

# Cabinet



**Wednesday, 26 April 2023 at 5.30 p.m.**

**Council Chamber - Town Hall, Whitechapel**

## Agenda

### Mayor Lutfur Rahman

### Cabinet Members

Councillor Maium Talukdar	(Deputy Mayor and Cabinet Member for Education, Youth and Lifelong Learning (Statutory Deputy Mayor))
Councillor Kabir Ahmed	(Cabinet Member for Regeneration, Inclusive Development and Housebuilding)
Councillor Saied Ahmed	(Cabinet Member for Resources and the Cost of Living)
Councillor Suluk Ahmed	(Cabinet Member for Equalities and Social Inclusion)
Councillor Gulam Kibria Choudhury	(Cabinet Member for Health, Wellbeing and Social Care)
Councillor Abu Chowdhury	(Cabinet Member for Jobs, Skills and Growth)
Councillor Iqbal Hossain	(Cabinet Member for Culture and Recreation)
Councillor Kabir Hussain	(Cabinet Member for Environment and the Climate Emergency)

[The quorum for Cabinet is 3 Members]

### Further Information

Reports for consideration, meeting contact details, public participation and more information on Cabinet decision-making is available on the following pages.



## Public Information

### Viewing or Participating in Cabinet Meetings

The public are welcome to attend meetings of the Cabinet. Procedures relating to Public Engagement are set out in the 'Guide to Cabinet' attached to this agenda. Except where any exempt/restricted documents are being discussed, the public are welcome to view this meeting through the Council's webcast system.

Physical Attendance at the Town Hall is also welcome, however, seating is limited and offered on a first come, first served basis. **Please note** that you may be filmed in the background as part of the Council's filming of the meeting.

### Meeting Webcast

The meeting is being webcast for viewing through the Council's webcast system.

<http://towerhamlets.public-i.tv/core/portal/home>

### Contact for further enquiries:

Joel West, Democratic Services,  
Town Hall, 160 Whitechapel Road, London, E1 1BJ  
Tel: 020 7364 4207  
E-mail: [joel.west@towerhamlets.gov.uk](mailto:joel.west@towerhamlets.gov.uk)  
Web: <http://www.towerhamlets.gov.uk>

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## A Guide to CABINET

### Decision Making at Tower Hamlets

As Tower Hamlets operates the Directly Elected Mayor system, **Mayor Lutfur Rahman** holds Executive powers and takes decisions at Cabinet or through Individual Mayoral Decisions. The Mayor has appointed nine Councillors to advise and support him and they, with him, form the Cabinet. Their details are set out on the front of the agenda.

### Which decisions are taken by Cabinet?

Executive decisions are all decisions that aren't specifically reserved for other bodies (such as Development or Licensing Committees). In particular, Executive Key Decisions are taken by the Mayor either at Cabinet or as Individual Mayoral Decisions.

The constitution describes Key Decisions as an executive decision which is likely

- a) to result in the local authority incurring expenditure which is, or the making of savings which are, above £1million; or
- b) to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the borough.

Upcoming Key Decisions are published on the website on the 'Forthcoming Decisions' page through [www.towerhamlets.gov.uk/committee](http://www.towerhamlets.gov.uk/committee)

### Published Decisions and Call-Ins

Once the meeting decisions have been published, any 5 Councillors may submit a Call-In to the Service Head, Democratic Services requesting that a decision be reviewed. This halts the decision until it has been reconsidered.

- The decisions will be published on: **Friday, 28 April 2023**
- The deadline for call-ins is: **Tuesday, 9 May 2023**

Any Call-Ins will be considered at the next meeting of the Overview and Scrutiny Committee. The Committee can reject the call-in or they can agree it and refer the decision back to the Mayor, with their recommendations, for his final consideration.

### Public Engagement at Cabinet

The main focus of Cabinet is as a decision-making body. However there is an opportunity for the public to contribute through making submissions that specifically relate to the reports set out on the agenda.

Members of the public may make written submissions in any form (for example; Petitions, letters, written questions) to the Clerk to Cabinet (details on the previous page) by 5 pm the day before the meeting.

## Cabinet

Wednesday, 26 April 2023

5.30 p.m.

Pages

### **PUBLIC QUESTION AND ANSWER SESSION**

There will be an opportunity (up to 15 minutes) for members of the public to put questions to the Mayor and Cabinet Members before the Cabinet commences its consideration of the substantive business set out in the agenda.

#### **1. APOLOGIES FOR ABSENCE**

To receive any apologies for absence.

#### **2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS**

9 - 10

Members are reminded to consider the categories of interest, identified in the Code of Conduct for Members to determine; whether they have an interest in any agenda item and any action they should take. For further details, see the attached note from the Monitoring Officer.

Members are also reminded to declare the nature of the interest at the earliest opportunity and the agenda item it relates to. Please note that ultimately it is the Members' responsibility to identify any interests and also update their register of interests form as required by the Code.

If in doubt as to the nature of an interest, you are advised to seek advice prior to the meeting by contacting the Monitoring Officer or Democratic Services.

#### **3. UNRESTRICTED MINUTES**

11 - 20

The unrestricted minutes of the Cabinet meeting held on 29 March 2023 are presented for approval.

#### **4. ANNOUNCEMENTS (IF ANY) FROM THE MAYOR**



## 5. OVERVIEW & SCRUTINY COMMITTEE

### 5.1 Chair's Advice of Key Issues or Questions

Chair of Overview and Scrutiny Committee (OSC) to report on any issues raised by the OSC in relation to unrestricted business to be considered.

### 5.2 Any Unrestricted Decisions "Called in" by the Overview & Scrutiny Committee

(Under provisions of Section 30, Rule 59 of the Constitution).

## 6. UNRESTRICTED REPORTS FOR CONSIDERATION

<b>6.1 Youth Investment Report</b>	<b>21 - 46</b>
<p><b>Report Summary:</b> A priority within the Mayoral Manifesto Pledge and Strategic Plan 2022-2026.</p> <p>To invest and transform services for young people in Tower Hamlets by delivering a new Local Authority youth service that provides safe spaces, enhanced staffing model and good outcomes for children.</p> <p><b>Wards:</b> All Wards <b>Lead Member:</b> Deputy Mayor and Cabinet Member for Education and Lifelong Learning (Statutory Deputy Mayor) <b>Corporate Priority:</b></p>	
<b>6.2 Contracts Forward Plan 2022/23 - Quarter 4</b>	<b>47 - 70</b>
<p><b>Report Summary:</b> This report presents the contracts being procured during quarter four. The report also sets out the Contracts Forward Plan at appendix 2 to this report.</p> <p>The report asks for confirmation that all contracts can proceed to contract award after tender.</p> <p><b>Wards:</b> All Wards <b>Lead Member:</b> Cabinet Member for Resources and the Cost of Living <b>Corporate Priority:</b> All Priorities</p>	



**Report Summary:**

The Code of Construction Practice 2023 replaces the 2006 version of the document and sets out the Council's expectations on and around construction sites in the borough. It seeks to keep the public and workers safe whilst mitigating adverse impacts including noise, dust and traffic issues. It also responds to the latest legislation, policies and best practice guidance as well as feedback received from residents during public consultation.

**Wards:** All Wards

**Lead Member:** Cabinet Member for Regeneration, Inclusive Development and Housebuilding

**Corporate Priority:** A clean and green future

**Report Summary:**

Refresh of the council's Equality Policy for 2023. The current policy is scheduled for periodic update.

**Wards:** All Wards

**Lead Member:** Cabinet Member for Equalities and Social Inclusion

**Corporate Priority:** All Priorities

## 7. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT

## 8. EXCLUSION OF THE PRESS AND PUBLIC

Should the Mayor in Cabinet consider it necessary, it is recommended that the following motion be adopted to allow consideration of any exempt/restricted documents.

"That, under the provisions of Section 100A of the Local Government Act, 1972 as amended by the Local Government (Access to Information) Act, 1985, the Press and Public be excluded from the remainder of the meeting for the consideration of the Section Two business on the grounds that it contains information defined as Exempt in Part 1 of Schedule 12A to the Local Government, Act 1972".

### **EXEMPT/CONFIDENTIAL SECTION (PINK)**

The Exempt / Confidential (Pink) Committee papers in the Agenda will contain information, which is commercially, legally or personally sensitive and should not be divulged to third parties. If you do not wish to retain these papers after the meeting, please hand them to the Committee Officer present.



## **9. EXEMPT / CONFIDENTIAL MINUTES**

The exempt / confidential minutes of the Cabinet meeting held on xxxxxx are presented for approval.

## **10. OVERVIEW & SCRUTINY COMMITTEE**

### **10.1 Chair's Advice of Key Issues or Questions in Relation to Exempt / Confidential Business**

Chair of Overview and Scrutiny Committee (OSC) to report on any issues raised by the OSC in relation to exempt/confidential business to be considered.

### **10.2 Any Exempt / Confidential Decisions "Called in" by the Overview & Scrutiny Committee**

(Under provisions of Section 30, Rule 59 of the Constitution).

## **11. EXEMPT / CONFIDENTIAL REPORTS FOR CONSIDERATION**

## **12. ANY OTHER EXEMPT/ CONFIDENTIAL BUSINESS CONSIDERED TO BE URGENT**

### **Next Meeting of Cabinet:**

Wednesday, 24 May 2023 at 5.30 p.m. in Council Chamber - Town Hall, Whitechapel



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# Agenda Item 2

## **DECLARATIONS OF INTERESTS AT MEETINGS– NOTE FROM THE MONITORING OFFICER**

This note is for guidance only. For further details please consult the Code of Conduct for Members at Part C, Section 31 of the Council's Constitution

### **(i) Disclosable Pecuniary Interests (DPI)**

You have a DPI in any item of business on the agenda where it relates to the categories listed in **Appendix A** to this guidance. Please note that a DPI includes: (i) Your own relevant interests; (ii) Those of your spouse or civil partner; (iii) A person with whom the Member is living as husband/wife/civil partners. Other individuals, e.g. Children, siblings and flatmates do not need to be considered. Failure to disclose or register a DPI (within 28 days) is a criminal offence.

Members with a DPI, (unless granted a dispensation) must not seek to improperly influence the decision, must declare the nature of the interest and leave the meeting room (including the public gallery) during the consideration and decision on the item – unless exercising their right to address the Committee.

**DPI Dispensations and Sensitive Interests.** In certain circumstances, Members may make a request to the Monitoring Officer for a dispensation or for an interest to be treated as sensitive.

### **(ii) Non - DPI Interests that the Council has decided should be registered – (Non - DPIs)**

You will have 'Non DPI Interest' in any item on the agenda, where it relates to (i) the offer of gifts or hospitality, (with an estimated value of at least £25) (ii) Council Appointments or nominations to bodies (iii) Membership of any body exercising a function of a public nature, a charitable purpose or aimed at influencing public opinion.

Members must declare the nature of the interest, but may stay in the meeting room and participate in the consideration of the matter and vote on it **unless:**

- A reasonable person would think that your interest is so significant that it would be likely to impair your judgement of the public interest. **If so, you must withdraw and take no part in the consideration or discussion of the matter.**

### **(iii) Declarations of Interests not included in the Register of Members' Interest.**

Occasions may arise where a matter under consideration would, or would be likely to, **affect the wellbeing of you, your family, or close associate(s) more than it would anyone else living in the local area** but which is not required to be included in the Register of Members' Interests. In such matters, Members must consider the information set out in paragraph (ii) above regarding Non DPI - interests and apply the test, set out in this paragraph.

### **Guidance on Predetermination and Bias**

Member's attention is drawn to the guidance on predetermination and bias, particularly the need to consider the merits of the case with an open mind, as set out in the Planning and Licensing Codes of Conduct, (Part C, Section 34 and 35 of the Constitution). For further advice on the possibility of bias or predetermination, you are advised to seek advice prior to the meeting.

### **Section 106 of the Local Government Finance Act, 1992 - Declarations which restrict Members in Council Tax arrears, for at least a two months from voting**

In such circumstances the member may not vote on any reports and motions with respect to the matter.

**Further Advice** contact: Janet Fasan, Director of Legal and Interim Monitoring Officer, Tel: 020 7364 4348.

## **APPENDIX A: Definition of a Disclosable Pecuniary Interest**

(Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, Reg 2 and Schedule)

Subject	Prescribed description
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by the Member in carrying out duties as a member, or towards the election expenses of the Member. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to the Member's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where— (a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and (b) either—  (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or  (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

**LONDON BOROUGH OF TOWER HAMLETS**

**MINUTES OF THE CABINET**

**HELD AT 5.35 P.M. ON WEDNESDAY, 29 MARCH 2023**

**COUNCIL CHAMBER - TOWN HALL, WHITECHAPEL**

**Members Present in Person:**

Mayor Lutfur Rahman	
Councillor Maium Talukdar	(Deputy Mayor and Cabinet Member for Education, Youth and Lifelong Learning (Statutory Deputy Mayor))
Councillor Saied Ahmed	(Cabinet Member for Resources and the Cost of Living)
Councillor Suluk Ahmed	(Cabinet Member for Equalities and Social Inclusion)
Councillor Gulam Kibria Choudhury	(Cabinet Member for Health, Wellbeing and Social Care)
Councillor Abu Chowdhury	(Cabinet Member for Jobs, Skills and Growth)
Councillor Iqbal Hossain	(Cabinet Member for Culture and Recreation)

**Members In Attendance Virtually:**

Councillor Kabir Ahmed	(Cabinet Member for Regeneration, Inclusive Development and Housebuilding)
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**Other Councillors Present in Person:**

Councillor Nathalie Bienfait

**Officers Present in Person:**

Stephen Halsey	(Interim Chief Executive)
Jennifer Peters	(Divisional Director, Planning and Building Control, Place)
Agnes Adrien	(Head of Litigation, Legal Services)
Stephen Bramah	(Corporate Head of Strategy and Improvement)
Ann Corbett	(Director, Community Safety)
Sharon Godman	(Director, Strategy, Improvement and Transformation)
Joseph Leach	(Business Intelligence and Performance Lead)
Steve Nyakatawa	(Director of Education)
James Thomas	(Corporate Director, Children and Culture)
Sarah Wilks	(Infrastructure Planning Team Leader, Place)
Nigel Davis	(Head of Highways & Transportation)
Abdul Wajid	(Project Officer, Place)
Joel West	(Democratic Services Team Leader (Committee))

**Officers In Attendance Virtually:**

Caroline Holland  
Nisar Visram

(Interim Corporate Director, Resources)  
(Director of Finance, Procurement & Audit)

**1. APOLOGIES FOR ABSENCE**

Apologies of absence were received from:

- Councillor Kabir Hussain, (Cabinet Member for Environment and the Climate Emergency).
- Ann Sutcliffe, Corporate Director Place (Jennifer Peters, Director Planning and Building Control was deputising).
- Janet Fasan, Director Legal and Monitoring Officer (Agnes Adrien, Head of Litigation was deputising as acting Monitoring Officer).

**2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS**

There were no declarations of disclosable pecuniary interest.

**3. UNRESTRICTED MINUTES****RESOLVED**

1. That the unrestricted minutes of the meeting on 22 February 2023 be signed by the Mayor as a correct record of the proceedings.

**4. ANNOUNCEMENTS (IF ANY) FROM THE MAYOR**

There were no announcements from the Mayor.

**5. OVERVIEW & SCRUTINY COMMITTEE****5.1 Chair's Advice of Key Issues or Questions**

The Cabinet received and noted the Overview and Scrutiny Committee's pre-decision question on Item 6.2.

Councillor Musthak Ahmed, Chair of the Overview and Scrutiny Committee, provided an overview of recent scrutiny activity. The Committee had considered the Strategic Performance Report for quarter 3 and was pleased to see performance for measures which are meeting or exceeding the target have remained consistent and was encouraged by new initiatives delivered to meet the ambitions set out in the strategic plan. The Committee expressed concern that the total number of measures with a red status has risen from four in quarter two to eight in quarter three and had enquired into the plans to address underperformance.

The Committee had considered the Budget Monitoring report for quarter 3 and had asked discussed the drivers for £48m drawdown from reserves in

2022/23; work underway to identify savings for future years and the timelines in which these will be achieved; and council tax recovery.

The Committee had also focused on the council's response to the climate emergency. An update on the recommendations OSC made last year to improve air quality in the borough was reviewed. The Committee asked how the council is working with staff to support net zero ambitions and ensure they are more aware and better informed in both their professional and personal life. The Committee also noted the importance of communicating our plans to residents and ensure this is inclusive of all communities in the borough. The Committee noted that the Council has a new air quality action plan for the next 5 years which has been signed off by the GLA and supersedes the previous plan reviewed by OSC. It had noted that delivery of the new action plan required significant resource and how GLA funding for this may be compromised if there is a decision to remove LTNs.

## **5.2 Any Unrestricted Decisions "Called in" by the Overview & Scrutiny Committee**

None.

## **6. UNRESTRICTED REPORTS FOR CONSIDERATION**

### **6.1 Budget Monitoring 2022/23 Quarter 3 including Capital**

Councillor Saied Ahmed (Cabinet Member for Resources and the Cost of Living) introduced the report that presented the forecast outturn compared to the budget report 2022/23 as at 31<sup>st</sup> December 2022 (Period 9) for the General Fund, Dedicated Schools Grant (DSG) Budget, Housing Revenue Account (HRA), progress made against savings targets and the council's capital programme as well as projections on General Fund earmarked reserves and the forecast impacts of Covid on the Council's finances in 2022-23.

The Mayor welcomed the report and agreed the recommendations.

**RESOLVED** that the Mayor in Cabinet:

1. Notes the council's forecast outturn position against General Fund, Dedicated Schools Budget, Housing Revenue Account and earmarked reserves for 2022-23, based on forecasts as at 31<sup>st</sup> December 2022;
2. Notes the progress made against the 2022-23 savings targets, based on forecasts as at 31<sup>st</sup> December 2022;
3. Notes the council's forecast outturn position against General Fund and Housing Revenue Account capital programme approved budgets for 2022-23, based on forecasts as at 31<sup>st</sup> December 2022;

4. Notes that there are no equalities implications directly resulting from this report, as set out in Section 4 of the report.

## **6.2 Strategic Delivery and Performance Reporting Q3 –2022/23**

The pre-decision scrutiny question and response was noted.

Councillor Saied Ahmed (Cabinet Member for Resources and the Cost of Living) introduced the report that provided an overview of the performance measures monitored in Quarter Three (Q3) of the council's Annual Delivery Plan 2022/23.

Stephen Bramah, (Head of Corporate Strategy & Improvement) provided further detail, including how the report had been amended to include commentary such as details of mitigation measures and timescales to rectify red measures.

Cabinet members noted the proposals and welcomed in particular: Work to improve positive skills and employment. Extra funding for disabilities and extra needs should deliver improved outcomes.

Concern was expressed by the Mayor and Cabinet members at the apparent increase in 'red' status indicators since quarter 2. The Mayor stressed it was important that improvement is demonstrated and expressed hope all red indicators would move to amber in the near future. He also explained how previously agreed additional investment in services would assist in this.

Stephen Halsey, Interim Chief Executive, explained how he had been set objectives by the Mayor to address underperformance and secure returns on additional investment. He assured the Mayor and Cabinet he, the Corporate Leadership Team and all officers were working toward those objectives.

The recommendations were agreed.

**RESOLVED** that the Mayor in Cabinet:

1. Notes the summary status as set out at the beginning of the appendix monitoring report.
2. Notes the status of performance measures in Q3 in the appendix to the report.

## **6.3 Report on the outcome of public representations received in response to the statutory Notice on the proposal for the amalgamation (merger) of The Bishop Challoner RC Federation Girls' and Boys' Schools**

Councillor Maium Talukdar (Deputy Mayor and Cabinet Member for Education, Youth and Lifelong Learning) introduced the report that informed of the outcome of the four week period of public representation in response to the statutory notice on the proposal for the amalgamation (merger) of Bishop Challoner Catholic Girls' and Boys' Schools to create a Bishop Challoner Co-

educational Catholic School for 11-18 year olds. He explained that the consultation was robust and thorough, and that the schools' new leadership were looking forward to improving outcomes.

Steve Nyakatawa, (Director of Education) provided further context and detail. Steve explained how the amalgamation presented an opportunity to make improvements to the schools as well as securing financial benefits and allowing for a coherent and consistent approach to education for all pupils.

The Mayor welcomed the proposals. He indicated he was looking forward to seeing the improvement. He agreed the recommendations in the report.

**RESOLVED** that the Mayor in Cabinet

1. Considers the report and its supporting documents, particularly the statutory notice (Appendix 1 to the report) and the Equality Assessment (Appendix 2 to the report), along with comments made by respondents to the Statutory Notice.
2. Agrees to the amalgamation (merger) of Bishop Challoner Catholic Girls' and Boys' Schools to create a Bishop Challoner Co-educational Catholic School for 11–18-year-olds from 1st September 2023.

#### **6.4 Award of Highways and Street Lighting Contract**

Wajid Majid (Group Manager Design & Delivery) introduced the report that sought approval for the award of the Highways & Street Lighting Works Term Service Contract following a re-procurement exercise. Wajid provided details about the procurement process and the "call-off" nature of the contract.

Wajid and Nigel Davies (Head of Highways & Transportation) explained the rationale for the new duration for the contract.

The mayor welcomed the report and in particular the rigorous process to assess and award the contract. He agreed the recommendations in the report.

**RESOLVED** that the Mayor in Cabinet.

1. Approves the contract award for the Highways and Street Lighting Term Service Contract, as outlined in the report, to the highest scoring contractor emboldened under the section "Final Score" detailed in Appendix 1 to the report for an initial period of 60 months from 1.7.2023, with a right for the Council, in its absolute discretion, to extend the contract for a period of up to a further 24 months in accordance with the advertised opportunity.
2. Notes that that any exercise of the contractual option to extend will only be undertaken by the relevant Chief Officer following consultation with the Mayor.

