

Committee	Date
Bridge House Estates Board	27 April 2022
Subject: BHE Bridges Lighting Policy	Public
Which outcomes in the <i>BHE Bridging London 2020 – 2045 Strategy</i> does this proposal aim to support?	1, 2 and 3
Does this proposal require extra revenue and/or capital spending?	No
Report of: David Farnsworth, Managing Director of Bridge House Estates	For decision
Report Author: Chris Earlie, Director of Tower Bridge; Milly Ehren, BHE Head of Strategy & Governance; Ian Hughes, Director, City Operations.	

Summary

This report presents to the Bridge House Estates Board (“the BHE Board”/ “the Board”) a Bridge Lighting Policy to be considered and agreed in the best interests of Bridge House Estates (“BHE”). The Bridge Lighting Policy sets out guidelines and a process to follow regarding requests to use the lighting system on the five Thames Bridges in support of third-party initiatives, anniversaries and events of national significance.

Following several recent requests to illuminate the bridges, particularly Tower Bridge, the BHE Board asked for officers to formally produce a new BHE Bridges Lighting Policy (“the Policy”) to be presented to the Board for consideration. The Policy incorporates formerly established criteria for considering such requests at Tower Bridge, with additional criteria included to cover the other four bridges and to meet the requirements of the Charity Commission’s ‘Campaigning and Political Activity guidance for Charities’ (CC9)¹. The Bridges Lighting Policy also reflects the change of governance arrangements for the bridges, with responsibility for the management of the charity’s functional and operational assets (the five Thames Bridges) now vested in the BHE Board (unless where matters are reserved to the Court of Common Council).

Recommendation

It is recommended that the Bridge House Estates Board, in the discharge of functions for the City Corporation as Trustee of Bridge House Estates (charity no. 1035628) and solely in the charity’s best interests:

- i. Consider and, subject to any comments being incorporated, approve the BHE Bridge Lighting Policy at **Appendix 1**.

Main Report

Background

¹The Charity Commission Guidance can be accessed online via this link - https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/610137/CC9.pdf

1. The City of London Corporation ("City Corporation"), acting as Trustee of BHE, has a history of lighting the five Thames Bridges on occasions (most frequently, Tower Bridge), either at the request of internal stakeholders or external organisations to support third-party initiatives, anniversaries and events of national significance.

Tower Bridge

2. In the lead-up to the 2012 London Olympics, a deal was brokered by the Mayor of London between the City of London Corporation (City Corporation) and commercial lighting sponsors (GE and EDF) to design and install an artistic colour lighting system for Tower Bridge, with specific reference to its participation in the opening and closing ceremonies and other celebratory events related to the Games. This was intended to remain as a legacy lighting system for Tower Bridge 'for the next 25 years', with the positive development of energy-efficient LED technology. A nightly 'clean' white lighting scheme has been in place since, which highlights Tower Bridge's key architectural features. Since 2012, however, the global profile of the Bridge and the relatively recent trend of lighting global landmarks in support of third-party endeavours has seen high volumes of requests to light Tower Bridge.
3. Externally received requests have been varied in type over the years, including (but not limited to) commercial organisations regarding product/ service launches, charitable organisations and members of the public seeking to promote awareness day/s initiatives, and embassies/High Commissions regarding national (non-UK) anniversaries. The frequency of requests has varied over recent years, with such requests received almost daily in 2018, and currently Tower Bridge receives on average one request per week.
4. Given the significant increase in requests following the London Olympics, an outline criteria and standard response was agreed between the previous Culture Chair (that Committee previously being responsible for Tower Bridge), the Remembrancer's Office and the Director of Communications on behalf of the Town Clerk's Department in the latter half of 2012. Considerations in reaching this position included reputational concerns regarding the City Corporation showing preference to one organisation or cause over another, and also in the context of lighting Tower Bridge potentially losing its perceived value if overused.
5. The criteria and standard text below have since been maintained for Tower Bridge to ensure consistency of response without prejudice. This position is generally well-received and understood by enquirers.
6. Criteria and standard text for Tower Bridge- *'The City of London is unable to respond positively to requests regarding the use of the external structure of Tower Bridge, including its lighting system, for the promotion of third-party initiatives, anniversaries, awareness campaigns or other endeavours, whether commercial, charitable or otherwise. High volumes of requests are received regularly here at the Bridge, and this response is provided to all without prejudice. The only uses of the Bridge's lighting system in this way have followed requests received directly from Central Government or the Mayor's office regarding events of immediate national or international importance (in solidarity following international incidents, in recognition of the Grenfell disaster and in solidarity with the NHS during the Covid-19 pandemic).'*

