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| <b>Committee:</b><br>Planning and Transportation Committee | <b>Date:</b><br>2 May 2017 |
| <b>Subject:</b><br>Thames Court footbridge                 | <b>Public</b>              |
| <b>Report of:</b><br>Director of the Built Environment     | <b>For decision</b>        |

### **Summary**

A temporary private footbridge across Upper Thames Street at Thames Court was erected following an agreement reached in 1997 between the City and the owners of Thames Court. The agreement provided that the owners make the footbridge available for use by the public throughout its operating life.

The Thames Court footbridge is now closed and its owners are in discussions with Transport for London, the current local highway authority for Upper Thames Street, about a road closure to allow the footbridge removal works to be undertaken. Although the footbridge is across Upper Thames Street parts of the abutments and footings of the footbridge on either side are located on adjoining highways for which the City is the local highway authority.

There is a local desire for the footbridge to be retained although crossing points both east and west can be found within 120 m and therefore the wider public need for the footbridge is not demonstrated. Transport for London is willing, without prejudice, to consider having the footbridge vested in Transport for London as a highway structure in order to allow it to be retained if all parties consider this to be desirable.

### **Recommendations**

I recommend that:

1. Transport for London be approached to have the Thames Court footbridge vested in it as a highway structure should the owner of the structure be willing to transfer it to Transport for London.
2. Should Transport for London and the owner of the structure be willing to have the footbridge vested in Transport for London as a highway structure the Director of the Built Environment be authorized to enter into any necessary agreements with Transport for London to enable to Transport for London 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.
3. Should either Transport for London or the owner of the structure not be

willing to effect vesting of the Thames Court footbridge in Transport for London as a highway structure, it be removed as planned.

## **Main Report**

### **Background**

1. A temporary private footbridge across Upper Thames Street at Thames Court (referred to in this report as “the Thames Court footbridge”) was erected following an agreement reached on 30 October 1997 between the City of London and Deutsche Immobilien Fonds Aktiengesellschaft and DG Bank Deutsche Genossenschaftsbank London Branch (the owners of Thames Court). This agreement authorized the owners of Thames Court to construct a temporary private footbridge over Upper Thames Street, for which street the City was at that time the local highway authority, in order to improve pedestrian access to their property provided that the owners make the footbridge available for use by the public throughout its operating life. The agreement provided that the owners maintain the Thames Court footbridge structure but that the City would, in acknowledgement of the benefit to the public of being able to use it, light, cleanse and, as necessary, repave the surface of the footbridge.
2. Planning permission for the Thames Court footbridge was granted by the City in 1997. Permission was granted until 22 July 2006, after which time it was agreed that the footbridge would be removed. In February 2007 the City granted a further planning permission for the footbridge to be retained until 28 February 2017, after which time it was again agreed that the footbridge would be removed.

### **Current Position**

3. The footbridge is now closed and its owners are in discussions with Transport for London, the current local highway authority for Upper Thames Street, about a road closure to allow the footbridge removal works to be undertaken. Although the footbridge is across Upper Thames Street parts of the abutments and footings of the footbridge on either side are located on adjoining highways for which the City is the local highway authority.
4. Your Committee has asked officers to report on the Thames Court footbridge and whether, if it could be agreed, the local benefit of retaining it would outweigh other considerations such as the need for repair works and ongoing maintenance costs.
5. The Thames Court footbridge is a pedestrian crossing of Upper Thames Street. Approximately 80 metres to the west is the Fye Foot Lane city walkway bridge and approximately 120 metres to the east are the Queen Street/Queen Street Place pedestrian crossings. Usage of these three pedestrian crossing places

was last comprehensively surveyed on Wednesday 13 February 2008. This survey was conducted over 12 hours, between 7 a.m. and 7 p.m., and it captured 13 339 pedestrians crossing during this period, broken down as follows:—

- Fye Foot Lane city walkway bridge: 1 213 pedestrians (9.1% of total crossing demand);
  - Thames Court footbridge: 1 107 pedestrians (8.3% of total crossing demand);
  - Queen Street/Queen Street Place pedestrian crossings: 11 019 pedestrians (82.6% of total crossing demand).
6. Clearly, at least in 2008, the vast majority of pedestrians crossing Upper Thames Street in this location found the surface-level pedestrian crossings to be more convenient than the footbridges. Of these three crossing places, only the Queen Street/Queen Street Place pedestrian crossings are usable by those persons, such as wheelchairs users, who require step-free access, and this will be a factor in the overwhelming preference for these pedestrian crossings.
  7. Apart from the Thames Court footbridge, there are 17 formal pedestrian crossing places of the A3211 (Victoria Embankment–Blackfriars Underpass–Upper Thames Street–Lower Thames Street–Byward Street) within the City of London. These are listed in Appendix 1 to this report.
  8. Some of these crossing places are so close together that they effectively form a single crossing place that can be traversed at multiple levels, e.g., the Suffolk Lane pedestrian crossing and the Mondial House city walkway bridge and the Byward Street subway and the Great Tower Street pedestrian crossing.
  9. A total of 17 crossing places over the approximately 2.35 km of the A3211 within the City is an average of approximately 138 m between crossing places. If the paired crossing places are regarded as single crossing places, there is a total of 15 crossing places over the route, with an average of approximately 157 m between crossing places. The approximately 200 m between the Fye Foot Lane city walkway bridge and the Queen Street/Queen Street Place pedestrian crossings is therefore a normal distance between crossing places over the A3211 within the City and the approximately 80 m between the Fye Foot Lane city walkway bridge and the Thames Court footbridge and the approximately 120 m between the Thames Court footbridge and the Queen Street/Queen Street Place pedestrian crossings are therefore short distances compared to the City average.
  10. The Fye Foot Lane city walkway bridge is the closest crossing place to most of the residential buildings between the A3211 and the River Thames in this location (Norfolk House, Sir John Lyon House and Globe View). With Queen's Quay the Fye Foot Lane city walkway bridge and the Thames Court footbridge are approximately equidistant.
  11. Given the relatively short distance between the alternative crossing places (the Fye Foot Lane city walkway bridge and the Queen Street/Queen Street Place

