefore welcome the delegation of powers.
35. Therefore, to effectively enforce on the Bridges an additional resource is required to concentrate on and around these structures and be a single point of contact working closely with neighbouring boroughs, Open Spaces, DBE and City of London Police to apply longer-term control.

Back Ground Papers

- Illegal Street Trading Report – PHES 4 July 2017
- Illegal Street Trading Report – PHES 21 November 2017
- Illegal Street Trading -Item 20(B) – Court of Common Council 8 March 2018

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