## 6.5 London City Airport: Neighbouring Authority Agreement

Councillor Kabir Ahmed (Cabinet Member for Regeneration, Inclusive Development and Housebuilding) introduced the report that proposed the Council enter into a Neighbouring Authority Agreement with the airport to enable them to oversee and if required enforce planning obligations within the S106 Legal Agreement where it relates to properties within those boroughs. Councillor Ahmed explained that without entering into the agreement, the Council, would not have the legal means to oversee and if necessary, enforce the planning obligations relating to properties within Tower Hamlets and as such these properties may be at risk of not receiving the noise insulation that they are entitled to.

Sarah Wilks (Infrastructure Planning Manager) provided further detail, explaining that the final agreement from London City Airport had now been received. Further to questions from Cabinet members, Sarah explained that under the agreement it was the obligation of the airport to publicise support available to eligible residents.

The Cabinet discussed the apparent low response rate in the consultation compared to neighbouring boroughs and potential reasons for it.

The Mayor welcomed the report which he hoped would provide additional protection for residents. He agreed the recommendations in the report.

**RESOLVED** that the Mayor in Cabinet

1. Approves the entering into a Neighbouring Authority Agreement with London City Airport.

## 6.6 Voluntary and Community Sector – Grants Policy & Outcomes Framework

The Mayor agreed the reasons for urgency as provided in the report and noted the written submissions provided by Volunteer Centre Tower Hamlets and Tower Hamlets CVS. He indicated he would provide a written response to the submissions and any questions from the organisations.

Councillor Saied Ahmed (Cabinet Member for Resources and the Cost of Living) introduced the report that set out a new VCS grants policy and outcome framework and proposed a new grants programme providing long-term funding to enable the achievement of the vision to ‘support and invest in a thriving and diverse VCS to enable it to improve outcomes for Tower Hamlets residents’. Councillor Ahmed outlined the different funding available for the different programme themes and provided an indicative timetable for the launch, assessment and award of grants.

Councillor Ahmed proposed a minor amendment to the report and recommendations. He proposed adjusting the proposed organisational assessment for applicants to ensure smaller organisations and those new to the sector could also benefit from funding, as follows:



- amending the second bullet point to of paragraph 3.7(d) to 'Track record of successful service delivery, or for new organisations, clear ability to demonstrate capacity and skills to deliver services successfully'.

The Mayor explained the importance the VCS sector of Tower Hamlets. The sector is vital to the social and economic vitality of the borough. He expressed disappointment that the sector appeared to have contracted recently, with only a small number of groups benefitting from Council funding in recent years. Accordingly, he had dedicated additional funding to ensure long-term capacity of the sector. He explained the key elements of the proposed new grants programme; the key priorities that drove it and how these were informed by a thorough consultation exercise; and summarised the proposed governance arrangements. Mayoral powers were proposed to be delegated to the Chief Executive for the determination of awards under the Mayor's Community Grant programme, whilst small grants would continue to be determined by the Grants Determination (Cabinet) Sub Committee.

The Mayor welcomed and agreed Councillor Saied Ahmed's proposed amendment, which he hoped would ensure all VCS organisations can fairly bid for Council funding. He agreed the recommendations with the amendment.

**RESOLVED** that the Mayor in Cabinet:

1. Notes the consultation and engagement undertaken to develop the policy and outcomes framework as set out in para 3.3 and Appendix 2 to the report.
2. Agrees the Grants Policy and Outcome Framework as set in paras 3.4-3.5 and Appendix 3 to the report.
3. Authorises the Chief Executive to finalise the detailed prospectus of each grants programme.
4. Notes the proposed timetable for new grants arrangements as outlined in para 3.6 of the report and agree the three and a half-year programme for the Mayor's Community Grants, from October 2023 to March 2027.
5. Agrees the grant assessment arrangements as set out in para 3.7 of the report, subject to amending the second bullet point to of paragraph 3.7(d) to 'Track record of successful service delivery, or for new organisations, clear ability to demonstrate capacity and skills to deliver services successfully'.
6. Agrees the budget for the grants programme as set out in para 3.8 of the report.
7. Agrees that the proposed governance process for the development and implementation of the grants programme for the VCS as set out in

paragraph 3.9 of the report and note a further update will be provided to Cabinet April 2023.

8. Authorises the Chief Executive to agree the final grant awards for the Mayor's Community Grants Programme.
9. Authorises the Chief Executive to agree an extension of 4 weeks of existing grants programme, if necessary, as set out in para 3.6 (a) of the report.
10. Notes the result of the equalities impact screening as set out in para 4.1 of the report.

**7. ANY OTHER UNRESTRICTED BUSINESS CONSIDERED TO BE URGENT**

Nil items.

**8. EXCLUSION OF THE PRESS AND PUBLIC**

Nil items.

**9. EXEMPT / CONFIDENTIAL MINUTES**

Nil items.

**10. OVERVIEW & SCRUTINY COMMITTEE**

**10.1 Chair's Advice of Key Issues or Questions in Relation to Exempt / Confidential Business**

Nil items.

**10.2 Any Exempt / Confidential Decisions "Called in" by the Overview & Scrutiny Committee**

Nil items.

**11. EXEMPT / CONFIDENTIAL REPORTS FOR CONSIDERATION**

Nil items.


**12. ANY OTHER EXEMPT/ CONFIDENTIAL BUSINESS CONSIDERED TO BE URGENT**

Nil items.

The meeting ended at 6.25 p.m.

Mayor Lutfur Rahman

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<b>Cabinet Decision</b>  26 <sup>th</sup> April 2023	 <b>TOWER HAMLETS</b>
<b>Report of:</b> James Thomas, Corporate Director Children and Culture	<b>Classification:</b> Unrestricted
<b>Youth Investment Report</b>	

<b>Lead Member</b>	<b>Councillor Maium Talukdar, Deputy Mayor and Cabinet Member for Education, Youth and Lifelong Learning</b>
<b>Originating Officer(s)</b>	Luke Norberry, Deputy Head of Service Development
<b>Wards affected</b>	All
<b>Key Decision?</b>	Yes
<b>Reason for Key Decision</b>	Financial threshold and Significant impact on wards
<b>Forward Plan Notice Published</b>	22 February 2023
<b>Strategic Plan Priority / Outcome</b>	Accelerating education

## Executive Summary

A priority within Tower Hamlets Council Strategic Plan 2022-2026 is to transform and improve services for young people in the borough. The Council will achieve this through a major investment in the Youth Service, delivering a transformation in the level of support available to all our young people.

We believe that every one of our young people should be able to benefit from access to youth workers, who will support their development, provide safe spaces to socialise and ensure that they do not become engaged in criminal or anti-social behaviour. Our youth provision will work closely both with our schools and colleges on the one hand, and with the voluntary & community sector partners who also do so much to provide opportunities for young people.

We are ambitious about ensuring that all young people in Tower Hamlets have the best start in life and can easily access opportunities that enable young people to fulfil their potential including removing the impact of societal barriers that many young people face. To achieve this there are a range of measures designed to improve outcomes for young people which are detailed within the Strategic Plan including the council's priority to invest in a flagship youth service following significant cutbacks through the years of austerity.

The transformation of the youth service will ensure that all young people in Tower Hamlets have access to a diverse range of youth work opportunities and support through the delivery of a high-quality youth service. This includes the following:

- Universal 'safe spaces' in every single ward throughout the borough where young people can stay safe, participate in positive activities and educational opportunities as well as access additional support from youth workers. This will be an increase from five commissioned universal services to at least one in every ward therefore providing accessible 'safe spaces' for all young people.
- Targeted whole family support for vulnerable young people and their families.
- Integrated detached youth work team providing a preventative and responsive approach to harm outside the home.
- Commissioning of specialist youth provision for specific groups of young people.

We will put in place robust management and governance arrangements to ensure that our provision is delivered to the highest quality and to measure the impact upon our young people's outcomes.

### **Recommendations:**

The Mayor in Cabinet is recommended to:

1. Endorse the proposed youth service operating model.
2. Agree to implement and operationalise the model.

## **1 REASONS FOR THE DECISIONS**

- 1.1 To provide the resources required to implement and deliver the transformation of the youth service, Young Tower Hamlets. This is a key priority within Tower Hamlets Council Strategic Plan 2022-2026.

## **2 ALTERNATIVE OPTIONS**

- 2.1 The following two alternative options were considered:

- Delivery of universal, targeted and detached youth work through a reduced number of specific youth hubs covering key areas of the borough. The proposed model ensures that there is a range of youth work opportunities for young people which is accessible as this will be provided at a ward level spanning the entirety of the borough. In the future should there be a need to tailor the scale of the offer consideration can be given to reconfiguring the model. In this circumstance there would be an impact on the staff structure depending upon amendments made.
- Continue with a commissioned service delivery model covering universal, targeted, and detached youth work. Within the Strategic Plan

there is a commitment to developing a flagship youth service primarily delivered by the Local Authority with aspects of commissioning included which forms the basis of the model. Within this paper there is provision for the commissioning of specialist services for young people which would be informed by a needs assessment.

### **3 DETAILS OF THE REPORT**

#### **3.1. Introduction**

- 3.1.1. The Mayor and Cabinet have pledged their commitment to transforming the youth service. They have set out their vision and model for a modern and transformed service offer that meets the diverse needs of Tower Hamlets young people enabling them to thrive and enjoy a positive transition into adulthood.
- 3.1.1 Following a significant reduction in funding to youth services at a local and national level, this document sets out a proposal for investing and transforming the Local Authority youth service offer.
- 3.1.2. Demand of services for young people has increased dramatically through the pandemic and has been exacerbated even further in the face of cost-of-living crisis affecting young people and their families across the borough. This is also in a context of Tower Hamlets having an overall young population and a significantly higher rate of young people living in poverty.
- 3.1.3. The vision for Young Tower Hamlets is to transform the lives of Tower Hamlets young people through the power of youth work as we believe that all young people should have the opportunity to access and benefit from high quality youth work.
- 3.1.4. The new youth service offer will redesign universal provision providing young people with accessible 'safe spaces' throughout the borough, positive activities for young people to participate in which supports their developmental needs as well as a diverse, skilled and qualified workforce to access additional support from. The model will include a blend of 'safe spaces' utilising Local Authority and community settings in every single ward across the borough as well as the workforce to support universal delivery.
- 3.1.5. An Integrated Detached Team (IDT) with a primary aim to create greater safety and support for young people in the community will be implemented. This will significantly strengthen the boroughs approach to harm outside the home enabling both a preventative and responsive approach.
- 3.1.6. Targeted youth support teams will offer young people and their families additional support in relation to a range of presenting needs and risks. This team will provide whole family assessments and develop multi-agency support plans to effectively meet identified needs.

3.1.7. The following is an overview of the budget required to transform and deliver the new Local Authority youth service:

Budget	Amount
New Growth	£8.5M
Current Young Peoples Service	£2.2M
<b>Total Revenue Cost</b>	<b>£10.7M</b>
Proposed Capital Cost (non-recurring)	3.0M
<b>Total Cost</b>	<b>£13.7M</b>

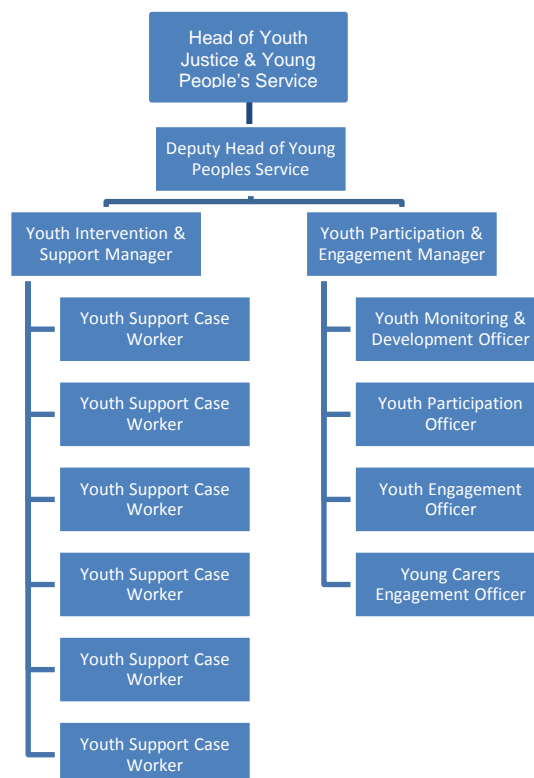
3.1.8. The ambition for the future offer is aligned to the Tower Hamlets Strategic Plan 2022-2026 specifically in relation to:

- Priority 3: Accelerate education
- Priority 4: Boost culture, business, jobs and leisure
- Priority 5: Invest in public services
- Priority 6: Empower communities and fight crime
- Priority 8: A council that works for you and listens to you

### 3.2. Young Peoples Service (Current model)

3.2.1. The Local Authority youth service has been the subject of many restructures over recent years. The service moved from an in-house large scale delivery model into a much smaller commissioned model. This is currently known as the 'Young Peoples Service' situated within the Supporting Families division.

3.2.2. The current Young Peoples Service structure is as follows:





### 3.3. Commissioned Contracts

- 3.3.1. The Young Peoples Service currently commissions approximately £1.4M in contracts through a combination of universal and targeted provision for young people. The remainder of the budget funds the staff directly employed by the council.
- 3.3.2. As contracts mature and provision has been brought back in-house, the budget will be reprofiled into Young Tower Hamlets. In relation to universal 'Safe Spaces', targeted youth support and detached youth work, these will not be commissioned by the Local Authority and will be delivered directly by Young Tower Hamlets staff team. The exception to this will be in relation to the commissioning of specialist provision for vulnerable groups of young people. For example, this may include provision for young people who identify as LGBTQIA+ and young people with special educational needs & disabilities. Any future commissioning arrangements will be informed by a needs assessment and the relevant governance.

### 3.4. Universal

- 3.4.1. The Young Peoples Service is responsible for the commissioning of the universal provision for young people with a total budget of £1,432,000. Below is an overview of the current commissioning arrangements in relation to providers, finances, and status.

Contract	Providers	Amount	Contact Status
Universal Provision	Poplar Harca	£207,000	Contract expires September 2024
	Osmani Trust	£138,000	Contract expires September 2024
	Sporting Foundation	£144,000	Contract expires October 2024
	Newark Youth London	£237,000	Contract expires October 2024

### 3.5. Specialist Provision

- 3.5.1. In addition to the commissioned universal offer, the Young Peoples Service commissions specialist provision for young people with protected characteristics and targeted support. Specifically young people who identify as LGBTQ+, SEND and transitions. Below is an overview of the current commissioning arrangements in relation to providers, finances, and status (subject to break clauses).

Contract	Providers	Amount	Contact Status
Specialist Provision	Poplar Harca - Arts provision	£70,000	Contract ends February 2025
	Step Forward - LGBTQ+ provision	£25,000	Contract to be renewed September 2024
	Tower Project - SEND provision	£50,000	Contract to be renewed September 2024
	Half Moon Theatre - Transition provision from year 6-7	£70,000	Contract to be renewed September 2024

### 3.6. **Detached Provision**

3.6.1. The Young Peoples Service commissions detached youth work at a borough wide level which is delivered by Poplar Harca. Below is an overview of the current commissioning arrangements in relation to providers, finances, and status (subject to break clauses).

Contract	Providers	Amount	Contact Status
Detached Provision	Poplar Harca	£295,000	Contract ends February 2025

### 3.7. **Break the Cycle**

3.7.1. The Young Peoples Service has a mixed economy model of delivery consisting of one internal team and two externally commissioned teams. The internal team is situated within the Young Peoples Service and staff are employed by the Council.

3.7.2. These teams provide allocated support to young people and their families on a voluntary basis. This includes undertaking whole family assessments, formulating multi-agency intervention plans to address identified needs and connecting young people and their families to community services.

3.7.3. In relation to the commissioned Break the Cycle teams these contracts ended in March 2023. The funds will be utilised to complement the new targeted youth support teams to be established as part of the new Young Tower Hamlets model.

Contract	Providers	Amount	Contact Status
Break the Cycle	Poplar Harca	£98,000	Contract ends March 2023
	Osmani Trust	£98,000	Contract ends March 2023

### 3.8. **Participation**

3.8.1. Participation is a key element of the work completed with young people. There is currently a strong participatory offer which young people, and the wider community, recognise and appreciate the value of.

3.8.2. Currently, there is a Young Mayor who is supported by a team of five Deputy Mayors. The young people are elected on a manifesto that they are then supported to deliver. There is also a wider Youth Council with elected members from most secondary schools in the borough to ensure that young people's voices are heard to inform services.

### 3.9. **Current context - universal needs analysis**

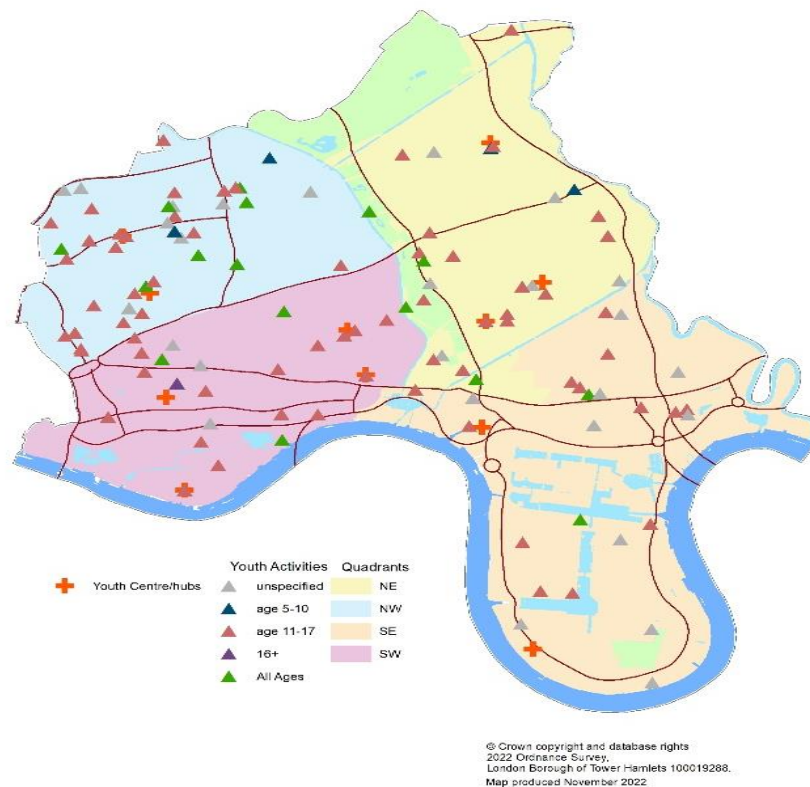
3.9.1. As part of the new universal offer, there will be a safe space in every single ward delivered by the Local Authority for young people, operating up to 4

days a week. This will be an increase from five commissioned universal services to at least one in every ward.

3.9.2. A comprehensive analysis of existing youth provision mapping has taken place at a borough wide level to inform the detailed plans for potential new growth. This is inclusive of Local Authority as well as voluntary and community sector delivered provision.

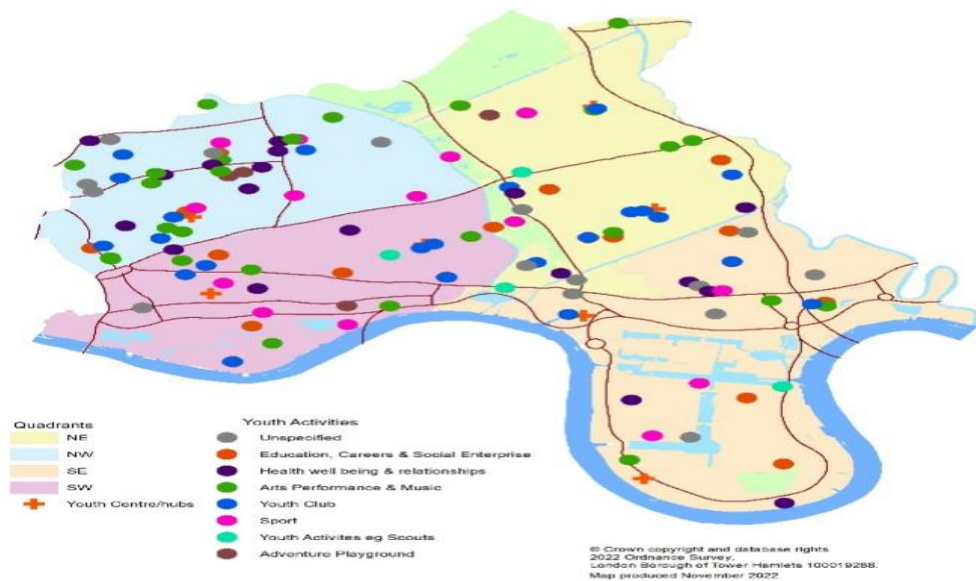
3.9.3. The below maps set out the youth provision in Tower Hamlets by age and activity type.

### Youth provision by age



3.9.4. The image above demonstrates that in the east and south of the borough there is less provision across all age ranges and no provision specifically targeting 16+. This does not take in to account the youth offer provided from youth centres/hubs.

### Youth provision by activity type



- 3.9.5. There is a range of provision across the borough. However, there is less provision on offer across the East and South of the borough.
- 3.9.6. A mapping exercise against the figures below highlights the wards that need to be focused on as a priority which includes the east of the Borough through to the Isle of Dogs.
- 3.9.7. A significant increase in resources in these areas would have the greatest impact for the community as well as the 'rising adolescents' that we can see will be potential service users in the next 2-6 years.