pedestrian crossings); the strong preference of the majority of pedestrians for the surface-level pedestrian crossings; and the better location of the Fye Foot Lane city walkway bridge for most of the residential buildings between the A3211 and the River Thames, the need for the Thames Court footbridge appears to be relatively low. It is noted in this regard that the footbridge has always been a private structure and that it was proposed and built as a facility for a single commercial occupier (Thames Court), although it was always also available to the public to use if they wished to do so until its recent closure.

12. Your officers have consulted Transport for London about the Thames Court footbridge as Transport for London is now the local highway authority for Upper Thames Street (and the whole of the A3211) and the owners of the footbridge are in discussions with Transport for London about its removal. Transport for London officers have advised that they can see some benefit in the footbridge being retained, given the impermeable nature of Upper Thames Street, and they are therefore willing, without prejudice, to consider having the footbridge vested in Transport for London as a highway structure in order to allow it to be retained. As a result, if your Committee considers, despite the *above* analysis indicating that there is little public need for the Thames Court footbridge, that it would be desirable for the footbridge to be retained, the City could ask the owners of the structure and Transport for London to formally consider a transfer of the footbridge to Transport for London.
13. In respect of those parts of the abutments and footings of the footbridge on either side that are located on adjoining highways for which the City is the local highway authority, responsibility could be passed to Transport for London by agreeing that the City's local highway authority functions relating to those parts of the footbridge be exercised by Transport for London (cf. section 8 of the Highways Act 1980). Such an agreement would be on the basis that all relevant future costs and liabilities rest with Transport for London.
14. The City would be able to assist with this consideration through providing details of how it lit, cleansed and repaved the surfaces of the footbridge during its 20-year operating life and through providing an estimate by the City's engineers of what it would likely cost to repair the surfaces of the footbridge, principally the stair nosings, to bring the surfaces back to a fit state for public use: these repair works are estimated as costing £15 000. (The City's maintenance regime for the surfaces of the footbridge has assumed that it would reach the end of its operating life and be removed this year, in accordance with the decision made by the City in 2007 in granting planning permission to allow the footbridge to be retained in place for an additional 10 years.)
15. If the footbridge was to be vested in Transport for London, the local highway authority for Upper Thames Street, as a highway structure, planning permission would not be required for its retention as improvement of a road by a highway authority does not constitute development within the meaning of the planning legislation (cf. section 55(2)(b) and section 336(1) of the Town and Country Planning Act 1990 and section 70(1) and section 329(1) of the Highways Act

1980; in particular, within these provisions, “improvement” includes maintenance).

## **Corporate and Strategic Implications**

16. This report raises no corporate or strategic implications.

## **Implications**

17. This report raises no financial implications, significant risks, legal implications, property implications or human resource implications. However, if the Thames Court footbridge was to be vested in Transport for London as a highway structure that authority would incur repair costs and future maintenance costs. The costs of repairing the surfaces of the footbridge are likely to be around £15 000 and there will likely be costs involved in assessing and, if necessary, repairing the structure of the footbridge. If there are structural defects in the footbridge these costs could be considerable.

## **Conclusion**

18. The Thames Court footbridge is now closed and its owners are in discussions with Transport for London, the local highway authority for Upper Thames Street, about a road closure to allow the footbridge removal works to be undertaken. There appears to be little public need for the footbridge but Transport for London is willing, without prejudice, to consider having the footbridge vested in Transport for London as a highway structure in order to allow it to be retained if all parties consider this to be desirable.

## **Appendix 1: Pedestrian Crossings over the A3211 in the City of London**

1. Temple Avenue pedestrian crossing
2. Blackfriars Bridge
3. Baynard House city walkway
4. White Lion Hill flyover
5. Peter's Hill city walkway
6. Fye Foot Lane city walkway bridge
7. Queen Street/Queen Street Place pedestrian crossings
8. Dowgate Hill/Cousin Lane pedestrian crossing
9. Suffolk Lane pedestrian crossing
10. Mondial House city walkway bridge
11. Arthur Street/Swan Lane pedestrian crossing
12. King William Street bridge
13. Fish Street Hill pedestrian crossing
14. Saint Magnus House city walkway bridge
15. Old Billingsgate Walk pedestrian crossing
16. Byward Street subway
17. Great Tower Street pedestrian crossing

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