7. Per the standard response above, exceptions which have been facilitated within the last decade include Tower Bridge being lit blue in solidarity with the NHS during the COVID-19 Pandemic in 2020, blue and pink in 2018 and 2015 respectively for Royal Births, green in recognition of the Grenfell Tower Fire in 2017, and in the colour of the French and Belgian flags following terror attacks in 2015 and 2016 respectively (in the context of the heightened risk to London at the relevant time). In each instance, the instruction to light Tower Bridge was given directly from the Town Clerk following requests from the Mayor of London or Central Government. Since 2007, Tower Bridge has also participated annually in Earth Hour, a global event which sees a 'switching off' moment (as opposed to lighting a particular colour), which aligns with the City Corporation's and BHE's Climate Action Strategy. This applies to the Bridge's artistic lighting system only, with street and river navigational lighting remaining active and unchanged. Southwark Bridge was also lit in a pulsing white light to mark its 100th anniversary in 2021.
8. It is worth noting that although still functional, the artistic lighting system at Tower Bridge has limited technical capabilities for displaying multiple colours simultaneously and is subject to frequent remedial works. The system's regular repair and maintenance is a key consideration and there is also a cost to the charity each time there is a deviation from the current scheme and the need for planning consent by the relevant authorities. This cost can range in each instance between £300 in officer time (where a single colour is displayed) and £1,500 where multiple colours and professional lighting designer programming is required.
9. A scoping exercise is currently underway to consider options for fully replacing Tower Bridge's artistic lighting system, in line with new technologies and the charity's climate ambitions as outlined in the Climate Action Strategy. Due to Illuminated River project funding (BHE provided a £500,000 funding contribution for the project but specifically for London Bridge) Tower Bridge was not included within the current iteration of the Thames Bridges' artistic scheme, as completed by the Illuminated River Foundation last year (see below). A number of options will be presented to the BHE Board within the upcoming financial year which are likely to range from a system which allows the potential for inclusion in the Illuminated River scheme to a fully stand-alone setup.
10. In terms of artistic lighting, an important consideration remains that Tower Bridge is less of a 'blank canvas' than other BHE bridges in terms of its detailed architecture and features.

London, Southwark, Blackfriars and Millennium Bridges – The Illuminated River Project

11. The Illuminated River Project is a public art initiative intended to create a new integrated lighting masterplan for the various Thames bridges in Central London between Albert and Tower Bridges. It sought to transform and enliven Central London's riverside & crossings by using the bridges as canvases for light. Taken together, the illuminated structures are intended to create a unified and inspirational ribbon of light, transforming the Thames into a visual and vibrant visitor attraction after dark which celebrates one of London's most recognisable features.