Rank	Ward	11-19 yrs	Ward	20-25 yrs
1	Bethnal Green	3,070	Whitechapel	3,600
2	Blackwall & Cubitt Town	1,745	Bethnal Green	3,312
3	Bow East	1,768	St Peter's	2,557
4	Bow West	1,387	Mile End	2,548
5	Bromley North	1,227	Blackwall & Cubitt Town	2,465
6	Bromley South	1,963	Spitalfields & Banglatown	2,332
7	Canary Wharf	1,309	Canary Wharf	1,884
8	Island Gardens	1,322	Bow East	1,821
9	Lansbury	2,708	Island Gardens	1,664
10	Limehouse	406	Lansbury	1,500
11	Mile End	2,628	Bromley South	1,490
12	Poplar	986	Weavers	1,470
13	St Dunstan's	1,939	Stepney Green	1,457
14	St Katharine's & Wapping	712	St Dunstan's	1,430
15	St Peter's	2,336	Shadwell	1,403
16	Shadwell	1,825	Bow West	1,292
17	Spitalfields & Banglatown	1,297	St Katharine's & Wapping	1,016
18	Stepney Green	1,586	Bromley North	954
19	Weavers	1,355	Poplar	729

<b>20</b>	Whitechapel	1,891	Limehouse	664
	<b>Total by age</b>	<b>33,460</b>	<b>Total by age</b>	<b>35,588</b>

### 3.10. The future Youth Service - Young Tower Hamlets

- 3.10.1. The vision for Young Tower Hamlets is to transform the lives of Tower Hamlets young people through the power of youth work as we believe that all young people should have the opportunity to easily access and benefit from high quality youth work.
- 3.10.2. Youth work is the best methodology to unlock young people's potential by providing high quality support and a diverse range of opportunities. A diverse, skilled and qualified workforce that build meaningful relationships with young people at their starting point enables young people to explore their personal, social and educational development.
- 3.10.3. The new youth service will create impactful youth work opportunities for young people aged 11+. This will include, universal 'safe spaces' for young people in every single ward, targeted support for vulnerable young people and their families as well as engaging with young people in the community across the borough through an Integrated Detached Team offer.
- 3.10.4. A new strategy will be developed setting out clear strategic objectives for the youth service to deliver upon in partnership with other key stakeholders. This will be underpinned by a theory of change detailing the approach of how the youth service will improve outcomes for young people. Key outcomes would be:
- Supporting young people's post 16 transition into education, training and employment.
  - Increase young people participation in universal 'safe spaces' provision.
  - Preventing young people from offending and entering the criminal justice system.
  - Increase employment opportunities for residents in both paid and voluntary youth work roles as well as an accredited youth work training pathway.
- 3.10.5. The service will develop a youth work curriculum an outcomes framework as part of achieving and evidencing positive outcomes for young people. This will be informed by the National Youth Agency youth work curriculum and outcomes framework and tailored to reflect the diversity and needs of Tower Hamlets young people specifically.
- 3.10.6. Demand for services for young people has increased dramatically through the pandemic and has been exacerbated even further in the face of cost-of-living crisis affecting young people and their families across the borough. This is also in a context of Tower Hamlets having an overall young population and a significantly higher rate of young people living in poverty.

- 3.10.7. As part of the transformation of the youth service, significant growth is required to ensure that all young people have equitable access to a youth service that meets their needs today and in the future. This requires the youth service to have a multi-model approach to delivery through place-based, whole family and outreach.
- 3.10.8. The youth service will be primarily delivered by the Local Authority with a diverse, skilled and qualified workforce including apprenticeship opportunities. As part of the transformation of the youth service it will be important to ensure that the workforce reflects the diversity of the community and population which will be achieved through as part of a comprehensive recruitment and selection process.
- 3.10.9. The voluntary and community sector is an essential part of providing a diverse range of opportunities and support to Tower Hamlets young people and families. The borough has wealth of services delivered by the voluntary and community sector which improve the outcomes and lives of residents and supports the boroughs diverse community to thrive. The youth service will continue to work effectively in partnership with the range of services provided to young people and their families.
- 3.10.10. The transformation of the youth service will complement the voluntary and community sector delivery of services to young people and their families. It is important that all services for young people work collaboratively to increase access and participation in the range of opportunities available to them. There is a commitment to continue to work in partnership with the diverse range of statutory and voluntary services throughout the borough to effectively support and safeguard all young people.

### 3.11. **Universal Delivery Offer**

- 3.11.1. As part of the recent government review of youth services led by the Department for Digital, Culture, Media, and Sport (DCMS) young people said that universal provision is hugely important to them. They provide an opportunity for young people to meet in safe spaces with other young people from different backgrounds as well as opportunities to access support and participate in activities which supports the personal, social and emotional development.
- 3.11.2. The new youth service offer will include universal 'safe spaces' for young people in every single ward throughout the borough. Youth workers will provide young people with appropriate safe environments, where young people can gather with their peers, safe from physical and emotional harm and participate in opportunities that supports their holistic development.
- 3.11.3. The universal offer will be delivered from a range of settings throughout the borough, including Local Authority owned premises as well as appropriate community venues.

- 3.11.4. The provision will be available on average 4 sessions per week across the afternoon and evenings. It will be imperative that the universal provision is delivered within the timeframe that research shows that most young people are impacted by crime and harm (e.g., 3-8pm). This will directly support the aim and outcomes of the Violence, Vulnerability and Exploitation Young People’s Strategy as part of the approach to reduce young people impacted by harm outside the home through providing accessible safe places to go, positive and educational activities for young people to participate in and access additional support from youth workers.
- 3.11.5. At the heart of universal offer will be Tower Hamlets Youth Work Curriculum. This will be informed by the National Youth Agency (NYA) Youth Work Curriculum Framework for England and will be tailored to specifically reflect the local context and needs of Tower Hamlets youth needs population. The Youth Work Curriculum will set out the educational process that underpins excellent quality youth work. It is not a dictated set of subjects or a syllabus but rather a framework to support and develop practices that are a catalyst for young people’s learning and development.
- 3.11.6. The below sets out the structure of the universal youth work team. To deliver this, the budget allocated for the workforce is £3,445,312.

<b>Universal Safe Spaces Workforce</b>	
<b>Role</b>	<b>No of posts</b>
Deputy Head of Universal Space Spaces	1
Team Manager of Universal Space Spaces	4
Senior Youth Worker Universal Safe Space	8
Youth Worker in Charge Universal Safe Spaces (Part Time)	48
Youth Worker Universal Safe Spaces (Part Time)	96
<b>Total</b>	<b>157</b>

### 3.12. Settings

- 3.12.1. The vision for Young Tower Hamlets is to have at least one safe space for young people in every single ward to support the delivery of accessible universal youth work provision. This will be a combination of Local Authority managed and community hired venues. In relation to settings managed by the youth service, there will be opportunities for partners to utilise the space as part of the delivery of their services to young people which will be subject to relevant formal partnership arrangements and governance.
- 3.12.2. The below buildings are currently within the Local Authority portfolio:
1. Haileybury Youth Centre
  2. Wapping Youth Centre
  3. Limehouse Youth Centre
  4. St Andrew’s Wharf Youth Centre

## 5. Christian Street Hub

3.12.3. The identification of two further sites that are within the Councils building portfolio have been agreed by Asset Management Corporate Delivery Board (AMCD) to be allocated to Young Tower Hamlets to support delivery.

6. 27 Columbia Road, Bethnal Green, Poplar, London, E2 7QB

7. 16 Goulston Street, Whitechapel, London, E1 7TL

3.12.4. These two building were used previously as Youth Service buildings. However, they have not been operational for at least 12 months. Both buildings require refurbishment to bring them back up into an operational standard. The below sets out the refurbishment and on-going running costs:

### 27 Columbia Road E2

Description of refurbishment works	In-year cost
Building work	£18,795
Estimated mechanical and electrical	£87,780
Decorating	£20,407
Fit out and furniture	£28,850
Estimated IT	£30,000
<b>Total</b>	<b>£185,832</b>

3.12.5. There are plans to replace the gas boiler in 2023/24 with a new heated system by Facilities Management via the Capital Programme with an estimated cost of £71k.

3.12.6. The ongoing running costs for 27 Columbia Road are based on actuals from 2019-2020 pre-pandemic are set out below:

Running costs	Full year cost
Rates	30,693
Cleaning	10,521
Reactive R&M	1,182
Planned Maintenance	1,277
Ground Maintenance	350
Estimated energy	30,000
10% contingency	7,300
<b>Total</b>	<b>£81,323</b>

### 16 Goulston Street E1

3.12.7. The Council holds the property on a long-term lease, 100+ years. Some of the proposed work requires consent from the landlord which may incur fees.

Description of refurbishment works	In year cost
Building work	27,354
Estimated mechanical and electrical	83,450



Decorating	10,620
Fit out and furniture	10,775
Estimated IT	30,000
<b>Total</b>	<b>£162,199</b>

3.12.8. 16 Goulston Street has not been operated by the Council for some time. It was used by for youth provision by a provider for several years with the Council taking the space back in April 2022 and has since remained vacant. Therefore, the running costs are estimated based on a percentage of the cost from Columbia Road.

<b>Running costs</b>	<b>Full year cost</b>
Rates	23,021
Cleaning	7,891
Reactive R&M	887
Planned Maintenance	958
Ground Maintenance	263
Estimated energy	22,500
10% contingency	5,552
<b>Total</b>	<b>£61,072</b>

3.12.9. Both buildings will require mechanical and electrical works with a lead-in time of up to 12 weeks.

3.12.10. There is a workstream in place that is identifying and assessing the suitability to deliver universal provision within the community for young people, this will determine the safe locations. The community spaces will require rental and facilities management with an estimated cost of £814,603.

### 3.13. **Targeted Youth Support**

3.13.1. The youth service will provide targeted support for vulnerable young people and their families to ensure that the needs of young people are identified early and met by agencies effectively working together. The essential aim is to address difficulties at the earliest opportunity to prevent the needs, risks and vulnerabilities of young people from escalating. This often means working with young people who may not meet traditional thresholds for statutory or specialist services, but who, without help, are at risk of further difficulties which have a detrimental impact upon their outcomes.

3.13.2. Referrals will be primarily received via the multi-agency safeguarding hub (MASH) situated within the Supporting Families division providing a single 'front door' for young people and families to access additional support. Sources of referrals will include young people and families themselves as well as a diverse range of multi-agency partners (e.g., schools, health, police, voluntary and community sector).

3.13.3. Young people and their families will be allocated to a targeted youth and family practitioner who will provide assessment and intervention to meet the presenting needs. This will be delivered in a way that is shaped by the views and experiences of young people themselves.

- 3.13.4. The targeted youth support team will consist of diverse, skilled and qualified workforce who can develop positive relationships with young people and their families which facilitates positive outcomes.
- 3.13.5. The below sets out the structure of the Targeted Youth Support Team. To deliver this, the budget allocated for the workforce is £1,588,734.

<b>Targeted Youth Support</b>	
<b>Role</b>	<b>No of posts</b>
Deputy Head of Service Targeted Youth Support	1
Targeted Youth Support Team Manager	4
Targeted Support Worker	24
<b>Total</b>	<b>29</b>

### 3.14. **Integrated Detached Team (IDT)**

- 3.14.1. The youth service provides a borough wide Integrated Detached Team as part of the offer. The team will have the functionality to be deployed as both a preventative and responsive measure as part of creating greater safety and support for young people at a neighbourhood and community level. Tasking of the Integrated Detached Team will be informed by a range of sources including the daily intelligence briefing, weekly intelligence sharing partnership briefing and monthly tasking meeting.
- 3.14.2. Unlike centre-based provision, detached youth work takes place outdoor settings. Primarily, but not exclusively, the work takes place in the street and also in settings such as parks, shops, take away premises, transport hubs, schools and hospitals.
- 3.14.3. Many vulnerable young people choose not to access universal services for a variety of reasons. The relationships developed between young people and detached youth workers can where necessary support the facilitation of accessing services to help meet identified needs (e.g., education/training/employment, alcohol & drug services and emotional wellbeing & mental health services).
- 3.14.4. The Integrated Detached Team will consist of a diverse, skilled and qualified workforce. The Integrated Detached Teams core operational hours are expected to be from 3-8pm which is the vicinity which most serious incidents and offences occur. However, there will be flexibility to the operational hours informed by partnership information and intelligence.
- 3.14.5. The Integrated Detached Team, as part of addressing harm outside the home, will work closely in partnership with a range of services including Community Safety and Police. As detached youth work takes place outdoors there will be a need for the Integrated Detached Team to have access to a bus specifically to support delivery.

3.14.6. MOPAC commissioned a new Problem Profile into youth and group violence to ensure that the current partnership response evolves to meet the needs of young people. This profile, alongside other data is intended to inform and drive the strategic and operational development of the Integrated Detached Team to tackle exploitation and violence during this Police and Crime Plan period.<sup>1</sup>

**A Problem Profile of Violence, Gangs & Young People  
MOPAC Evidence & Insight  
(September 2022)**



Analysis shows that across homicide, most serious violence and robbery that the offending peaks predominantly during weekdays (late afternoon/early evening). Nearly a third of all offences happened within a four hour window between the hours of 3pm-7pm. This pattern is consistent across all London boroughs.



In 2021, Tower Hamlets recorded the largest upward move (+8 places) in ranking and was the highest volume borough in relation to knife crime offences. In the same period, Tower Hamlets also recorded the largest upward move (+11 places) and was the highest volume borough in relation to knife crime with injury.

In 2021, Tower Hamlets recorded the highest volume of teenage violence (49), followed by Lambeth (47), Croydon (46), Lewisham and Southwark (both 35).



The majority of offences take place in public places with 62% of teenage violence being committed in this location type (e.g. streets, parks/commons, shops, take away premises, legal graffiti walls, schools & hospitals).

3.14.7. The below sets out the structure of the Integrated Detached Team. To deliver this, the budget allocated for the workforce is £643,083.

<b>Integrated Detached Team</b>	
<b>Role</b>	<b>No of posts</b>
Deputy Head of Service	1
Integrated Detached Team Manager	1
Senior Youth Worker	4
Youth Worker in Charge (10 hours)	8
Youth Worker (10 hours)	16
<b>Total</b>	<b>30</b>

**3.15. Quality, Performance and Participation Team**

3.15.1. Providing high quality youth work is vitally important in delivering the ambitious outcomes for Tower Hamlets young people. The Quality, Performance and Participation Team will be at the forefront at driving excellence in the quality of youth work and the positive difference it can make to improving outcomes in young people's lives. A wealth of knowledge exists that demonstrates a clear link with the quality of services provided to

<sup>1</sup> [PowerPoint Presentation \(london.gov.uk\)](https://www.london.gov.uk/press-releases/mopac)

young people and the outcomes they achieve as part of their transition into adulthood.

3.15.2. As part of this vision the youth service will work towards achieving externally validated Quality Marks such as those developed by the National Youth Agency. This supports organisations to reflect upon and review the services they provide to young people enabling the service to develop and provide youth work to the best possible standard. An example of this is the Quality Mark which is built upon National Occupational Standards for youth work. Utilising the Quality Mark will support the youth service to embed a culture of continuous learning and growth as well as achieving excellence in youth work practice and outcomes.

3.15.3. As part of the quality assurance and performance arrangements the service will commission external providers to provide an independent assessment of the quality and outcomes achieved with and for young people. This will be incorporated into the quality assurance framework for the youth service as is likely to be apply thematically covering the distinct youth work delivery e.g. universal, targeted and detached.

3.15.4. This service will be made up of a range of the following components:

- **Quality Assurance:** The youth service will have an embedded quality assurance framework that recognises and enables the continuous improvement of excellent youth work practice. The National Occupational Standards for youth work will provide the starting point to develop the standards and indicators within the quality assurance framework. The quality assurance framework and related activities will ensure the quality of youth work delivery is consistently good across all deliverables as well as driving excellence. This will be aligned with the Supporting Families Learning Academy as part of a whole division approach to quality assurance for which examples of quality assurance include practice observations, feedback from young people, parents and carers, case file audits and the production of reports.
- **Data, Intelligence and Performance:** The youth service will have a Senior Data Analyst that will have a primary responsibility for establishing, developing and reporting products associated with youth service delivery and outcomes. It will be imperative to have analytical resource in the youth service to be able to provide management and performance information at a strategic and operational level. This role will be funded by the youth service and will be situated within the Commissioning and Culture division as part of the wider alignment of support services.
- **Participation:** The youth service will continue to deliver a high-quality youth participation offer which will consist of the Youth Council, Young Mayor, Youth Justice Participation Group and Children in Care Council.
- **Commissioning and Specialist Services:** The youth service recognises the importance of ensuring that all services provided as part of the Local Authority offer are inclusive to meet the diverse needs of all

Tower Hamlets young people. Consideration will need to be given to which specialist services are required to effectively meet the needs of the youth population i.e., LGBTQIA+, SEND, Mental Health, Somali young people, young carer to name a few. This will be informed by a holistic needs assessment specifically focusing on equality, diversity and inclusion reflecting the boroughs population. To ensure that commissioning arrangements and monitoring are both compliant and robust there is a need to have a Commissioning Officer in the service. This role will be funded by the youth service and will be situated within the Commissioning and Culture division as part of the wider alignment of support services.

- **Business Support:** The youth service will require sufficient business support resource as part of the day-to-day operations across the Universal, Targeted and Detached Teams.

3.15.5. The below sets out the structure of the Quality, Performance and Participation Team. To deliver this, the budget allocated for the workforce is £726,081.

Quality, Performance and Participation Team	
Role	No of posts
Deputy Head of Service, Operations & Partnership	1
Quality Assurance & Performance Manager	1
Business Support Team Manager	1
Business Support Officer	5
Practice Development Lead	2
Senior Data Analyst	1
Commissioning Officer	1
Youth Participation Officer	2
<b>Total</b>	<b>14</b>

### 3.16. Workforce Development

3.16.1. The workforce development will be imperative in developing and enhancing a suitably skilled and qualified workforce as part of the ambition to deliver a high-quality service for young people. The service will have a workforce development strategy which details the core and essential requirements for the roles as well as professional development opportunities. This will account for all roles within the service as well as the scale.

3.16.2. Below is an example of a core training pathway which will ensure that the workforce is sufficiently trained in youth work practice.

Qualification	Number of months to complete	Cost Per Learner
Level 2 Award in Youth Work Principles	6	£495

Level 3 Certificate in Youth Work Practice	9	£1300
Level 3 Diploma in Youth Work Practice	12	£1995

3.16.3. Example: For the entirety of the new Youth Service workforce to undertake a Level 2 qualification this would equate to £103,950 as a minimum baseline. There will also need to be an offer of Level 3 training for staff with line management responsibility as well as progression opportunities. In addition, there will be a comprehensive training and development programme to ensure there is consistent practice across the borough with an allocated budget of £146,000.

### 3.17. **Activity, Equipment and Resources**

3.17.1. To support the delivery of the youth service offer a budget will be required to provide resources as part of the day-to-day operations.

3.17.2. A key aspect of this is in relation to the Universal 'Safe Spaces' offer that will be operational during both term time as well as an extended offer during the school holidays. The fund will enable youth workers to directly deliver and procure services as part of the delivery of positive and educational activities underpinned by the youth work curriculum. There will also be a requirement to provide equipment and resources to enable direct work with young people across all 'Safe Spaces' within the borough.

3.17.3. In relation to the Targeted Youth Teams a proportion of the funding will be utilised as an enabling fund to support vulnerable young people and their families where identified as a need.

### 3.18. **Positive Sport and Outdoor Activities**

3.18.1. The new Youth Service will work in partnership with and provide resources to the Sports and Physical Activity team, as part of ensuring a diverse and strong offer for young people. This will result with young people being provided with a range of outdoor education, sports and leisure activities which positively impacts on their health and wellbeing.

3.18.2. **School Holiday Provision:** The Parks and Open Spaces team will deliver a variety of activities, workshops, and outreach sessions in partnership with a number of community and voluntary sector partners. These activities will primarily be delivered during the school holidays to encourage young people to explore nature, parks and open spaces. The Victoria Park team will work with a range of cultural and community partners and council teams to deliver projects that promote sustainability, encourage young people and families to get into gardening and become more aware of the park's wildlife and diversity. It will also provide opportunities for young people to try new activities that they may not normally have access to in an inner borough (free theatre, canoeing on the boating lake).

- 3.18.3. **London Youth Games Project:** A new model for the delivery of school sport was introduced in 2019-20. Government funding enabled Tower Hamlets to gain part-time (3 days per week) School Games Organisers (SGO's) that are employed by local schools. As part of the Young Tower Hamlets offer, there will be funding available to support the continued delivery of the London Youth Games project. This will ensure that the London Youth Games and District Sport provision will continue.
- 3.18.4. **Summer Programme:** Delivery of a targeted sports and wellbeing programme for young people during the summer holidays which helps participants to be more active and benefit from participating in groups activities.
- 3.18.5. **Duke of Edinburgh's Award:** Today, more young people than ever are participating in Duke of Edinburgh's Award. The borough already has an established Duke of Edinburgh offer and as part of service delivery this will be sustained and further developed this will enable young people to try something, help the community, develop their skills, grow in confidence, and achieve an accreditation.

### 3.19. **Communications and Branding**

- 3.19.1. The new youth service will be called 'Young Tower Hamlets'. As part of the vision for the service it will be important for young people to be able to easily identify provision and staff associated with the offer. This will help to build confidence, trust, safety and participation in the delivery of the service.
- 3.19.2. As part of delivering the communications and branding for Young Tower Hamlets, there will be a comprehensive communications strategy. This encompasses the approach, how the offer will be communicated, to who and when. The development and delivery of the strategy will be through engaging with young people, parents, and carers as well as key stakeholders.
- 3.19.3. The associated cost to develop the branding and the communications for the launch with an estimated proposal of £115,000. This will include the branding of settings, promotional campaigns utilising a range of place based and digital platforms and programmes of activities throughout the year. There will also be branded clothing available to the staff team as part of ensuring that Young Tower Hamlets staff are easily identifiable to young people within the borough.

### 3.20. **Programme Implementation and Governance**

- 3.20.1. As part of the transformation of the youth service there will be robust governance arrangements in place to oversee and scrutinise operational and transformational activity. This comprises of two boards and five workstreams that provides strategic and operational governance. The membership of these boards and workstreams is diverse and comprehensive to ensure there is effective accountability and scrutiny in place. Representation across

the governance arrangements include Finance, HR, Legal, Communications, Property, Facilities Management, IT and Young Peoples Services.

- 3.20.2. All related governance boards meet monthly with the exception of the Youth Service Redesign Executive Board that meetings bi-monthly. All meetings are documented to ensure that decisions and actions are clearly recorded. The programme is also subject to periodic internal audit review as part of the governance arrangements.
- 3.20.3. The transformation programme and operational delivery will be subject to internal audit reviews. These will happen periodically throughout the year providing support and assurance around governance, systems, and processes.
- 3.20.4. The operational activity will be overseen by Supporting Families Senior Leadership Team whilst the transformational activity will be overseen by the current below governance arrangements:

Group	Aim	Frequency	Chair
<b>Youth Service Redesign Executive Board</b>	This group provides strategic direction to the redesign whilst removing blockages, managing risks by exception and budget oversight.	Bi-Monthly	Deputy Mayor
<b>Youth Service Redesign Group</b>	Provides the day today oversight and management of the programme. It is responsible for the management of resources, risks, budget and decision making to ensure the programme delivers to time cost and quality.	Monthly	Director of Supporting Families
<b>Workforce Development Workstream</b>	Development of Practice Framework, new service offer, training plan, timetable (Staff & YP), QA, development of policies, procedures and to ensure the infrastructure to support delivery and safeguarding is in place.	Fortnightly	Head of Young Peoples Service
<b>Buildings &amp; Space Workstream</b>	To ensure the new buildings coming into the portfolio are brought into operational standards. Identify which buildings can be used via 3 <sup>rd</sup> parties.	Fortnightly	Divisional Director of Property & Major Programmes
<b>Communications, Consultation &amp; Branding Workstream</b>	To develop robust communications internally for staff and externally for young people and families so they are aware of the new offer and locations and the rebranding of the service.	Fortnightly	Director of Communications and Marketing
<b>HR and change</b>	To support the design and implementation of the new staffing structure. To support the development of the business case and advise on the design of recruitment and selection processes ensuring the incorporation of equality, diversity, and inclusion.	Fortnightly	Head of HR
<b>Finance</b>	Oversight of finance, spend and forecast to ensure the programme remains within the financial envelop.	Monthly	Director of Supporting Families



3.20.5. The implementation and delivery of the programme will require additional resources due to the sheer scale of the growth required and the timescales in which to deliver. The resources will be an interim arrange up 12 months to deliver the transformation of the youth service offer, the following resources will be required as a minimum:

- Programme Manager
- HR Officer
- Comms Officer
- Facilities

3.20.6. Young Tower Hamlets will have a strategic lead specifically leading on the transformation and operational delivery. To deliver this, the budget allocated for the workforce is £102,638.

Role	No of posts
Head of Young Tower Hamlets	1
<b>Total</b>	<b>1</b>

### 3.21. HR Summary

3.21.1. All posts within the Young Peoples Service and Young Tower Hamlets could be subject to change throughout the formal HR processes. These processes will determine the exact gradings of roles which may have implications financially.

3.21.2. Consideration will be given to the operational requirements of the service and the nature of the posts in terms of contractual hours will need to be scoped to determine the suitability.

3.21.3. The recruitment and selection process will be co-ordinated by a Project Manager as part of the transformational phase in recognition of the scale of the workforce. In addition to this, consideration will be given to utilising external recruitment agencies to support with building a diverse and effective workforce. All recruitment will be undertaken in compliance with relevant HR policies and procedures. There will also be additional support available from HR as part of this process which will be overseen at a strategic level by the HR and Change Workstream.

### 3.22. Finance Summary

3.22.1. Total costs to operationalise the new Young Tower Hamlets Service will require £10,700,000. This budget will be funded by the current Young Peoples Service (£2.2M) and new growth (£8.5M).

3.22.2. The total costs are broken down as follows:

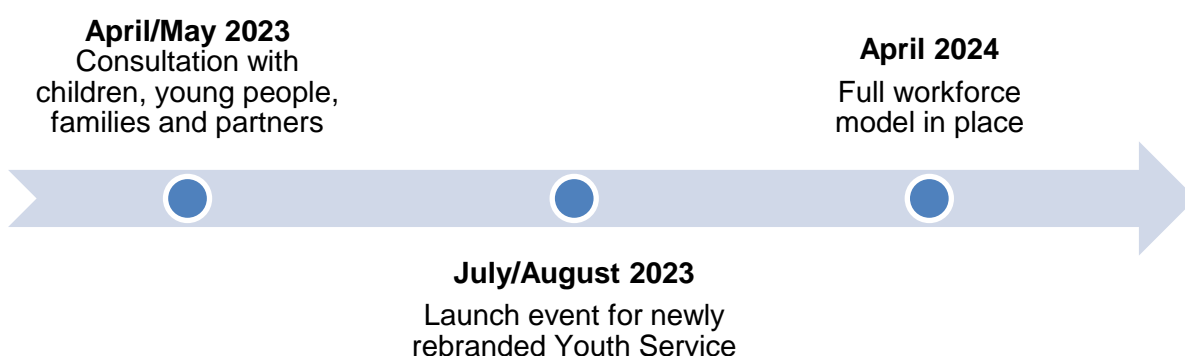
No	Item	Cost
1	Staffing Structure	£6,558,342
2	Universal 'Safe Space' Local Authority Settings (rental & facilities management)	£142,395

3	Universal 'Safe Space' Community Settings (rental & facilities management)	£1,739,263
4	Workforce Development	£249,950
5	Activity, Equipment and Resources	£1,125,000
6	Positive Sport and Outdoor Activities	£180,000
7	Specialist Commissioned Services	£350,000
8	IT infrastructure	£240,000
9	Comms and branding	£115,050
<b>Total Revenue</b>		<b>£10,700,000</b>
<b>Capital</b>		<b>£348,031</b>
<b>Total</b>		<b>£11,048,031</b>

3.22.3. In year one, as the new model is implemented there will be a scaled approach to expenditure which is likely to result in an underspend in year one. As part of the transformation governance there will be oversight of finances associated with the implementation which will be reported upon monthly within the Finance Workstream, Youth Service Redesign Group and bi-monthly to the Youth Service Redesign Executive Board to report on and scrutinise expenditure to reflect actual costs.

3.22.4. The two main factors that is anticipated to impact on the budget in year one is attributed to staffing and settings. As the model is implemented there will be a scaled approach to the recruitment and selection of the workforce as well as operationalising delivery. This will result in gradual increase in the expenditure with the expectation of full delivery by April 2024.

3.22.5. The below sets out indicative timescales for delivery:



### **Decision**

3.22.6. The funding to transform Tower Hamlets youth service went before the Full Council 2023/24 budget setting meeting for formal adoption. This report seeks agreement to implement the transformation of the new youth service as detailed in this report.

#### **4. EQUALITIES IMPLICATIONS**

- 4.1. Tower Hamlets vision for equality is to build a strong, inclusive and a fairer borough addressing inequalities through our work and ensuring that our workforce reflects the diversity of the community. This is underpinned by Tower Hamlets Strategic Plan 2022-2026 and Corporate Equalities Plan 2023-2026.
- 4.2. The youth service will make ensure that it meets the Equality Act duty by doing all that it can to eliminate discrimination, advance equality of opportunity and address inequality.
- 4.3. The borough profile and borough quality assessment provide up to date equality information this will be utilised to inform decision making and service design to effectively meet different and diverse needs of young people and their families.
- 4.4. The youth service will provide safe spaces and inclusive offer for all Tower Hamlets young people. This includes ensuring the workforce is diverse and reflects the community which it serves.
- 4.5. A key equality implication is regarding ensuing the service is inclusive for all Tower Hamlets young people and families, so they can safely and easily access services which meets diversity needs and protected characteristics. This will be achieved through all aspects of the youth service delivery as well as the commissioning of specific services for groups of young people and their families.
- 4.6. As part of the implementation a full Equalities Impact Assessment will be undertaken to inform the service design.

#### **5. OTHER STATUTORY IMPLICATIONS**

- 5.1. This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:
  - Best Value Implications,
  - Consultations,
  - Environmental (including air quality),
  - Risk Management,
  - Crime Reduction,
  - Safeguarding.
  - Data Protection / Privacy Impact Assessment.
- 5.2. The new youth service model supports the Local Authority duty set out in section 17 of the Crime and Disorder Act 1998 by paying due regard to the need to do all that it reasonably can to prevent crime and disorder, misuse of alcohol and drugs, re-offending, and serious violence.

- 5.3. The new youth service model supports the Children Act 1999 and Children Act 2004 which provides the legislative framework for safeguarding children. Key principals established by the Act include placing a duty on Local Authorities and their partners to cooperate in safeguarding and promoting the wellbeing of children and young people.

## 6. **COMMENTS OF THE CHIEF FINANCE OFFICER**

- 6.1. The report builds in significant growth based on both the current budget and the approved growth bid for 2023/24. Estimates of expenditure have been used to calculate the use of the funding, however this will need further work and more detailed costing as the project develops.
- 6.2. The costs of the proposed buildings repairs and maintenance are based on the current usage of those buildings and may vary when the building is used to provide more comprehensive services.
- 6.3. The costs of additional support services not provided by LBTH have been estimated and again may vary due to their specialist nature.
- 6.4. Capital Spend forecast is for this year only and greater Capital spend shown in the initial costings will be in future years as more sites come on board and will need to be added to the capital programme along with the associated revenue costs.
- 6.5. As the project will not be in place for the 1st April there will be some slippage on these costings as new provision becomes established.

## 7. **COMMENTS OF LEGAL SERVICES**

- 7.1. S.3 of the Local Government Act 1999 requires the Council to achieve Best Value in terms of economy efficiency and effectiveness in the way it delivers its statutory functions. It is reasonable to expect that the structure proposed in this report will achieve this aim and is therefore lawful.
- 7.2. The Council has the legal power to operate in the manner suggested in his report.
- 7.3. The report refers to a number of existing contracts which are coming to an end. Where the employees who perform those contracts are substantially employed by the contractors to carry out those contracts then it is possible that where the Council subsequently carries out similar tasks those employees may obtain rights under The Transfer Of Undertakings (Protect of Employment) Regulations 2006. This means that the Council will carry out

statutory consultation and checks with such people to ensure that their employment rights are protected.

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## **Linked Reports, Appendices and Background Documents**

### **Linked Report**

- None.

### **Appendices**

- None.


### **Background Documents – Local Authorities (Executive Arrangements) (Access to Information)(England) Regulations 2012**

- None.

### **Officer contact details for documents:**

Or state N/A

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<p><b>Cabinet</b></p> <p>26 April 2023</p>	 <p><b>TOWER HAMLETS</b></p>
<p><b>Report of</b> Caroline Holland – Interim Corporate Director, Resources</p>	<p><b>Classification:</b> Unrestricted</p>
<p><b>Contracts Forward Plan – Quarter Four (FY2022-2023)</b></p>	

<b>Lead Member</b>	<b>Councillor Saied Ahmed, Cabinet Member for Resources and the Cost of Living</b>
<b>Originating Officer(s)</b>	William Jabang – Interim Head of Procurement
<b>Wards affected</b>	All wards
<b>Key Decision?</b>	Yes
<b>Forward Plan Notice Published</b>	23 December 2023
<b>Reason for Key Decision</b>	Significant Financial Expenditure and Significant Impact on two or more wards
<b>Strategic Plan Priority / Outcome</b>	<b>A fair and prosperous community</b>

## Executive Summary

The Council’s Procurement Procedures require a quarterly report to be submitted to Cabinet, setting out a forward plan of supply and service contracts over £1m in value, or capital works contracts over £5m. This provides Cabinet with the visibility of all high value contracting activity, and the opportunity to request further information regarding any of the contracts identified. This report provides the information in quarter four of the current financial year. Only contracts which have not previously been reported are included in this report.

## Recommendations:

The Mayor in Cabinet is recommended to:

1. Consider the contract summary at Appendix 1, and identify those contracts about which specific reports – relating to contract award – should be brought before Cabinet prior to contract award by the appropriate Corporate Director for the service area.
2. Authorise the appropriate Corporate Director in consultation with the Mayor to award those contracts set out in Appendix 1 and not identified in accordance with recommendation 1 and following an appropriate procurement exercise

3. Authorise the Director Legal Services (Monitoring Officer, to execute all necessary contract documents in respect of the awards of contract referred to at recommendation 2 above subject to an appropriate award decision being achieved in accordance with recommendations 1 and 2 above.
4. Review the procurement forward plan 2022-2027 schedule detailed in Appendix 2 and identify any contracts about which further detail is required in advance of the quarterly forward plan reporting cycle.

## **1. REASONS FOR THE DECISIONS**

- 1.1 The Council's Procurement Procedures require submission of a quarterly forward plan of contracts for Cabinet consideration, and it is a requirement of the Constitution that "The contracting strategy and/or award of any contract for goods or services with an estimated value exceeding £1m, and any contract for capital works with an estimated value exceeding £5m shall be approved by the Cabinet in accordance with the Procurement Procedures" as amended by the General Purposes Committee held on 05 October 2021. This report fulfils these requirements for contracts to be let during and after quarter four of the current financial Year.

## **2. ALTERNATIVE OPTIONS**

- 2.1 Bringing a consolidated report on contracting activity is considered the most efficient way of meeting the requirement in the Constitution, whilst providing full visibility of contracting activity; therefore no alternative proposals are being made.

## **3. DETAILS OF THE REPORT**

- 3.1 Council's procurement procedures and processes have undergone major improvements to ensure they are clear, concise and transparent. Our systems, documentations and guidance to suppliers have been transformed to ensure they reflect best practice in Public Sector procurement. Our efforts in maintaining effective dialogue with our bidders during the procurement process has helped to minimise procurement challenges.
- 3.2 To ensure the Council continues to be recognised for its sound procurement practices and effective engagement with the supply community, it is imperative that delays in contract award are minimised and adherence to the timetable outlined within our Invitation to Tender documentations.
- 3.3 The importance of procurement as an essential tool to deliver Councils wider social, economic and environmental aims has resulted in the need to ensure effective elected Member engagement in the pre-procurement and decision-making process as identified in the recent Best Value audit.
- 3.4 This report provides the forward plan for quarter four of the current financial year in Appendix 1 and gives Cabinet Members the opportunity to select



contracts about which they would wish to receive further information, through subsequent specific reports.

- 3.5 Additionally, the report also includes a Procurement Forward Plan 2022-2027 to provide Mayor and Cabinet members with high level visibility of our planned procurement activity and the opportunity to be engaged in advance of the procurement cycle.
- 3.6 Appendix 1 details the new contracts which are planned during the period quarter four of the financial year. This plan lists all of the new contracts which have been registered with the Procurement Service, and which are scheduled for action during the reporting period.
- 3.7 Contracts which have previously been reported are not included in this report. Whilst every effort has been made to include all contracts which are likely to arise, it is possible that other, urgent requirements may emerge. Such cases will need to be reported separately to Cabinet as individual contract reports.
- 3.8 Cabinet is asked to review the forward plan of contracts, confirm its agreement to the proposed programme and identify any individual contracts about which separate reports – relating either to contracting strategy or to contract award – will be required before proceeding.
- 3.9 Equalities and diversity implications – and other One Tower Hamlets issues – are addressed through the Council's Tollgate process which provides an independent assessment of all high value contracts and ensures that contracting proposals adequately and proportionately address both social considerations and financial ones (such as savings targets). The work of the Strategic Procurement Board and Corporate Procurement Service ensures a joined-up approach to procurement.
- 3.10 The Tollgate process is a procurement project assurance methodology, which is designed to assist in achieving successful outcomes from the Council's high value contracting activities (over £1m, for revenue contracts, and £5m, for capital works contracts which have not gone through the Asset Management Board approval system). All Tollgate reviews are presented to the Strategic Procurement Board as a Noting Report.
- 3.11 Appendix 1 – Q4 of the Financial Year and beyond contains Appendix 1 for contracts – 5 submissions of these, are for 2 submissions are for Place – both for new procurements of which 1 relates to concierge services (Tower Hamlet Homes) and the other relates to commercial vehicle leasing arrangements, 3 submissions are for Health and Social Care – 2 are for new procurements of which relate to residential respite care and the other relates to support to unpaid carers, and 1 relates to a contract extension for complex needs day care services.

#### **4. EQUALITIES IMPLICATIONS**

- 4.1 Equalities and diversity implications – and other One Tower Hamlets issues – are addressed through the tollgate process, and all contracting proposals are required to demonstrate that both financial and social considerations are adequately and proportionately addressed. The work of the Strategic Procurement Board and Corporate Procurement Service ensures a joined-up approach to council's procurement activities.

#### **5. OTHER STATUTORY IMPLICATIONS**

- 5.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:
- Best Value Implications,
  - Consultations,
  - Environmental (including air quality),
  - Risk Management,
  - Crime Reduction,
  - Safeguarding,

##### **Best Value Implications**

- 5.2 The Council is required to consider the value for money implications of its decisions and to secure best value in the provision of all its services. The Council procures annually circa £350m of supplies and services with a current supplier base of approximately 3,500 suppliers. The governance arrangements undertaking such buying decisions are set out in the Council's Procurement Procedures, which form part of the Financial Regulations.

- 5.3 Contracts listed in Appendix 1 are all subject to the Council's Tollgate process which involves a detailed assessment by Procurement Review Panel and Strategic Procurement Board of the procurement strategy to ensure compliance with existing policies, procedures and best value duties prior to publication of the contract notice

##### **Sustainable Action for Greener Environment**

- 5.4 Contracts are required to address sustainability issues in their planning, letting and management. This is assured through the Tollgate process.

##### **Risk Management**

- 5.5 Risk management is addressed in each individual contracting project and assessed through the tollgate process.

##### **Efficiency Statement**

- 5.6 Contract owners are required to demonstrate how they will achieve cashable savings and other efficiencies through individual contracting proposals. These are then monitored throughout implementation.

## **6. COMMENTS OF THE CHIEF FINANCE OFFICER**

- 6.1 This report details the contract forward plan for quarter four of 2022-23 which includes the following: various Health and Care contracts funded by Adult Social care general fund (c£8m up to 5 years including extensions) a Vehicle Lease contract funded by general fund (c£9.9m over 5 years including extensions) and a Concierge and Related Services contract funded by HRA (c£5m over 10 years including extensions).
- 6.2 All contract spend should be carried out within resources identified and savings should be identified where possible to improve value for money and contribute to the MTFs savings.

## **7. COMMENTS OF LEGAL SERVICES**

- 7.1 The Council has adopted financial procedures for the proper administration of its financial affairs pursuant to section 151 of the Local Government Act 1972. These generally require Cabinet approval for expenditure over £1m for revenue contracts and £5m for capital works contracts as Key Decisions.
- 7.2 Cabinet has approved procurement procedures, which are designed to help the Council discharge its duty as a best value authority under the Local Government Act 1999 and comply with the requirements of the Public Contract Regulations 2015. The procurement procedures contain the arrangements specified in the report under which Cabinet is presented with forward plans of proposed contracts that exceed specified thresholds. The arrangements are consistent with the proper administration of the Council's financial affairs.
- 7.3 Pursuant to the Council's duty under the Public Services (Social Values) Act 2012, as part of the tender process and where appropriate, bidders will be evaluated on the community benefits they offer to enhance the economic social or environmental well-being of the borough. The exact nature of those benefits will vary with each contract and will be reported at the contract award stage. All contracts delivered in London and which use staff who are ordinarily resident in London will require contractors to pay those staff the London Living Wage. Where workers are based outside London an assessment will be carried out to determine if the same requirement is appropriate.
- 7.4 When considering its approach to contracting, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who do not (the public sector equality duty). Officers are expected to continuously consider, at every stage, the way in which procurements conducted and contracts awarded satisfy the requirements of the public sector equality duty. This includes, where appropriate, completing an equality

impact assessment as part of the procurement strategy, which is then considered as part of the tollgate process.