12. The City Corporation's involvement began in 2015 when the then Deputy Mayor for London approached the Chairman of Policy & Resources seeking support for the Project. The City Corporation's participation received positive Member endorsement at the time, subject to the necessary consents and agreements being sought from the appropriate planning, highway and river authorities
13. In 2018 prior to the establishment of this Board, the Planning & Transportation Committee on behalf of BHE approved for BHE's five bridges to become part of the Project and, separate to granting planning and listed building consent as Planning Authority, that Committee resolved that it was in the best interests of the charity for the bridges to become part of the project. In doing so, it considered the operational, logistical and legacy aspects of the scheme, including installation, handover and control between the City Corporation and the charity established to manage the project, namely the Illuminated River Foundation (IRF).
14. The IRF estimated that a sum in the region of £20m would be needed (mainly from private and philanthropic sources) to realise the project, and a contribution of £500k from BHE's existing bridge maintenance budget was identified that could support delivery of the first phase of the project, specifically linked to London Bridge.
15. The IRF selected an innovative design team including American light artist Leo Villareal and renowned British architects & urban planners, Liftschultz Davidson Sandilands, to realise their vision, and to this point, nine bridges in total have been lit on this basis. Five of those bridges are within the Square Mile (London, Southwark, Cannon Rail, Millennium and Blackfriars), four of which are the responsibility of BHE (i.e., excluding Cannon Rail Bridge which is the responsibility of Network Rail).
16. Tower Bridge had been expected to be part of this scheme by Spring 2023, but due to Covid and the fundamental shift in the nature of philanthropic funding during this period, the IRF have now paused the project, leaving the City Corporation and BHE itself to review its own options for relighting Tower Bridge as noted above.
17. The Heads of Terms approved by the Planning & Transportation Committee (and the subsequent legal agreement between the City Corporation and the IRF) detailed several key points relevant to this report, namely:
 - a. The equipment will be maintained by the City Corporation (as trustee of BHE) on behalf of the IRF, and will become the property of the City Corporation (as trustee of BHE) after ten years;
 - b. The IRF will fund any net additional maintenance & energy costs of the bridges as a result of the installation (if any);
 - c. The City Corporation will collaborate with the IRF, other bridge owners and the artist to co-ordinate management & oversight of the project through a 'Legacy Group';
 - d. Collateral warranties, indemnities & a royalty free licence for the artwork will be provided by the IRF, their contractor & the artist to the City Corporation;
 - e. The Agreement does not fetter the discretion of the City Corporation in the exercise of its highway, planning or local authority functions, and is entered into by the City Corporation in its capacity as trustee of BHE

18. Officers of the Environment Department continue to work closely with the IRF, GLA and the other bridge owners (Network Rail, Transport for London and Westminster City Council) through the Legacy Group to coordinate their management of the lighting installations. However, in anticipation of approaches being made to change this new lighting, similar guidance to Tower Bridge was adopted alongside the first bridge 'switch on' in July 2019, namely:
- a. The lighting should not be used as advertising, to endorse a product or company, or for commercial gain.
 - b. It should not normally be used to promote campaigns of one organisation, whether commercial or charitable.
 - c. It should not be detrimental to the bridge(s), its reputation, structure, traffic or safety.
 - d. Exceptions could include the promotion of events of London, UK or international importance, typically with support from the UK Government or Mayor's office.
19. Crucially, the agreement between the IRF and the artist specifies that a maximum of five substitute displays can be made per year, one of which could be dynamic in nature i.e., more than just a change to a simple colour scheme. In practice, given the cost and timescale involved in making more complex changes to the lighting software, only one such dynamic scheme has been implemented (for the 2019 Lord Mayor's Show – the cost for this was met by City's Cash, so costs did not fall to BHE).
20. All other uses, such as those to mark the Grenfell Tower fire, NHS during Covid and New Year's Eve have involved simple colour schemes, implemented by agreement using the IRF's contractors. The costs associated with making these changes have been relatively low and therefore absorbed by BHE, albeit the option remains to recharge these costs to those making such requests.
21. To summarise, these guidelines were implemented to balance the need to retain the integrity of the artistic design, protect the iconic status of each bridge and allow the lighting installation to be a resource to promote London and the UK. They would appear to have been effective since they were introduced, and similar to Tower Bridge, this has allowed officers to allow BHE to act in support of key high-profile events directly linked to London, and BHE's purposes, whilst deflecting approaches to change the lighting for the benefit of commercial enterprises or single charitable promotions.
22. As with Tower Bridge, given the establishment of this Board and the revised governance & oversight of BHE's functions, it is appropriate to validate and / or re-examine this position. Setting aside the respective agreements between the IRF, their contractors and the artist, all parties to this point have sought to minimise the use of the lighting for alternative uses, aligned with BHE's approach for lighting Tower Bridge.