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## **Linked Reports, Appendices and Background Documents**

### **Linked Report**

- None

### **Appendices**

- Appendix 1 – new contracts planned: Q4 of the Financial Year and beyond.
- Appendix 2 - Procurement Forward Plan 2022 -2027

### **Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012**

- None

**Officer contact details for documents:**

**William Jabang  
(Interim Head of Procurement)**

## Cabinet Contracts Forward Plan – Appendix 1

Contract Ref & Title	<b>THH5882 - Concierge &amp; Related Services</b>		
Procurement Category:	Construction & FM	Contract Duration & Extensions:	New Procurement 3 years + 1 + 1 = 5 Years
One-Time / Recurrent	Recurrent	Funding Source:	<input type="checkbox"/> General Fund <input type="checkbox"/> Capital <input checked="" type="checkbox"/> HRA <input type="checkbox"/> Grant <input type="checkbox"/> Reserves <input type="checkbox"/> S106 <input type="checkbox"/> Revenue Generating
Cost Code	10654		
Value Total:	£5m	Statutory / Non-Statutory	Non Statutory
Value Per Annum:	£500,000	Budget	£430,000
Current annual value	£430,000	Revised Annual Contract	£500,000
Savings Annual Value	Not Applicable		
<b>Summary of how savings will be achieved</b>			
<p>There are unlikely to be any savings realised as the bulk of the cost for this service is staff salaries which are paid at London Living Wage which is likely to increase year on year. The current value of the contract is £430,000 per annum which will automatically increase as revised London Living Wage rates are set. It is difficult to predict the LLW increases expected throughout the contract duration hence the estimated values stated above.</p>			
<b><u>Background</u></b>			
<p>THH currently has concierge services provided at 4 sites totalling 5 blocks (Malting &amp; Brewster Houses, Latham House, Pauline House and Brodick House) via a contract with OCS Group UK Ltd, using SIA accredited concierge staff. This contract had a 5-year initial duration and 5-year extension which has been utilised. The existing contract ends in October 2023.</p>			
<b><u>Scope of Contract.</u></b>			
<p>The proposed new contract will replace the existing contract in providing concierge services to these 4 sites / 5 blocks, comprising 346 homes managed by THH. The contract will be flexible and allow for additional blocks to be added (subject to budget being available) or existing ones removed, should this be required. It will also be possible to amend service scope, including reduction or increase of service hours.</p>			
<p>The contract will have an initial duration of 5 years with the option to extend for a further period of up to 5 years, in time increments defined by the Council. The contract will also have a provision for early termination, should the Council's requirement for this service change in the future.</p>			
<b><u>Procurement Approach</u></b>			
<p>Three main factors that will determine procurement route used:</p> <ul style="list-style-type: none"> <li>market conditions are highly competitive for this sector; there are plenty of suppliers in the market for this service;</li> </ul>			

- the services delivered by this contract will be re-charged to leaseholders so a full-leaseholder consultation needs to be undertaken;
- the service specification is standard and therefore well-known to the marketplace.

It is proposed that a two stage publicly advertised competitive process (Restricted Procedure) under the Public Contracts Regulations 2015 as amended by the Public Procurement (Amendment etc.) (EU Exit) Regulations 2020 will be followed for this procurement. This means any supplier will be able to compete for this requirement. SIA Accreditation and a proven track record of delivering similar contracts will be required at the first stage of the procurement process (the SQ stage) to ensure only suitably qualified and capable suppliers progress to the tender stage. Financial standing and compliance with Council's policies (such as Equality and Diversity, London Living Wage, Modern Slavery, etc.) will all form part of the evaluation process.

In the second stage of the process, the evaluation will focus on the specific delivery model and price. It is recommended that the tender evaluation split at second stage is 30/70 in favour of price.

#### Carbon Reduction

We will work with LBTH procurement and appropriate LBTH service area to ensure carbon reduction objectives are included in the provider selection process.

#### Residents/Community Impact

This service has a direct impact on people's feelings of safety and well-being. As such it is central to LBTH's strategic priority of 'Empower communities and fight crime' where people feel safer in their neighbourhoods and anti-social behaviour is tackled.

It is also central to THH's 'Create Great' Business Plan 2020-2026 purpose of Great Homes, securing high quality contractors, managing them robustly and working alongside residents to make sure quality standards and social value benefits are met, Great Services and our commitment to achieving greater value for money and Great Communities, working with our partners to help our residents live free from the effects of anti-social behaviour.

A full canvass will be undertaken of the customer base in each block as part of the consultation process.

The contract is a stand-alone contract and does not conflict with others. The proposal is that only service providers who are Security Industry Authorised (SIA) will be invited to bid.

The Council will be the contracting entity for this contract so there will be no need for a novation when THH is taken back in – house.

#### Community Benefits

The Council's Social Value Matrix will be used to secure community benefits. This will be a mix of standard SV elements, such as local recruitment, apprenticeships and event sponsorship, and more service-specific elements, such as support of estate days and individual SIA accreditations, including employment of individuals with these accreditations.

Contract Ref & Title	<b>Further Competition Vehicle Lease and Flexible Rental Solutions</b>		
Procurement Category:	Corporate Services	Contract Duration & Extensions:	New Procurement 3 Years + 1 + 1 = 5 Years
One-Time / Recurrent	Recurrent	Funding Source:	<input checked="" type="checkbox"/> General Fund <input type="checkbox"/> Capital <input type="checkbox"/> HRA <input type="checkbox"/> Grant <input type="checkbox"/> Reserves <input type="checkbox"/> S106 <input type="checkbox"/> Revenue Generating
Cost Code	53150		
Value Total:	£9,905,000	Statutory / Non-Statutory	Non Statutory
Value Per Annum:	£1,981,000.00	Budget	£2,183,000.00
Current annual value	£2,275,000.00	Revised Annual Contract	£1,981,000.00
Savings Annual Value	£275,000.00		

#### **Summary of how savings will be achieved**

Purchase of Electrical Vehicles under 3 ½ tonnes with approved Capital funding will replace currently leased diesel small vans and cars.

Additional saving will be achieved through reduced maintenance costs as the current fleet of school buses are out of warranty.

#### **Background**

The Council is obliged to procure a range of vehicles in order to provide its vital core services. The contract arrangement under which the current vehicles were procured is due to expire shortly.

#### **Scope of Contract**

The scope of the contract is to source a reliable provider or providers to lease and rent vehicles for Council front line services. Current leases for 60 school buses are expiring and will require replacement. There is currently no suitable electrical alternative on the market, so to lease is the best alternative at this time. Cage tipper vehicles and some of the other large vans used by teams providing statutory services will also have their leases expiring and also there is no electrical alternative at the market, so rent and lease agreements required to be in place. The third group under the contract is vehicles required ad hoc for a short period of times in case of breakdowns or unscheduled work.

A stakeholder project team will be set up to develop the specification of requirements for the range of vehicles. The project team will also develop the evaluation criteria and pricing model.

#### **Contracting Approach**

The contracting approach will be finalised after completing the pre-sourcing activities which may include the analysis of the business need, market analysis / market engagement and development of the sourcing strategy. The procurement will be compliant with the Council's Procurement Procedures and The Public Contracts Regulations 2015 (as amended by the EU Exit Regulations 2020).

**Community Benefits**

It will be required for a provider to source new vehicles and models and that will be as environmentally friendly as possible to provide better air quality to local residents, help to reduce pollution and support Council's aim towards zero emission operations.

As part of this procurement to deliver Social Value will be set at an appropriate percentage. Social Value benefits that will be considered may include work experience and training opportunities as relevant to this trade. The council's procurement procedures require that social value is part of the evaluation criteria for the overall tender. The procurement will require bidders to make an offer in respect of social value and community benefits based upon a pre populated matrix agreed by the service and procurement prior to issue of the competition.



Contract Ref & Title	<b>HAC5321 - Residential Respite Sewardstone Road (Hotel in the Park)</b>		
Procurement Category:	Health & Care	Contract Duration & Extensions:	New Procurement 3 + 1 + 1 = 5 Years (17/02/2024 to 16/02/2029)
One-Time / Recurrent	Recurrent	Funding Source:	<input checked="" type="checkbox"/> General Fund <input type="checkbox"/> Capital <input type="checkbox"/> HRA <input type="checkbox"/> Grant <input type="checkbox"/> Reserves <input type="checkbox"/> S106 <input type="checkbox"/> Revenue Generating
Cost Code	30283-R5600-A1491		
Value Total:	£3,668,637.49	Statutory / Non-Statutory	Non Statutory
Value Per Annum:	£644,666 (Contract value 23/24 with 9% uplift for LLW)	Budget	£591,436.87
Current annual value	£591,436.87 per annum (2022/23 value)	Revised Annual Contract	£3,668,637.49 Year 1 = £678,710.38 Year 2 = £713,500.70 Year 3 = £736,510.83 Year 4 = £758,606.16 Year 5 = £781,309.42 Includes increase for LLW increase in future years
Savings Annual Value	Not applicable		
<b>Summary of how savings will be achieved</b>			
No savings will be achieved			
<b><u>Background</u></b>			
<p>The London Borough of Tower Hamlets is commissioning the only residential respite support for adults with learning disability in-borough. This procurement is necessary as the existing contract will expire in Feb 2024. Permission is sought to go out to tender for the provision of the Hotel in the Park residential respite support service.</p> <p>Local residential respite care available to residents is a key element of the Adult Learning Disability Strategy 2017 to 2020, the Tower Hamlets Care Strategy setting out the local approach to improve support for adults with learning disability and their families.</p> <p>A high-quality respite service in Tower Hamlets is important to support the ambition of the 2022 LBTH Strategic Plan for residents to have access to high quality social care services and the commitment to the care of vulnerable members of the community locally. This includes the provision of high quality and financially sustainable services for adults receiving social care to achieve their goals, be connected to others and live as independently as possible.</p>			

The contract is supporting residents and families in need of respite care in the borough. There are more than 70 individuals who have a respite needs and have been allocated a set number of days of respite care in 2021/22. The majority of those individuals are regular users of the current service.

**Scope of Contract**

The service is located in a Council owned building (Sewardstone Road) which is currently under renovation and due to have works completed by Summer 2023. These capital works will provide a newly refurbished ground floor respite provision delivering an improvement to the quality standard of the environment.

The residential respite provider is required to:

- Deliver a high quality and cost-effective respite service locally to enable positive outcomes for people with a learning disability and offer a real break for their family/carers.
- Provide people with learning disability the opportunity to spend time away from their parents/carers, having enjoyable experiences in new environments and participating in a range of activities in the community.
- Recognise the invaluable role that carers of adults with learning disability play by offering them a break from their daily caring routine.
- Provide a positive experience for both the carer and those with care needs.
- Promote the health and wellbeing of family/carers and individual adults who use the respite service.
- Provide unplanned and short-term emergency respite when carers and families are in crisis or during emergency situations.
- Provide support to families that enables people with learning or other disability to be supported at home for longer and prevent breakdown of living arrangements
- The service objectives are to provide respite to the full capacity of the premises for Tower Hamlets clients only who have respite allocated by the Community Learning Disability Service as part of their support plan. This will be as follows:
  - 1,825 planned stays (5 beds for 365 days per year); and
  - 730 emergency stays (2 beds for 365 days per year).

A stay is assumed to generally be for 24 hours, and the service provision must include delivery of a programme of care, support and a varied range of activities for the full capacity of seven people for all seven evenings of the week (4pm to 10am) and during the daytime (10am to 4pm) at weekends.

On weekdays during the daytime (10am to 4pm), the service must ensure that all 7 people are supported, either by enabling them to participate in their regular programme of activities or by directly providing a programme for them.

**Contracting Approach**

The contracting approach will include a procurement that will be compliant with the Council's Procurement Procedures and The Public Contracts Regulations 2015 (as amended by the EU Exit Regulations 2020).

An open tender approach is considered to be the preferred procurement approach to reduce any barriers for potential bidders to submit bids.

<b>Tender phase</b>	<b>Expected completion</b>
Design and preparation	July 2023
Close of tender	October 2023
Contract award	November 2023
New Contract start	February 2024

The inflationary uplift has been modelled on the recent increase to LLW of 8.14% from April 2023. The total contract value over the life of the new contract will be the maximum value that may be considered following a decision to procure. The final value will be determined through a process of discussions and in full understanding of evidenced associated cost pressures prior to any agreement, and confirmation of annual

increases to LLW and inflationary pressures. All inflationary and LLW pressures for the contract will be funded via Corporate Inflationary uplift funding which is identified and transferred at the start of each financial year.

Consideration has been given to in-sourcing this service, however it has not been deemed appropriate for the following reasons:

- Due to the delivery of regulated activity in this type of provision, it is a statutory requirement that respite for people with LD and Autism is registered with CQC. Given that the Authority does not have this registration, it will not be possible to deliver this service in-house. Should the Authority want to meet the registration requirements, this would involve a lengthy process currently taking in excess of 12 months to acquire; including the processes of application, registration and evidential demonstration of how the Authority meets all the stipulated criteria. It is not anticipated that the Authority can demonstrate meeting this threshold.
- This provision is highly specialised for people with learning disabilities and autism who have complex and profound physical, emotional and health needs, and requires high levels of specialism to deliver and sustain to effective quality standards that are subject to regular CQC inspections.
- The service delivery requirements contains specialist competencies and training of the workforce which has been best delivered by voluntary sector organisations with a proven track record and expertise in this area.
- Maintaining this service within the voluntary sector enables best value for money whilst we continue to ensure Providers meet London Living Wage thresholds.

#### **Community Benefits**

Social Value will have 10% overall weighting in the tender evaluation process with the requirements being developed and defined during the preparation of the Tender Pack. This will include consideration of Social Value benefits that can reasonably be delivered within the proposed contract. An indication of the benefits that may be asked within the procurement are listed below

- Ensuring that the service is accessible to all eligible service user with due respect to their culture and religion
- Percentage of agency staff that will be recruited via local recruitment agencies in Tower Hamlets.
- Percentage of vacancies within the service that will be recruited from the local community.

Contract Ref & Title	<b>HAC5771 - Antill Road Complex Needs Day Service</b>		
Procurement Category:	Health & Care	Contract Duration & Extensions:	Contract Extension 21 months new contract extension: 01/01/2024 to 30/09/2025
One-Time / Recurrent	Recurrent	Funding Source:	<input checked="" type="checkbox"/> General Fund <input type="checkbox"/> Capital <input type="checkbox"/> HRA <input type="checkbox"/> Grant <input type="checkbox"/> Reserves <input type="checkbox"/> S106 <input type="checkbox"/> Revenue Generating
Cost Code	R5600-30183-A2100		
Value Total:	£1,087,015 (block value at £822,426, spot value at £264,588)	Statutory / Non-Statutory	Non Statutory
Value Per Annum:	£582,382 (LLW uplift of 9% for 23/24 – block amount at £440,625, spot amount at £141,757)	Budget	£534,295 for 2022/23 (£404,243 block / £130,052 spot) 9% uplift from April 23 in line with LLW brings contract to £582,382 in 23/24 (440,625 block, £141,757 spot)
Current annual value	£534,295 (including spot purchases)	Revised Annual Contract	£621,151 average annual value (including spot purchases)
Savings Annual Value	Not Applicable		
<b>Summary of how savings will be achieved</b>			
<p>Savings have been delivered for day services in 22/23 as part of the implementation of the Learning Disabilities Framework HAC5313A. The full year effect will be delivered in 23/24.</p> <p>The current interim Antill Road contract has been aligned with the Framework, reducing the spot commitments significantly. It would therefore not be appropriate to make any further savings for this extension period.</p>			
<b><u>Background</u></b>			
<p>Antill Road is a specialist day service that supports adults with learning disability who have high levels of multiple complex needs including severe physical or mental health needs and challenging behaviours. It is a block funded day care provision at the value of £404,243 with additional spot packages currently totalling £130,052, all funded by implementation of tiers for standard, enhanced and complex support. The block nature of this service reflects it being delivered from a bespoke Council building under the terms of a lease agreement.</p> <p>With the growing demand for day provision for people with high complex/challenging health and physical needs means that the current building configuration and space does not adequately meet needs and out of borough provision continues to be the alternative. An expansion of specialist services is therefore required to meet increasing demand arising from the growing number of people with challenging behaviour coming through transition each year.</p> <p>We are currently exploring opportunities to re-provide this service on alternative sites within the borough to</p>			

increase capacity for this type of service as well as improving the quality of the current infrastructure for those with more complex needs. The service is linked to ongoing discussions in the Capital Programme. The ability to work collaboratively with us in the redesign and re-provision of this service will form part of a new contract and award decision. This is expected to achieve longer-term cost avoidance from people coming through transitions who would otherwise need to utilise out of borough day service placements, and savings from those returning from out of area.

Due to the planned redevelopment and the desire to move this standalone contract into our existing learning disability day service contracted framework we are requesting an extension to this contract terms to align with the terms of the current Framework ending on 10<sup>th</sup> October 2025. This is because it remains the only block funded day care provision in the Borough (the other day services are delivered on a daily rate of three tiers against the Framework – HAC5313a).

The incumbent Provider is Look Ahead Care and Support. There have been no concerns regarding the contracts performance with regards to quality, outcomes or compliance. Staffing levels over the last financial year have remained at 100% delivery, utilisation of the service against those who have allocations has remained at 90% on average (Year to Date). There have been 6 new referrals into the service in 22-23. A total of 4 incidents pertaining to challenging behaviour from service users occurred which is a familiar occurrence in relation to the client group. All incidents were dealt with in a timely and appropriate manner. All Service users have up-to-date risk management plans. 100% of service users have up-to-date Health Action Plans. The service has reported on the delivery and support to a number of community-based activities including participation in BikeWorks and access of Mile End Leisure Centre, arts and crafts within the centre and gardening activities, with service users reporting a positive increase in their sense of wellbeing.

### **Scope of Contract**

The service provides engagement in meaningful activities supporting this cohort to be part of the community as set out in the Adults Learning Disabilities Strategy as a key outcome area. The service currently supports around 21 adults including those who have continuing health care needs. It is envisaged that a re-provision will increase these numbers.

Whilst one of the key outcomes is to support people to develop their skills to be as independent as possible, many people will need long term support from the service because of the complexity of their needs.

The service provides 1:1 support for most service users and some are supported in smaller groups. The service has in the recent interim contract moved to the tiers system to align with the Day Services Framework model.

### **Contracting Approach**

The current service is commissioned on a block and spot basis, we are proposing a 21 month extension to this contract to align with the contracting terms of the existing learning disability framework agreement which ends in October 2025.

The current Providers delivering against the Day Services Framework (HAC5313a) charge per individual on a daily rate across a set of 3 tiers (standard, enhanced and complex tiers). This contracting approach of moving to charging against a daily rate will provide optimum outcomes, best value for money and can be achieved with the associated tenure commitments

The inflationary uplift has been modelled on the recent increase to LLW of 8.14% from April 2023. The total contract value over the life of the new contract will be the maximum value that may be considered following a decision to procure. The final value will be determined through a process of negotiation and in full understanding of evidenced associated cost pressures prior to any agreement, and confirmation of annual increases to LLW and inflationary pressures. All inflationary and LLW pressures for the contract will be funded via Corporate Inflationary uplift funding which is identified and transferred at the start of each financial year.

The Council has a legal duty to provide the services referred to in the Appendix 1. The interim extension of the existing contract may be justified on the basis that a competitive exercise for a short-term contract would not be economically viable and also on the basis that the service will be tendered once the contract has been aligned with the Day Services Framework contracts

Consideration has been given to in-sourcing this service, however it has not been deemed appropriate for the following reasons:

- This provision is highly specialised for people with learning disabilities and autism who have complex and profound physical, emotional and health needs, and requires high levels of specialism to deliver and sustain to effective quality standards.
- Due to the degree and nature of the service delivered, it requires the host organisation to have an appropriate level of CQC registration which includes a recent track record for delivering services of this type.
- The service delivery requirements contains specialist competencies and training of the workforce which has been best delivered by voluntary sector organisations with a proven track record and expertise in this area.
- Maintaining this service within the voluntary sector enables best value for money whilst we continue to ensure Providers meet London Living Wage thresholds.
- Our current day services for people with LD and Autism are delivered in the community by voluntary sector organisations, providing a range a services including specialist and culturally specific provision which best meets the needs of our communities.

### **Community Benefits**

Existing commitments of social value under the current block terms will continue for the duration of the extension. Future incorporation into the Day Services Framework for this contract does not currently include a social value percentage as services are purchased individually on a daily rate.

Contract Ref & Title	<b>HAC5303 - Carers' Services.</b>		
Procurement Category:	Health & Care	Contract Duration & Extensions:	New Procurement 3+ 1 + 1 = 5 Years
One-Time / Recurrent	Recurrent	Funding Source:	<input type="checkbox"/> General Fund <input type="checkbox"/> Capital <input type="checkbox"/> HRA <input type="checkbox"/> Grant <input type="checkbox"/> Reserves <input type="checkbox"/> S106 <input type="checkbox"/> Revenue Generating
Cost Code	R5600 30106 A1875		
Value Total:	£3,310,000	Statutory / Non-Statutory	Statutory
Value Per Annum:	£662,000r	Budget	£662,000
Current annual value	£645,206	Revised Annual Contract	£662,000
Savings Annual Value	Not Applicable		

#### Summary of how savings will be achieved

No savings are proposed as the actual number of carers in Tower Hamlets has increased.

#### **Background**

The council has a statutory duty to provide information and advice support to unpaid carers caring for someone living in Tower Hamlets as stated in the Care Act 2014. An unpaid carer is anyone who looks after a family member, partner or friend who needs help because of their illness, frailty, disability, a mental health problem or an addiction and cannot cope without their support. Unpaid carers make an immense contribution to health and social care economy and to the Tower Hamlets community.

23,583 Tower Hamlets residents were recorded as unpaid carers through the 2021 Census, an increase from the 19,356 recorded in 2011. It is likely the actual number of unpaid carers in Tower Hamlets is higher as they are less likely to self-report/recognised themselves as a carer and remain hidden. Various national research and local feedback via the Carers Centre Tower Hamlets (current provider), GP Care Group and carers assessments suggests the pandemic has led to an increase in the needs of carers. COVID-19 and caring has left many carers exhausted, socially isolated, and close to burning out which has impacted their health and wellbeing. Unpaid carers are more likely to experience higher prevalence of health inequalities.

The bi-annual Survey of Adult Carers in England conducted in 2021 identified that carer satisfaction with social services has decreased compared to the previous two surveys. Carers general wellbeing had also decreased, with a 3.7% reduction in carers reporting that they had as much social contact as they would like.

Unpaid carers contribute significantly to the health and care economy in Tower Hamlets and it is probable any service reductions could impact carer quality of life and/or increase risk of carer and cared for relationship breakdowns thus require higher levels of costlier support from Adult Social Care.

Carers Centre Tower Hamlets are currently contracted to deliver the Carers Link services which provides support to unpaid carers of Tower Hamlets residents. The contract expires on 31 March 2024, having obtained Cabinet agreement to extend for four months (from 1 December 2023 to 31 March 2024) on 25 January 2023.

## **Scope of Contract**

Cabinet approval is being sought to tender for Carers' Services. The proposed contract(s) will act on behalf of the Council as the integrated front door service for unpaid carers. The Council, leading on behalf Tower Hamlets Together, may seek to commission more than one service from the budget, dependent on the outcome of co-production work with unpaid carers. For example, it may be decided to incorporate a carers emergency element within a single contract, or it may be decided to continue to have this has a separate contractual arrangement.

Due to the nature of the service, insourcing is not considered a viable option as the service provider will need to independently support the needs of unpaid carers in the borough and advocate on their behalf. Feedback from carers, including through the co-production group, has highlighted the benefits of having access to carers support, including carers needs assessments, provided in the community.

This request brings together all available carers funding via the Better Care Fund, including what is currently used for the Emergency Carers Service, and that is why the budget is higher.

The service will deliver information, advice, practical support, and guidance to carers of Tower Hamlets residents to help them to undertake their caring role. The carers offer in Tower Hamlets will be aligned to the priorities in the National Carers' strategy, carers action plan and Tower Hamlets Together's commitment to Carers Action plan, which are as below:

- Identification and recognition of carers
- Realising and releasing the potential of carers
- A life outside of caring
- Improving the health and wellbeing of carers
- Providing seamless transition for young carers in transition

Co-production of the future carers service(s) with unpaid carers started in early 2023 to better understand the needs of unpaid carers and how these may be met by the new service(s). This will continue throughout the first half of 2023 and will review current provision, including that delivered through the existing Carers Link and Emergency Carers Service contracts, as well as proposing outcomes for the service(s) and development of service specification(s). The co-produced delivery model may require more than one contracted service to be procured, within the set budget and period.

Co-production work will complement several key pieces of work completed by Tower Hamlets Together partners - including the GP Care Group review of carers support, and the East London Foundation Trust Carers Strategy – as well as findings from the Survey of Adult Carers in England 2021/22, which provided important insights into the carer experience in Tower Hamlets, particularly the impact of the COVID-19 pandemic.

Initial feedback from co-production sessions has highlighted the requirement for flexible service delivery including the use of online support and solutions as well as some building-based provision in the community to maximise the potential for unpaid carers to be able to access the service around their caring role.

The service will support adult carers caring for someone in Tower Hamlets, and young carers (16+ years) transitioning into adulthood, including;

- Statutory information, advice and advocacy from various sites in the borough including hospital and GP sites
- Welfare/benefit maximisation
- Undertaking Care Act 2014 compliant carers assessments in the community

Carers are often time poor and neglect their own needs, the service model is likely to include the following free of charge activities, majority of which have a high take up and there is a constant demand for services listed below:

- Wellbeing support which includes psychotherapy, counselling, massage, reflexology, acupuncture treatment



- Carers activity fund - enabling carers to bid for small pots of money, so they can lead and deliver activities as a form of peer support
- Overnight carers retreat in the countryside
- Carers Academy (direct learning and training)
- Day trips, group activities, carers forum, universal/condition specific peer support groups
- Emergency respite service in the home for carers who are not known to adult social care service and require real time support to manage/avoid a crisis.

### **Contracting Approach**

The contracting approach will be finalised after completing the pre-sourcing activities which may include the analysis of the business need, market analysis / market engagement and development of the sourcing strategy. The procurement will be compliant with the Council's Procurement Procedures and The Public Contracts Regulations 2015 (as amended by the EU Exit Regulations 2020).

An indicative timetable for procurement is as follows:

- January – July 2023 - co-production work continues with unpaid carers to develop specification(s) and KPIs and quality statements
- June 2023 – Pre-market engagement event
- August 2023 – ITT documentation issued
- September 2023 – evaluation of submissions
- November 2023 – Contract award decision
- December – March 2024 – contract mobilisation
- 1 April 2024 – contract start date

### **Community Benefits**

Social Value will have 10% overall weighting in the tender evaluation process with the requirements being developed and defined during the preparation of the Tender Pack. This will include consideration of Social Value benefits that can reasonably be delivered within the proposed contract.

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London Borough of Tower Hamlets  
Procurement Cabinet Forward Plan 2023-2027  
Recurring contracts over £1,000,000

Contract Ref	Title	Contract Start Date	Contract Expiry Date	Contract Duration	Total value	Division	Remarks
AHS5037	Independent Living Community Support (ILCS)	18/07/17	17/01/23	167	£2,749,106.00	HAC	Q3 Cabinet Report to extend
P5646	Further Competition Vehicle Lease and Flexible Rental Solutions	01/03/20	28/02/23	91	£3,000,000.00	PL	Service to co-ordinate with fleet electrication
AHS5144	Supported accommodation for adults with learning disability - Old Ford Road and Vulcan Square	01/07/18	31/03/23	145	£1,699,049.02	HAC	Tendering
P5521	Materials Sorting Facility (MRF) Services Contract	01/04/20	31/03/23	91	£7,960,000.00	PL	Service is arranging for legal to be extended to 31/3/24
R5352	Procurement of Lawyers for Insurance Litigation	01/04/18	31/03/23	152	£1,000,000.00	RE	Service to seek an extension.
HAC5296	Community Equipment Service	01/04/19	31/03/23	122	£6,100,000.00	HAC	In Procurement
HAC5648	Hostel Services - Edward Gibbons House, Providence House and Daniel Gilbert House	01/04/20	31/03/23	91	£1,312,808.00	HAC	Awaiting Decision from the Service
R5834	Microsoft Licences for Applications and Servers	01/04/23	31/03/26	91	£4,748,000.00	RE	Contract Awarded
CLC4371	CLC4371: Highway Maintenance and Improvement Works Lot 1 & 2	01/10/14	31/03/23	259	£50,500,000.00	P	In procurement as part of the combined contract
CLC4371	CLC4371: Highway Maintenance and Improvement Works Lot 3 & 4	01/10/14	31/03/23	259	£10,000,000.00	P	In procurement as part of the combined contract
R5280	R5280: Leasehold Building Insurance	01/04/18	31/03/23	152	£14,800,000.00	RE	Consortium Lead - in procurement
HAC5252	HAC5252: Teresa House and Hamlets Way	01/04/18	31/03/23	152	£2,864,925.00	HAC	Q3 Cabinet Report to extend
DR5116	Cleaning and Associated Services	03/07/17	02/07/23	183	£7,261,986.00	PL	Awaiting decision
HAC5306A	Nicotine Replacement Therapy Products	08/07/19	07/07/23	122	£6,000,000.00	HAC	Replacement contract awarded
AHS5145	Tower Hamlets Campbell Road Young People's Support Service	01/11/17	31/07/23	175	£1,771,895.00	CS	In Procurement
AHS5146	Mile End Road Young Persons Support Service	01/09/17	31/07/23	180	£2,004,715.00	CS	In Procurement
AHS5128	Hostel: Dellow Supported Housing Accommodation for Vulnerable single adults	01/08/17	30/09/23	188	£2,320,683.60	HAC	Awaiting Service decision
HAC5360	Hostel: Hoptown supported Housing Accommodation	01/06/18	30/09/23	162	£4,123,541.95	HAC	Awaiting Service decision
HAC5314/5	Employment Support Services (Lot A and Lot B)	01/10/18	30/09/23	152	£1,737,500.00	HAC	Q3 Contracts Forward Plan
HAC5314	HAC5314: Employment Support Services (Lot A and Lot B)	01/10/18	30/09/23	152	£1,147,208.00	HAC	Q3 Contracts Forward Plan
H3948	Concierge and Related Security Services	03/10/13	02/10/23	304	£3,000,000.00	THH	Q4 Contracts Forward Plan
CS5386	CS5386: Short Breaks: Holiday, Weekend and After School Short Breaks	01/04/19	30/11/23	142	£1,056,000.00	CS	In Procurement
HAC5303	Carers Service	01/12/18	30/11/23	152	£2,865,192.00	HAC	Q3 Contracts Forward Plan
HAC5321	Hotel in the Park (Residential Respite for Adults with Learning Disability)	03/12/18	02/12/23	152	£29,011,114.38	HAC	Q4 Contracts Forward Plan
HAC5312	HAC5312 Antill Road (High/Complex needs) learning disabilities day services	01/08/18	31/12/23	165	£1,849,753.00	HAC	Q4 Contracts Forward Plan
R5345	Enforcement Agents for collection of Council Tax, Non Domestic Rates and Sundry Debts	06/01/20	05/01/24	122	£1,400,000.00	RE	

R5667	Energy Supply	01/04/21	31/03/24	91	£19,000,000.00	RE	Future arrangements via Energy Framework
CS5580	Supply of Fresh and Frozen Meat via PAL	03/08/20	31/03/24	111	£3,525,160.00	CS	
HAC5020	Direct Payment Support Service	01/04/19	31/03/24	152	£1,612,800.00	HAC	
HAC5356	0-5 Specialist Community Public Health Nursing	01/04/19	31/03/24	152	£35,250,000.00	HAC	
HAC5382	Mental Health Recovery College	01/07/19	30/06/24	152	£1,133,980.00	HAC	
HAC5382.1	Mental Health Mental Health and Wellbeing (LOT A, B, C)	24/08/19	23/08/24	152	£5,916,145.00	HAC	
THH5071	Major Internal and External Works	11/03/19	13/11/24	173	£118,000,000.00	THH	
THH5073	THH5073: Better Neighbourhoods Consultancy Services Framework Agreement	14/11/20	13/11/24	122	£7,000,000.00	THH	
HAC5393B	HAC5393B: Tier 2 Weight Management Services (Dynamic Purchasing System)	15/01/20	14/01/25	152	£1,470,000.00	HAC	
R5695	Agency Recruitment	05/02/21	04/02/25	122	£120,000,000.00	RE	
HAC5722	Hackney Road Hostel Project	01/04/21	31/03/25	122	£2,063,000.00	HAC	
P5606	Further Competition Vehicle Maintenance Contract	01/04/20	31/03/25	152	£4,940,207.00	PL	
HAC5310	Learning Disability Residential Care and Supported Accommodation Framework	01/04/21	31/03/25	122	£8,000,000.00	HAC	
HAC5753	HAC5753 Tower Hamlets Floating Support	01/04/22	31/03/25	91	£1,250,000.00	HAC	
CLC5135	Removal of Nuisance Vehicles	01/05/18	30/04/25	213	£6,550,000.00	THH	
R5771	Remote Processing Service	29/08/21	29/08/25	122	£16,000,000.00	RE	
P5682	Mechanical Capital Works Framework	13/09/21	12/09/25	122	£10,000,000.00	PL	
HAC5313A	Learning Disability Day Opportunity Framework	11/10/21	10/10/25	122	£15,100,000.00	HAC	
HAC5253	North East London Integrated Sexual Health Service	01/12/17	30/11/25	243	£40,000,000.00	HAC	
R5660A	Help Desk Services	01/02/21	31/01/26	152	£1,400,000.00	RE	
P5670	Resource Centre for Rough Sleepers	01/04/21	31/03/26	152	£1,175,000.00	PL	
R5660B	Network Services	01/04/21	31/03/26	152	£1,925,944.00	RE	
CS5637.1	Overnight and related short breaks two lots - children and young people with autistic spectrum disorder (ASD) and complex health needs including LD and Physical D	01/04/21	31/03/26	152	£5,300,000.00	CS	
HAC5762	HAC5762 Sundial Day Opportunities	15/04/22	14/04/26	122	£2,100,000.00	HAC	
P5719	Enhanced Rough Sleeping Outreach Service (EROS)	05/05/21	04/05/26	152	£8,000,000.00	PL	
CS5376	Education Support Workers Supply - Dynamic Purchasing System	15/05/19	14/05/26	213	£17,000,000.00	CS	
HAC5621	Integrated Information, Advice and General Advocacy Service	01/07/21	30/06/26	152	£3,632,000.00	HAC	
HAC5720	Integrated Statutory Advocacy Services (IMCA, CAA)	19/07/21	18/07/26	152	£1,065,000.00	HAC	
CS5678B-1a	Youth Activity Hub (Lot 1a North East Quadrant)	01/09/21	31/08/26	152	£1,035,000.00	CS	
HAC5384	Adult Drug and Alcohol Services (RESET)	28/10/19	23/10/26	213	£32,767,000.00	HAC	
P5718	P5718: Arboriculture Services Contract	01/11/21	31/10/26	152	£1,250,000.00	P	
P5645 FC004	Lead Environmental Impact Assessment (EIA) Contract (Lot 1)	03/11/21	02/11/26	152	£2,500,000.00	PL	
THH5593	THH5593: Communal Mechanical and Electrical Plant (servicing, planned preventative maintenance and repair)	01/02/22	31/01/27	152	£22,476,888.00	THH	
HAC5591	HAC5591 Community Passenger Transport Services DPS	03/02/20	02/02/27	213	£18,900,000.00	HAC	

DR3911	Offsite Data Storage and Destruction of confidential waste	17/06/12	31/03/27	450	£1,000,000.00	PL
HAC5758	HAC5758 LinkAge Plus Services	01/04/22	31/03/27	152	£3,216,900.00	HAC
THH5584A	THH5584A: Periodic servicing, responsive maintenance and renewal of gas domestic appliances	01/04/22	31/03/27	152	£19,000,000.00	THH
CS3247	Mulberry School PFI	01/05/02	01/05/27	761	£19,000,000.00	PL
HAC5731	Public Health GP Enhanced Services	01/07/21	30/06/27	183	£5,597,244.00	HAC
THH5586	THH5586: Responsive Maintenance, Void Property Works and Minor Planned Works	01/07/22	30/06/27	152	£183,000,000.00	THH

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<p><b>Cabinet</b></p> <p>26 April 2023</p>	 <p><b>TOWER HAMLETS</b></p>
<p><b>Report of:</b> Ann Sutcliffe, Corporate Director of Place</p>	<p><b>Classification:</b> Unrestricted</p>
<p><b>Adoption of the Code of Construction Practice 2023</b></p>	

<b>Lead Member</b>	<b>Councillor Kabir Ahmed, Cabinet Member for Regeneration, Inclusive Development and Housebuilding</b>
<b>Originating Officer(s)</b>	Hannah Horton, Development Coordination Manager
<b>Wards affected</b>	All wards
<b>Key Decision?</b>	Yes
<b>Reason for Key Decision</b>	Significant impact on wards
<b>Forward Plan Notice Published</b>	23/12/2022
<b>Strategic Plan Priority / Outcome</b>	6. Empower Communities and Fight Crime 7. A clean and green future 8. A council that works for you and listens to you

### Executive Summary

The Code of Construction Practice sets out the Council's expectations on the operations and logistics planning of construction sites within the borough. Ensuring the safety of the public and workers navigating the public realm surrounding active sites and the adequate mitigation of any adverse impacts including noise, dust and traffic issues. The attached Code of Construction Practice 2023 will replace the 2006 version and ensure it aligns and responds to the latest legislation and policies, best practice guidance and consultation feedback received from residents.

### Recommendations:

The Mayor in Cabinet is recommended:

1. To approve the Code of Construction Practice (2023) for adoption, authorise officers to prepare an adoption statement and withdraw the current Code of Construction Practice (2006).
2. To authorise the Corporate Director of Place to make any necessary factual or minor editing changes prior to publishing the final Code of Construction Practice (2023).

3. To note the Equalities Impact Analysis Screening Tool as summarised in Paragraph 4 (and included in Appendix C).
4. To note the Consultation Statement summarising representations received during the public consultation and the responses to these representations as set out in Appendix D to the report.

## **1 REASONS FOR THE DECISIONS**

- 1.1 Cumulative construction activity across multiple development sites, especially in our growth areas, impacts on residents and businesses, affecting a range of health, social, environmental and economic indicators. Furthermore, if construction activity is not coordinated between the wide range of landowners and developers in the borough's growth areas, it leads to confusion, inefficiencies and delays to the delivery of development.
- 1.2 Tower Hamlets last published a Code of Construction Practice in 2006, the update proposed for decision reflects revisions to the following areas of legislation, policy and guidance:
  - Environmental, Planning and Highways Acts
  - London Plan 2021 and supporting documents
  - Tower Hamlets Local Plan 2031
- 1.3 The Code is set up as a guidance document which refers to relevant legislation, policy and best practice which it is the responsibility of the developer to adhere to. It outlines the primary means of enforcement via planning condition and Construction Management Plan (CMP) and Site Environmental Management Plan (SEMP) submissions.
- 1.4 The Code aims to clarify how the council, developers and contractors should coordinate and interact throughout the development process (post-planning permission) on matters concerning the environment, planning and highways. The Code describes the coordination services available from the council and the licensing processes and timeframes required for approval, enabling developers to plan more efficient delivery of development around the borough.
- 1.5 The Code has been subject to two rounds of public consultation. The first in January to February 2022 and the second in October to December 2022. Public and professional comments made during consultations have been supportive overall, with most queries requesting clarifications on details rather than any substantive changes.
- 1.6 However, the public are interested in how the council will enforce adherence to the Code. This is addressed through further measures the Development Coordination team has put forward (establishment of CMP Officers to coordinate the review, approval and monitoring of CMPs) to relevant Directorate leadership and is currently being pursued with colleagues within Public Realm.



## **2 ALTERNATIVE OPTIONS**

- 2.1 The alternative option is to not adopt the Code of Construction Practice 2023. This would mean that planners and developers continue to use the 2006 version which no longer aligns with the latest legislation, policies and best practice guidance around construction. The revised version of the Code of Construction Practice introduces more stringent measures to mitigate the impacts of construction on both residents and the environment. For example, the revised Code includes more stringent and clearer requirements on permitted working hours for specific construction activities. In direct response to resident feedback from consultations held on the Code.
- 2.2 It emphasises the need for closer coordination with the council, via the newly set up Constructor Forums, Utilities Coordinators and Streetworks teams. It guides developers on how often (relative to site categorisation) sites must be communicating (effectively) their planned disturbances to the neighbourhood around them (not previously advised). These could provide information on road closures and changes in street layout or forewarning of noisy works and their planned duration.
- 2.3 Post planning approval, developers will now be required to sign a checklist, detailing the submissions required for describing their planned mitigations for environmental and logistical impacts on the public realm. By signing the checklist, they confirm adherence to the Code guidance and payment of relevant fees related to monitoring of their Construction Management Plans (CMP) and adherence to the Code.
- 2.4 Further updates have addressed issues related to the climate emergency (planning for flooding if in identified flood zones) and more stringent requirements in place, via the London Plan, on how developers manage construction, demolition and excavation waste.
- 2.5 To continue using the 2006 version would be out of step with recently updated guidance developed by many other boroughs across London.

## **3 DETAILS OF THE REPORT**

- 3.1 The Code of Construction Practice was last updated in 2006 and therefore needs to be updated to align with the latest legislation, policies and best practice guidance around construction.
- 3.2 The table below provides a summary of the key sections within the Code of Construction Practice 2023.

<b>Chapter</b>	<b>Purpose</b>	<b>Highlights</b>
Foreword	Introduction by Corporate Director on Tower Hamlets context and to set expectations for adherence to the Code.	

1	Introduction	Provides a brief outline of the intentions of the Code, how to use the document and the key amendments most likely to impact on stakeholders (community, developers and contractors).	
2	Site Categorisation and Impact	NEW CHAPTER: Details the actions and submissions required of developments relative to their size categorisation at planning stage – Strategic, Major, Minor and Basements (basements were not mentioned in previous versions).	A checklist and flowchart are included to aid understanding.
3	Legal Requirements and Planning Policy	NEW CHAPTER: The council clarifies that it is the responsibility of Developers and Contractors to demonstrate their compliance with Planning Conditions, and all prevailing primary and secondary legislation, other statutory guidance and Codes of Practice applicable to development and construction works.	Refers directly to relevant London Plan, Tower Hamlets Local and Neighbourhood Plan Policies. Live weblinks provided.
4	Coordination with Tower Hamlets Council	NEW CHAPTER: The CoCP sets out the opportunities available for developers to coordinate with the council: <ul style="list-style-type: none"> <li>• Constructor forums</li> <li>• TH Infrastructure Coordinator</li> <li>• CMP Officer(s)</li> <li>• TH Construction Awards</li> </ul>	
5	Community Liaison and Consultation	NEW CHAPTER: Guidance is provided in terms of who Developers must consult, how they consult and how the consultation links to the submission of a Construction Management Plan. Providing advice on the need for active engagement throughout the construction phase.	A checklist summary is provided linked to site categorisation – Strategic, Major and Minor developments.
6	General Site Operations	Describes key considerations for site teams on good housekeeping of active construction sites. This covers standard permissible working hours (now amended to acknowledge concerns from residents) for construction activities, CCS membership, security, CCTV, health and safety and emergency procedures etc.	Working hours have been amended to ‘no work on a Saturday’ without prior permission via s61 application. Previously permitted from 8.00-13.00 hrs.