Current Position

23. Following the creation of the BHE Board in April 2021, and the recent establishment of a new BHE Leadership Team in January 2022, it was considered by the Board and by officers an appropriate time to reconsider a policy for lighting the Bridges.
24. There have also been recent requests to light Tower Bridge which seemingly met the current criteria in place (set out above) but were considered to be highly political, against the guidance set out in the Charity Commission CC9 guidance (which is based on a mixture of case law, charity law, and good practice) and were therefore declined as they were deemed not to be in the best interests of BHE. An important consideration for the BHE Board, acting upon behalf of the Trustee, is ensuring that it carries out its duties accordingly with regard to the Bridges not being used in support of a political matter unless the issue directly links to its purpose.
25. Accordingly, a new BHE Bridge Lighting Policy, which covers the lighting of all five Thames bridges, is presented at **Appendix 1** for the Board to consider and agree. The Policy aims to establish a clear position on lighting requests for the Bridges going forward, in the best interests of the charity and with reference to the considerations set out above. Subject to any small amendments being suggested by the Board today, it is recommended that the Policy is approved. If there are significant comments on the Policy, and should the Policy not be approved in its current form, it will be reviewed by officers and brought back to the Board for consideration.

Corporate & Strategic Implications

26. Strategic implications – The BHE Bridge Lighting Policy presented in this report supports the delivery of the BHE Bridging London Strategy, and directly supports the charity's aims and goals to be a world-class bridge owner, charitable funder and responsible leader. Additionally, the proposal is also supportive of the vision set out within the City Corporation's Corporate Plan (CP) for 2018-23 and reinforces CP outcomes 5, 10 and 12. These outcomes for the City Corporation's own Corporate Plan are considered to be aligned with the outcomes which are in the best interest of BHE to support in pursuing its own strategic objectives.
27. Financial implications – There are no direct financial implications associated with agreeing the Policy. However, it should be noted that there is an operational cost to the charity each time a deviation from Tower Bridge's normal lighting scheme is sought, which varies depending on planning consent requirements, contractor lighting design and application costs, potential testing periods and officer time (as noted at paragraph 8). There is also associated costs with lighting the other bridges as part of the Illuminated River Project as highlighted at paragraph 20.
28. Resource implications – There are no direct resource implications, although managing and responding to a high volume of requests can have an impact of officer time and capacity.

29. Legal implications – In considering the Policy, the BHE Board (on behalf of the Court of Common Council, acting as the corporate trustee of BHE) should be satisfied that the policy is in the best interests of the charity and that any decisions to light the Bridges follow Charity Commission Guidance in relation to Campaigning and Political Activity, as set out in CC9.
30. Equalities implications – There are no direct equalities implications.
31. Climate implications – The use of new energy efficient lighting has ensured that the net effect of the new IRF lighting, over the old version, has been neutral.
32. Security implications – There are no direct security implications associated with authorised lighting activity on the Bridges. The BHE Board should note that the security of the Bridges should be considered in the context of authorising lighting displays in support of political causes – although these types of requests would not fall within the proposed Policy at Appendix 1.

Conclusion

33. This report presents to the BHE Board a BHE Bridge Lighting Policy to be considered and, subject to any comments being incorporated, agreed for implementation effective immediately. The Policy incorporates formerly established criteria for considering such requests at Tower Bridge, with additional criteria to meet the requirements of the Charity Commission's CC9 guidance. The Policy is recommended for adoption to be in the best interests of the charity.

Appendices

- Appendix 1 – BHE Bridge Lighting Policy

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