7	Highways and Transport	Describes considerations required for managing parking, traffic flow, road safety and pedestrian safety during works. Updates in line with requirements in the Local Plan (Construction Logistics & Community Safety and the Fleet Operator Recognition Scheme Membership). Clarification of licence application process and timeframes for approval. Requirements for Construction Logistics Plan, CMP and Transport Management Plan submission contents. Advice on deliveries and logistics planning to maximise pedestrian and cycle safety.	Live links to application forms and related webpages. Contact details of specific teams. Recommends the use for the CLOCS CLP tool for planning delivery logistics.
8	Noise and Vibration	Clarification of what constitutes noisy works/phases and information required as part of a Site Environmental Management Plan submission. Explanations of process for s61 'Prior Consent' application and circumstances under which a s60 Notice may be served on a site. Links to new guidance.	Requirement of Noise and Vibration Management Plans.
9	Dust and Air Quality	Describes measures to be taken regarding limiting the exposure of residents and businesses to dust and air pollution during works. Live links provided to legislation and guidance available, as well as local plan policies.	Practical measures to be taken to limit the impact of dust and emissions.
10	Contaminated Land	Describes measures for developers to undertake, at each stage of construction, on identified contaminated land in accordance with current legislation and guidance. This includes the removal of hazardous waste.	Live links to useful resources.
11	Site Waste Management	NEW CHAPTER: with greater emphasis of reuse and recycling of construction material waste in both the Local Plan and the recent wider statement on the 'Circular Economy' by the Mayor of London.	Further advice on contents of Site Waste Management Plans for submission against planning conditions.
12	Water Pollution and Flood Risk	This chapter has been amended to include a section on 'flood risk' to reflect the significant risk within the Borough, requiring adequate	Information on Sustainable Urban Drainage (SUDs) is available from TH

		consideration during construction phase. More explicit guidance provided on temporary and permanent sewer connections.	Utility Coordinator. Risk assessments required for sites within identified flood zones.
13	Urban Ecology	Describes legislation and best practice in preserving the ecology of the borough. In particular, mature trees and provides links to the TH 'Tree Management Plan'.	Mitigations are set out if removal has been approved – 2 for 1 replacement with Semi-Mature Trees <b>not saplings</b> .
14	Archaeology, Built Heritage and Sustainability	Directs developers to information on local heritage assets and institutions to contact and consult with if working within a Conservation area.	Provides live links to the Local List – identifying locally important heritage assets.
<b>Appendix A: Glossary and Abbreviations</b>		Summary of abbreviations and terms	
<b>Appendix B: Contacts</b>		Useful internal council contacts and external agency contacts	
<b>Appendix C: Legislation and Guidance</b>		Lists legislation mentioned within the body of the document	
<b>Appendix D: Checklist for Strategic and Major Developments</b>		A form to be completed by the Developer confirming submissions submitted for approval of condition and sign-up to adherence of CoCP. Payment of any applicable fees.	
<b>Appendix E: Temporary Structure Guidance</b>		Detailed guidance given for applications for highway licences for hoarding/scaffold and any other temporary structure on the highway.	Live links to webpages/forms for applications. Team contact details.
<b>Appendix F: Cranes and MEWPS Guidance</b>		Detailed guidance on application process for cranes and MEWPS and any CG300 Technical Review requirements.	Live links to webpages/forms for applications.

## 4 EQUALITIES IMPLICATIONS

- 4.1 An equalities Impact Analysis Screening has been carried out and is attached to this report. The screening found that no groups would have any disproportionate adverse impacts (directly or indirectly).
- 4.2 Furthermore, any temporary changes to street layout as a result of construction can have a disproportionate impact on those with mobility impairments. This programme will review and seek to improve the way the Council manages and communicates changes to street layout and this will benefit all residents, but particularly those with mobility impairments.

## **5 OTHER STATUTORY IMPLICATIONS**

5.1 No further implications

## **6 COMMENTS OF THE CHIEF FINANCE OFFICER**

6.1 There are no financial implications emanating from this report which recommends the approval and adoption of an updated Code of Construction Practice which ensures developer compliance with latest legislation, policies and best practice guidance around construction

## **7 COMMENTS OF LEGAL SERVICES**

7.1 This report is seeking approval to the latest revision to the Council's Code of Construction Practice and which has required revision to take into account of appropriate changes in legislation between its last revision in 2006 and now.

7.2 Sections 60 and 61 of the Control of Pollution Act 1974 grants to Local Authorities powers to impose conditions upon persons/companies carrying out construction work. As a matter of good practice, Local Authorities should have in place a 'Code of Construction Practice' and which should take into account the guidance made by the Secretary of State pursuant to section 71 of the Control of Pollution Act 1974. Further, as a matter of good practice, this 'Code of Construction Practice' will be periodically reviewed to note changes in legislation including changes made by the Secretary of State's guidance. It is noted that the changes to the Code of Practice reflect changes and updates in legislation and policies, best practice and consultation responses.

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## **Linked Reports, Appendices and Background Documents**

### **Linked Report**

- NONE

### **Appendices**

- Code of Construction Practice 2023
- Code of Construction Practice 2023: Summary Version
- Equality Impact Analysis Screening
- Consultation Summary

### **Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012**

- NONE.

### **Officer contact details for documents:**

Hannah Horton, Development Coordination Manager  
[Hannah.Horton@towerhamlets.gov.uk](mailto:Hannah.Horton@towerhamlets.gov.uk)

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# London Borough of Tower Hamlets Code of Construction Practice

April 2023





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CANARY WHARF STATION



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# Foreword

The London Borough of Tower Hamlets is the focus of London's continuous expansion east gaining from the economic benefits that Canary Wharf, the City of London and Stratford generate. The borough aims to maintain our distinct East End identity whilst transforming neighbourhoods through development of high-quality buildings and well-designed spaces.

This growth coupled with the high density of people living, working and visiting Tower Hamlets will expose increasing numbers of residents and businesses to the negative impacts of construction.

Cumulative construction activity, in Tower Hamlets, is implemented by multiple developers all working within relatively small and constricted neighbourhoods. A lack of coordination of construction activity between relevant stakeholders in the borough's growth areas can lead to confusion, inefficiency and delays to the delivery of development.

The Covid-19 Pandemic further exacerbated the relationship between residents and the demands of ongoing construction works that were for a period, from June 2020 to April 2021, granted extended working hours by central government (as specified in the MHCLG Guidance: "Modification of planning conditions relating to construction working hours").

In recognition of these challenges and in line with the Tower Hamlets Local Plan 2031 'Managing Growth and Sharing the Benefits' we have updated our Code of Construction Practice.

This Code of Construction Practice (CoCP), coordinated and edited by the Development Coordination team, aims to encourage the use of best practice environmental and safety related mitigations while planning and managing demolition and construction works across the borough.

The CoCP seeks to set out simply and clearly what constitutes acceptable site practice within the borough. It is intended to help developers, architects, engineers and construction professionals to plan, cost and manage the environmental mitigation required to protect the health, safety and wellbeing of our residents and businesses.

We would like to emphasise that all development work will require early (and likely frequent) consultation with our various service teams within the Council. Adherence to this Code will demonstrate a positive attitude and commitment towards minimising environmental disturbance to local residents.

April 2023

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# 1. Introduction

**1.1 The London Borough of Tower Hamlets** (hereafter “the local authority”, “the council” or “LBTH”) is one of the fastest-growing areas in Europe. **The Tower Hamlets Local Plan 2031** sets out how the borough of Tower Hamlets will grow and develop from now until 2031, defining how many new homes, jobs and services are needed to support our growing population, and where and how they should be provided. As such, at any one time there are numerous demolition, construction and refurbishment works ongoing within the borough.

‘Construction works’ is defined as any activity carried out in connection with demolition, building new developments, alterations, conversion, fit-out, commissioning, renovation, repair, maintenance, and refurbishment, decommissioning or dismantling of a structure.

**1.2** The social, environmental and economic impacts of construction works must be considered as early as possible at project planning stage. Where potentially adverse impacts are identified, planned measures to offset or reduce them should be incorporated into the project proposals at the earliest stage and considered in the final cost of the development.

We wish to encourage best practice and innovation in the mitigation of adverse construction impacts and welcome all Developers and

Contractors active within the borough to take part in the forthcoming **Tower Hamlets Construction Award Scheme**.

**1.3** Many of the development activities described in this document can disturb and disrupt residents, businesses, service users and visitors within the surrounding area. Tower Hamlets council has prepared this **Code of Construction Practice (CoCP)** detailing the **minimum standards** to which sites are to be planned, maintained and operated.

## Use and Application of the Code of Construction Practice

**1.4** This Code of Construction Practice (CoCP) is intended as guidance. It should not replace early consultation between Developers, Principal Contractors, Representatives and Regulators. Throughout each stage of development, discussion and coordination with the relevant Tower Hamlets council service teams is expected.

Note: The term ‘Contractor’ includes Principal Contractors, Construction Managers and Sub Contractors. Ultimate responsibility rests with the Principal Contractor.

**1.5** All construction sites must minimise environmental disruption for residents and businesses, regardless of site categorisation, and must meet or exceed the good practice set out in this CoCP.

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This CoCP does not apply to 'DIY' works unless of a nature and scope that imposes an unacceptable impact on neighbours.

- 1.6** This Code of Construction Practice will be available online and attached to relevant planning approvals.
- 1.7** The CoCP aims to ensure that residents, businesses and other affected parties can be confident that the council will facilitate and monitor best practice mitigation of development impacts.
- 1.8** The Developer must ensure that the Contractor is fully aware of this CoCP and its implications for site management and logistics; in particular, the requirement for proactive and continuous **Community Liaison and Consultation** (Chapter 5) and the amended working hours (see Chapter 6: General Site Operations).

### Summary of updates from 2004 Version

- 1.9** This edition of the CoCP has revised and updated the previous version in the following areas summarised below:

- **Site Categorisations (Ch 2)** – these define the actions and submissions required of Developers and Principal Contractors relative to categorisation (size) by Development Management at planning stage.
- **Legal Requirements and Planning**

**Policy (Ch 3)** – links the guidance provided to regional and local policy requirements.

- **Coordination with Tower Hamlets council (Ch 4)** – encouraging early engagement by Developers and Contractors with the council. Where available, via council-led Construction Forums (mandated via the Tower Hamlets Local Plan 2031). Information on new resources for Utility Coordination and CMP Coordination.
- **Community Liaison (Ch 5)** guidance on expectations around consultation with the public for Developers and Contractors throughout the mobilisation and construction phases of development.
- **General Site Operations (Ch 6)** – guidance on general 'good practice' site management. Contractors are expected to sign up to the Considerate Constructors Scheme.
- **Working Hours and Noise (Ch 6 & 8)** – A change to working hours. No works on a Saturday. Requirement for a s61 application for any planned noisy works at weekends. Early consultation advisable.
- **Highways and Transport (Ch 7)** – all freight vehicles associated with development works must evidence and maintain **FORS Silver** and the **CLOCS Standard** within their CMP and CLP or TMP submissions. Encouraging improvement of signage and physical protections of vulnerable

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road users such as cyclists and pedestrians, and use of the CLOCS CLP template for submissions.

- **Noise and Vibration (Ch 8)- links** guidance to updated regional and local policy.
- **Dust and Air Quality (Ch 9) – links** guidance to updated regional and local policy.
- **Contaminated Land (Ch 10) - links** guidance to updated regional and local policy.
- **Site Waste Management (Ch 11) –** guidance provided in response to the London Plan 2021 target to reduce construction and demolition waste and maximise re-use and recycling within the development site boundaries, in line with London Plan Circular Economy guidance.
- **Water Pollution and Flood Risk (Ch 12) –** further guidance introduced on responsibilities around flood risk
- **Urban Ecology (Ch 13) - links** guidance to updated regional and local policy.
- **Archaeology, Built Heritage and Sustainability (Ch14) - links** guidance to updated regional and local policy.
- **Appendices** – new guidance
  - A:** Glossary & Abbreviations
  - B:** Contact list
  - C:** Legislation and Guidance
  - D:** Temporary Structure, Temporary Road Closure and Highways Licence Guidance
    - Green hoarding requirement for Strategic and Major schemes

- Hoardings provide space for community arts and cultural projects

**E:** Cranes and MEWPS guidance

**1.10** Responsibility for adherence to current primary and secondary legislation, policy, and guidance remains with the Developer. The Developer is responsible for the payment of any charges related to the CoCP.

The council regards the standards set out within this CoCP to be **minimum requirements** for any development. In case of any uncertainty of application of these standards, the Contractor should contact the relevant council team (see Appendix B: Contact List) prior to works commencing on site for further explanation.

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## 2. Site Categorisation and Impact

### Key Actions by Developer and Contractor:

- All sites will be assigned a Category: Strategic, Major, Minor and Basement prior to work starting, as per Tables 1 and 2

Site category will determine the minimum extent of neighbour liaison, noise monitoring, the requirement for a CMP and whether a s61 Prior Consent is required under the **Control of Pollution Act 1974** (COPA 74)

**2.1** All sites will be assessed and characterised as one of Strategic, Major, Minor or Basement. Decisions on category rest with the Development Management team through the Planning Application process. See Table 1 for site categorisation criteria.

For further information or disagreements related to categorisation, please contact: **development.control@towerhamlets.gov.uk**

**2.2** Site categorisation determines minimum extent of neighbour and community liaison (see 'Community Liaison and Consultation, Table 4, Ch 5). It also has a bearing on technical submission requirements including noise monitoring and s61 Prior Consent requirements. See Table 3 'How to apply the Code of Construction Practice'.

**2.3** At planning stage and prior to works starting on site, Developers and Contractors must familiarise themselves with the requirements of the CoCP, with respect to:

- Construction logistics planning (use of CLOCS CLP template)
- Noise and pollution mitigation measures
- Community liaison
- Working hours

Strategic and Major sites should consider applying for 'Prior Consent' for noise generating activities (under s61 Control of Pollution Act 1974). See Chapter 3: and the council's **online webpages** for further information.

**2.4** Early engagement with the council and adherence to the CoCP ensures demolition and construction impacts are appropriately minimised and adequately accounted for in development cost calculations.

**2.5** Under the Town and Country Planning Act 1990, any potential pre-commencement conditions (for strategic and major developments as well as some basements) attached to the planning approval will require applicants to be bound by the guidance within this CoCP.

Adherence will be demonstrated through the submission of the **CoCP Checklist** and the **Construction Management Plan** (incl. other required submissions) for approval from the council.

- Applications for Pre-commencement Condition approval must allow at least **8 weeks** prior to works starting on site.
- The 8-week application period commences once all required submissions have been validated.
- **Works must not start until the condition has been discharged.**

**2.6** It is the responsibility of the Contractor to demonstrate via their **Construction Management Plan (CMP)** how and at what stage they will comply with these conditions. In certain cases, the applicant will be required to submit a draft CMP to be considered as part of the initial planning application.

A full CMP should be submitted once a Principal Contractor has been appointed.

**2.7** If such a condition is attached to the Planning Consent, the applicant must provide the following (as a minimum):

**A Construction Management Plan** (including details of any Demolition works). LBTH has a CMP template available [online](#)

**A Traffic Management Plan (TMP)** must be submitted with the CMP. For Strategic and Major developments, a Construction Logistics Plan (CLP) will be requested. Construction Logistics

Plans should be submitted via the **CLOCS CLP Template**.

Refer to Chapter 7: Highways and Transport for guidance on TMP content.

**2.8** Principal Contractors bear responsibility for ensuring all relevant subcontractors planning activities and attending works on site (contributing to the CMP) observe and adhere to the guidance in the CoCP.

**2.9** The **Construction Management Plan (CMP)** provides a site-specific summary of planned management, monitoring and auditing procedures to ensure compliance with the CoCP.

- For Strategic and Major developments in relation to noise, vibration and hours of work these matters will form the basis of a **s61 'Prior Consent'**
- Alternatively, a **s60 notice** may be served by the council in those cases where a s61 notice has not been applied for and approved in advance

**2.10** The scope of community liaison (Chapter 5), noise mitigation (Chapter 6 & 8) and restriction of working hours (Ch 6) will be dependent on the impact the project will have on neighbours. Such impacts will be contingent on several factors including:

- the nature of the works
- the methods and techniques to be employed



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- the plant and equipment that will be used and level of noise they will produce
  - the duration of the proposed works
  - the number, proximity and use/s of neighbouring premises
  - the existing level of ambient noise
  - the number and type of construction sites operating in the vicinity

**Table 1 Site Categorisation descriptions**

The categorisations are based upon the number of housing units, or for commercial spaces the square metreage provided. Other parameters are also applied, see below for information.

Category	Description	Category Considerations	
		Nature of Works	Site Sensitivities
<b>Strategic</b>	<ul style="list-style-type: none"> <li>- 100+ residential units</li> <li>- 10,000 square metres</li> <li>- Sites exceeding 10 hectares</li> <li>- Above 30m in height</li> <li>- 200 or more car parking spaces</li> </ul>	<ul style="list-style-type: none"> <li>- Duration of the works overall</li> <li>- Phasing over multiple years</li> <li>- Duration of noisy works</li> <li>- Working methods, site activities</li> <li>- Choices of plant machinery</li> </ul>	<ul style="list-style-type: none"> <li>- Shared party wall</li> <li>- Site within a largely residential area</li> <li>- Two or more Strategic or Major category sites within 100 metres of each other</li> <li>- Existing ambient noise levels are low: site away from trunk routes main roads, railways and other noise sources</li> <li>- Site adjoins a school, hospital, care home or similar sensitive site</li> </ul>
<b>Major</b>	<ul style="list-style-type: none"> <li>- 10 or more residential units, or a residential site area of more than 0.5 hectares</li> <li>- 1,000 square metres of non-residential floorspace, or a non-residential site area of more than 1 hectare</li> <li>- Includes changes of use where the above apply</li> </ul>		
<b>Minor</b>	<ul style="list-style-type: none"> <li>- Non-major development</li> <li>- Less than 10 residential units</li> <li>- Less than 1000 square metres of new floor space</li> <li>- Sites of less than 1 hectare</li> <li>- Householder development</li> <li>- Includes changes of use where the above apply</li> <li>- Telecommunications apparatus that is not permitted development</li> </ul>		
<b>Basement</b>	<ul style="list-style-type: none"> <li>- Works not part of a Strategic or Major development that involve construction of a new or extended basement</li> </ul>		

**Table 2 Summary of submission requirements relative to categorisation**

Topic	Site Categorisations			
	Strategic	Major	Minor	Basements
Submit a <b>Site Environmental Management Plan (SEMP)</b>	✓	✓		✓
Submit a <b>Construction Management Plan (CMP)</b>	✓	✓		✓
<b>Community Liaison (Ch 5)</b>				
1. Engagement with, and information to, neighbours prior to and during the works	✓	✓	✓	✓
2. Information about site contractor and contact details on the notice board	✓	✓	✓	✓
3. Regular Community Liaison meetings	✓	✓		
4. Optional QR Code with link to project website which contains project contacts (as well as usual information displays on hoarding or notice board)	✓	✓		
<b>General (Ch 6 + Appendix E &amp; F)</b>				
5. Consult with Council about site environment and sensitive receptors	✓	✓	✓	✓
6. Consult with Council on planning of the site layout and work programme	✓	✓	✓	✓
7. Consult with council on utility infrastructure via Utility Coordinator	recommended	recommended		
8. Plan for site safety, health & safety, emergency procedures	✓	✓	✓	✓
9. Check which permits will be needed	✓	✓	✓	✓
10. Register with Considerate Constructors Scheme	✓	✓	✓	✓

**Legend:**

✓ = required

✓ = may be required (check with LBTH)

blank = not required

\* A SWMP is required where the construction project is valued at over £300,000

Noise and Vibration (Ch 7)				
11. Baseline noise monitoring	✓	✓		
12. Noise risk assessment for the site	✓	✓	✓	✓
13. Noise and vibration mitigation management plan (Best practicable means)	✓	✓	✓	✓
14. Section 61 prior approval for all works	✓	✓		
15. Section 61 prior approval for all noisy works outside of core working hours	✓	✓		
16. Section 60 COPA 1974 Notice will be issued to sites without a Section 61 Notice, prior to starting on site.			✓	✓
17. Noise and vibration monitoring and trigger action levels	✓	✓		✓
Highways and Transport (Ch 8 + Appendix D & E)				
18. Construction traffic arrangements, access/ egress to/from site; measures to ensure cycling and pedestrian safety	✓	✓	✓	✓
19. Hoarding proposal incl. lighting and visual amenity of the hoarding	✓	✓	✓	✓
20 Use of highway (for skips, scaffolding, gantries, pitlanes, etc.)	✓	✓	✓	✓
21. Need for road closures, parking suspension, transport of abnormal loads	✓	✓	✓	✓
22. Pre-condition survey	✓	✓		✓
23. Construction Logistics Plan (CLP) and Traffic Management Plan (TMP)	✓	✓	✓	✓
24. Lorry (HGV) holding areas and HGV management	✓	✓		✓
Dust and Air Quality (Ch 9)				
25. No burning on site	✓	✓	✓	✓
26. Air quality Dust Management Plan	✓	✓	✓	✓

27. Dust risk assessment for the site	✓	✓	✓	✓
28. Dust mitigation (Best practicable means)	✓	✓	✓	✓
29. Dust monitoring procedure including trigger action levels	✓	✓		
30. Dust monitoring reporting and dust complaints procedure	✓	✓		✓
31. Wheel-washing facility; road sweepers	✓	✓	✓	✓
32. NRMM requirements	✓	✓	✓	✓
<b>Waste Management (Ch 11)</b>				
33. Arrangement for storage and disposal Reuse of construction material	✓	✓	✓	✓
34. Sustainable Waste Management Plan	✓	✓	✓ *	✓ *
<b>Other issues which may be applicable to specific sites</b>				
Water pollution and flood control (Chp 12)				
Urban ecology incl. tree protection (Chp 13)				
Heritage assets (Chp 14)				
Contaminated land (Chp 10)				
Protection of existing installations (Chp 6-8, 13-14)				

**Legend:**

✓ = required

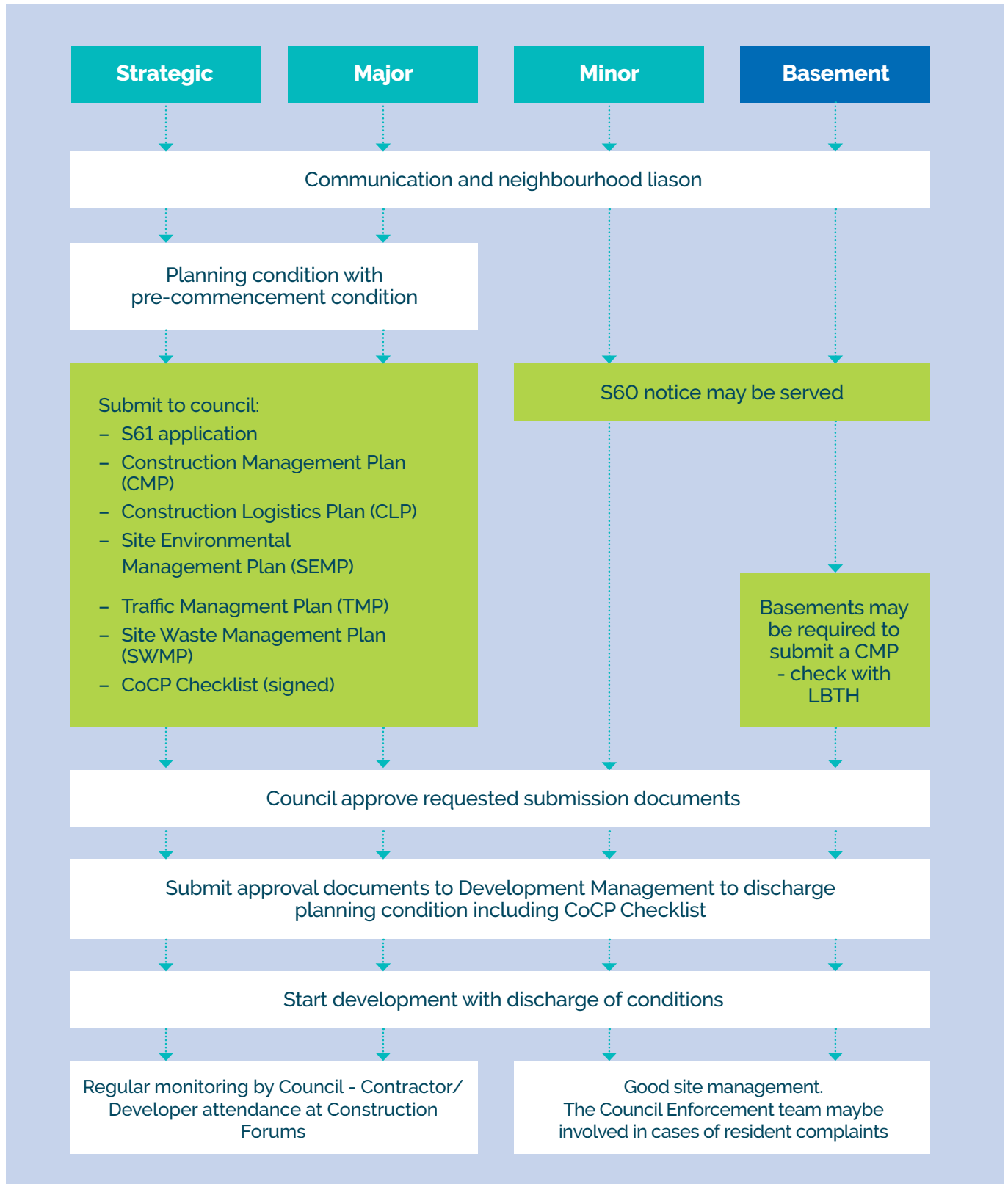
✓ = may be required (check with LBTH)

blank = not required

\* A SWMP is required where the construction project is valued at over £300,000

**Table 3** Flowchart for submission process by site category

Table 3 provides information on the process for submission required by each of the specific site categorisations. Strategic and Majors likely requiring more detail in terms of submissions, though this will be advised on a site-by-site basis for Minors and Basements.





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# 3. Legal Requirements and Planning Policy

## Key Actions by Contractor:

- Responsibility lies with the Developer and Contractor to comply with all legislation, guidance and best practice regarding protective measures concerning construction operations.
- It is the responsibility of Developers and Contractors to demonstrate their compliance with Planning Conditions
- All construction operations will be subject to control under S60 or s61 of the **Control of Pollution Act 1974** (COPA) (see also Ch 7: Noise and Vibration)
- Developers and Contractors must familiarise themselves with the principles of **Best Practicable Means** and **BS 5228**

**3.1** Construction works (including demolition) are subject to a number of environmental and safety legislation (Acts of Parliament), secondary legislation (Statutory Instruments, including Regulations and Orders), statutory guidance and Codes of Practice. This CoCP draws together the relevant requirements and recommends best practice approaches relevant to the borough.

**3.2** Each chapter of the CoCP references the appropriate legislation where relevant. However, the listings of legislation, standards, and guidance is not exhaustive. It remains the responsibility of the Developer and Contractor to monitor the adoption of new legislation and to apply the

prevailing legislation at the time of awarding contracts. The Contractor must additionally comply with all prevailing Health and Safety legislation.

**3.3** Environmental and safety legislation places responsibilities on developers and contractors in three principal ways. The Contractor:

- Has a duty to obtain a permit (e.g. licence, consent, authorisation) to undertake certain activities (e.g. a discharge consent is required to drain wastewater to a surface watercourse)
- Is prohibited from causing harm to the environment or human health – this approach runs through all UK pollution control legislation and places an onus on a site operator to manage activities in such a way as to protect both the environment and human health
- Has a duty to comply with specified requirements (e.g. complete duty of care for waste transfer)

**3.4** In addition to statute, common law also places requirements on Developers, landowners and Contractors to apply a duty of care for the safety of others. Liability for any personal injuries or property damage may arise from a breach of that duty.

**3.5** Other aspects of construction are also subject to licensing requirements. For example, licences are required for:

- Erecting any temporary structure (e.g. scaffolding, hoarding, gantry



- see Appendix D) on the public highway
- Depositing a skip (see Appendix D)
- Operating a mobile crane, aerial platform, concrete pump lorry or any such equipment (see Appendix D)

**3.6** Specific powers are used by the council to control noise generated by construction works. The powers are contained within Sections 60 and 61 of COPA. These powers are separate to statutory nuisance legislation used by local authorities to control other forms of noise (such as loud music). See further Ch 8 Noise and Vibration.

### **Statutory Nuisance and the Environmental Protection Act 1990 (EPA)**

**3.7** **The Environmental Protection Act 1990** (ss.79-82) provides for the control of 'statutory nuisances' as defined under s79 of the Act. Where a situation arises that is considered to be a statutory nuisance or prejudicial to health, a local authority has a duty to serve a notice requiring abatement of the nuisance or prohibiting its occurrence or recurrence.

**3.8** If a nuisance (including but not limited to) – excessive dust, odour, steam, fumes & gases, or artificial light is generated by construction (or demolition) works on non-residential construction sites, and gives rise to a nuisance in a neighbouring property, the council is legally obliged to serve an Abatement Notice under s80 of the Act requiring the abatement or restriction of the nuisance. A breach

of Abatement Notice by failing to meet some or all of its requirements can result in an unlimited fine for each offence. Section 79(d) of the Act only applies to a nuisance arising on industrial, trade or business premises.

**3.9** In addition, statutory nuisance provisions contained within the Environmental Protection Act 1990 (ss.79-82) also apply to noise.

**3.10** An action in statutory nuisance can be brought by a member of the public even if the works are being carried out in accordance with a prior consent (s.82 of Environmental Protection Act 1990).

### **Building Safety Act 2022**

**3.11** From 28th April 2023, all Developers and Contractors will adhere to the regulations set out in the Building Safety Act 2022 (including subsequent amendments).

### **Planning Policy Context**

**3.12** The CoCP is secured through planning conditions, on the basis of planning policies set out within the **Tower Hamlets Local Plan 2031**, London Plan and national planning guidance.

**3.13** **London Plan 2021** (plus relevant SPGs):

- Policy SI 1 Improving Air Quality (D)
- Policy SI 7 Reducing waste and supporting the circular economy (A5)

- 
- Policy SI 15 Water Transport
  - Policy TR7 Deliveries, servicing and construction
  - Sustainable Design and Construction Supplementary Planning Guidance (GLA, 2014)

**Tower Hamlets Local Plan 2031:**

- Policy D.SG4 Planning and construction of new development
- Policy D.DH10 Advertisements, Hoardings and Signage
- Policy D.DH8 Amenity
- Policy D.ES2 Air Quality
- Policy D.ES3 Urban Greening and Biodiversity
- Policy D. ES4 Flood Risk
- Policy D. ES8 Contaminated Land
- Policy D. ES9 Noise and Vibration
- Policy S. MW1 Managing our Waste
- Policy D. MW2 New and Enhanced Waste Facilities
- Policy D. TR2 Impacts on the Transport Network
- Policy D. TR4 Sustainable Delivery and Servicing

**Tower Hamlets Neighbourhood Plans**

- **Isle of Dogs Neighbourhood Plan:**  
For developments on the Isle of Dogs, the following policies apply:  
CC1; CC2; CC3



TRUMA

MINI CAB

EXIT EXIT

MINI CAB  
020 7247 7779

OCEANIC  
LEATHERWEAR

BOOK SHOP

CCTV  
IN OPERATION  
041

ELITE  
KEEN  
FUEL

#SS05VA

# 4. Coordination with Tower Hamlets Council

## Policy Overview:

**Tower Hamlets Plan 2031** Policy D.SG4  
Planning and Construction of New  
Development

## Key Actions by Developer and Contractor:

Responsibility lies with Developers and Contractors to make contact with the relevant council teams at the earliest stage practicable for coordination purposes.

- 4.1** The council encourages all Developers and Contractors to engage with the council at the earliest opportunity. Particularly in relation to applications and approvals for planning condition submissions and various licenses and permits from our environment and highways teams. Useful contacts can be found in Appendix B.

## Constructor Forums

- 4.2** Under **Local Plan Policy D.SG4**, Contractors will join a local Constructor's Forum (where available) to better manage and mitigate the cumulative impacts arising from multiple simultaneous works in the borough's key development areas.
- 4.3** In the absence of an available (council led) Constructor Forum, sensitive or contentious developments located in areas of intense construction activity, should consider setting up

a Construction Working Group to facilitate coordination between other construction sites in the vicinity. Construction Working Groups should aim to collaborate on shared logistics and planned measures for mitigation of impacts for surrounding residents and public realm.

- 4.4** **The Marsh Wall Construction Forum** (MWCF) was established in July 2021 as a coordination and information sharing forum for developments on or nearby Marsh Wall on the Isle of Dogs.

- 4.5** Attendees of the MWCF include Developers, Contractors, council officers, external agencies (GLA), utility providers and other relevant parties as required. For further information about this forum and others contact **development.coordination@towerhamlets.gov.uk**

## Purpose of the Construction Forum

- 4.6** The MWCF provides a platform for all relevant stakeholders to:
1. Discuss any planned amendments to the council's CoCP or other relevant guidance relating to construction management or environmental mitigation
  2. Provide updates on development site activities that may cause disturbance to surrounding neighbourhood and raise any specific challenges to progress
  3. Discuss and showcase best practice for improving construction practice within the borough
  4. Identify opportunities for synergies

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across development sites including but not limited to waste removal and re-use, construction logistics, utility connections and street works

someone in their place, or if not possible should send apologies in advance.

### *Membership and Governance*

- 4.7** The MWCF is chaired by the council Development Coordination team members.
- 4.8** The council Development Coordination team are responsible for setting up meetings and circulating the agenda and previous minutes to forum attendees in a timely manner.
- 4.9** As per Policy D.SG4 of the Local Plan, Developers and Contractors working within the borough are required to attend a Construction Forum if operational in their area of operation. For information on operational for a contact **development.coordination@towerhamlets.gov.uk**
- 4.10** Each attending organisation shall nominate a regular representative to attend meetings. Where possible, this representative should have oversight of the day-to-day running of construction works and a working knowledge of the SEMP, CMP, CLP and other required submissions. These should be 'live' documents; updated regularly to reflect current planned on-site activities.
- 4.11** If a representative is unable to attend, they should where possible send

### *Frequency*

- 4.12** Construction Forum meetings will take place **regularly** (at least every 6 weeks). There is flexibility available in scheduling these to suit the intensity of development. Meetings will be conducted via MS Teams or as otherwise decided by the council Development Coordination team.

### *Future Forums*

- 4.13** The council intends to convene further area-based Construction Forums in future to serve the coordination needs of other parts of the borough similarly affected by high growth and cumulative development impacts.

### **Construction Management Plan Officers**

- 4.14** In response to the negative impacts of construction activity experienced by residents and the increasing complaints received, the council are introducing a service (chargeable to developers) that aims to adequately coordinate the review, approval and monitoring of Construction Management Plans and adherence to the Code of Construction Practice (CoCP).
- 4.15** Further information on the service and details of the fee schedule will be published and updated on the council's webpages upon adoption of the CoCP.

## Utility Coordination

**4.16** LBTH's new Utility Coordinators can support Developers, their Designers and Contractors to liaise with local utility and services expertise and is recommended to be engaged at the earliest opportunity.

**4.17** The Utility Coordinator aims to coordinate multiple utilities and adjacent sites, avoiding repeat street works where possible and supporting developments and utility providers to plan for growth and provide timely upgrades, diversions and

connections. The Utility Coordinator can be contacted via the following email: [infrastructure.planning@towerhamlets.gov.uk](mailto:infrastructure.planning@towerhamlets.gov.uk)

## Tower Hamlets Construction Awards



**4.18** The Development Coordination team are seeking to establish an awards scheme for Developers and Contractors working within the London Borough of Tower Hamlets for demonstrated innovation around environmental mitigation during construction works.

The awards will focus on rewarding exemplar action taken on:

- community engagement
- construction logistics and local amenity
- environmental mitigation
- site hoardings design

**4.19** The objective is to stimulate positive competition between construction sites working within the borough and encourage ways of working which not only provides operational benefits and efficiencies but also benefits the wider community through improved communications and safer amenity.

**4.20** Information on the establishment of the awards and process for nominations will be communicated via our webpages and social media communications. Further information will be regularly updated via our Construction Forums.



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# 5. Community Liaison and Consultation

## Policy Overview:

**Tower Hamlets Plan 2031** Policy D.SG4  
Planning and Construction of New  
Development

**Tower Hamlets Plan 2031** Policy D.DH8  
Amenity

## Key Actions by Developer and Contractor:

- Consultation with neighbours on submissions relative to CMP/CLP/SEMP
- Development of a communications strategy must be prioritised in line with guidance laid out below
- Communication (maintaining a dialogue) is a key factor in minimising complaints

**5.1** A good communication strategy is the defining factor in ensuring that the impact of construction activity on residents and businesses is minimised.

- Disruption during a construction project may be unavoidable, but the impact will be reduced if neighbouring occupiers are consulted and informed regularly about problems and potential solutions during each phase of the works

This chapter outlines, relative to site categorisation, the expected scope of liaison at key development stages.

- Refer to Table 4: Communication

by Category and Key Phase of Works

- Refer to Appendix D: Temporary Structures Guidance (for minimum requirements for site hoarding displays)

## When to consult - prior to submission of a Construction Management Plan

**5.2** Developers and contractors must focus on communication before construction work begins and it must be maintained for the duration of the planned works.

Contractors must consult with residents and businesses before submitting draft Construction Management Plan (CMP) and/or Site Environmental Management Plan (SEMP) to the council. Allow at 21 least (working) days for public responses. Evidence of consultation should be included within the submission.

**5.3** The extent of communication and liaison is dependent on the attributed site categorisation. All sites must provide timely information about upcoming works and high impact activities, with anticipated timings prior to and during each development phase.

**5.4** What to include in the CMP Consultation letter:

- A clear statement that the consultation is about the CMP
- A summary of the key details of the construction process
- A copy of the CMP, or a link to a website where it can be



- viewed/downloaded
- The deadline date for submission of comments
- Contact details for questions and submission of comments

**5.5** Post consultation CMP submission, include an Appendix outlining the following information about the consultation undertaken:

- Who was consulted
- A summary of comments received
- A list of CMP amendments – in response to comments received. Wherever operational amendments were not possible in response to comments, an explanation should be given

### Who to consult

**5.6** Consultation should commence from the earliest practicable stage of a project, and should include at least the following stakeholders:

- Neighbouring residents - target all properties along streets where the site is located and any which abut or share a boundary with the site
- Businesses
- Schools, health centres and other building uses sensitive to noise, vibration and pollutants
- Neighbourhood Planning groups or residents' associations
- Other organisations affected by demolition, construction or reorganisation of the public realm for works, such as religious groups with specific holy days, local cycling, elderly, disability and

- special interest groups
- Ward Councillors – **find your ward councillor** on the Tower Hamlets council website

**5.7** Additional information which may influence schedules for noisy works should be obtained wherever possible. These include:

- Details of vulnerable persons in neighbouring properties who may have special needs
- Special occasions such as wakes, wedding receptions, etc.
- Home working schedules (days/hours)

### Requirements by site category

**5.8** Strategic and Major sites should commence communication with neighbours at the earliest stage practicable.

- Agree with neighbours the best form of media to maintain contact. This may need to be a mix of strategies to cover all preferences for contact

**5.9** Minor and Basement developments should also give advance notice of works, dependent on the size and scope of the works this should be at least two weeks prior to commencement.

**5.10** An overview of the expected communications process by site category is set out in Table 4 (Communication by Category and Key Phase of Works) below.

## Resolving complaints

**5.11** The Contractor will respond to complaints within 3 working days and, where appropriate, provide details of corrective action taken to address them.

Strategic and Major sites should hold regular meetings and correspondence between contractor and council to monitor progress of the works, consider any complaints and review noise monitoring results. Meetings should be held with residents and neighbours to review these results.

## Tower Hamlets Construction Awards



**5.12** Communication (liaison with residents/businesses) will be a key category for recognition under the Tower Hamlets Construction Awards.



**Table 4 Communication by Site Category and Key Phase of Works**

This table sets out the level of resident/business interaction required for each category of development site, at significant stages of the works.

Community Liaison	Site Categorisations			
	Strategic	Major	Minor	Basements
<b>Post Planning Approval (Site Mobilisation)</b>				
1. Communicate key project information to neighbours: <ul style="list-style-type: none"> <li>- Project timeframe (start and end dates)</li> <li>- The nature of the project</li> <li>- The hours of work</li> <li>- Principal stages of the project (demolition, ground works, construction)</li> <li>- All operations that have potential to disturb (noise/vibration), including their start/end dates</li> <li>- Noise mitigation approaches adopted</li> <li>- Complaint's procedure and planned frequency of communications</li> <li>- Key contacts (names/numbers) for site and project personnel: developer, project manager, site manager/foreman, community liaison manager</li> </ul>	✔	✔	✔	✔
2. Set up a project specific website with link via QR codes to information on site hoarding notice boards	✔	✔		✔
3. Convene in-person or virtual events to consider equalities and issues of accessibility	✔	✔		
4. Attend local LBTH Construction Forum if not available, contact nearby construction sites directly	✔	✔		✔
<b>Demolition and key Construction Phases (see App. E)</b>				
6. Regularly update neighbours with relevant amendments made to CMP/CLP/SEMP at start of each new phase and/or monthly	✔	✔	✔	✔

**Legend:**  = required  = may be required (check with LBTH)

6. Regularly update neighbours with relevant amendments made to CMP/CLP/SEMP at start of each new phase and/or monthly				
7. Provide 14 days' notice (where possible) for neighbours of noisy (high impact) works and disruptions to highways, footways and resident parking				
8. Provide information to the public on the phases work, where possible, provide curated site visits at key stages				
9. Provide regular community liaison meetings (minimum at start of each phase)				
10. Provide working hours 'hotline' phone number and email				
11. Advise public of any emergency works as soon as practicable				
12. Provide data on noise (link to LBTH noise map) and air quality monitoring to LBTH (make publicly available wherever possible)				
<b>Phased Completion &amp; Early Occupation</b>				
13. Increase frequency of communication with occupiers in sequentially completed developments				
14. Maintain complaints procedures				
15. Frequently coordinate with early occupiers on critical changes to access arrangements and emergency fire and evacuation plans. Publish access plans and make available to all residents in an accessible format				
16. Notify all relevant parties of completion stages and timeframes plus their likely impact on early occupiers				



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# 6. General Site Operations

## Objectives

- 6.1** The London Borough of Tower Hamlets requires that Developers and their Contractors undertake all construction works in accordance with current legislation and industry best practices to minimise, adverse environmental impacts (noise, dust, waste and pests) on local residents and businesses.
- 6.2** The Contractor must ensure that the site is well managed in accordance with relevant statutory provisions with respect to health and safety of both site operatives and the wider public.
- 6.3** The Contractor will be responsible for obtaining all appropriate licences and consents in respect of site operations.

## Table 5 Working Hours

<p><b>Standard Working Hours:</b> Where residential occupiers are likely to be affected by noise, the hours for carrying out works which can be heard at the site boundary shall normally be restricted to:</p> <p><b>Monday - Friday:</b> 08.00 - 18.00 hrs <b>Saturday:</b> at no time <b>Sunday, bank holidays and public holidays:</b> at no time</p>
<p><b>High Impact Activities:</b> Certain works (including piling, excavation and demolition) are classed as High Impact Activities (see Chapter 8 paragraphs 8.15-18).</p> <p>Working hours restrictions apply as follows:</p> <p><b>Monday to Friday:</b> 09.00 - 12.00 and 14.00 - 17.30 hrs <b>Saturday:</b> at no time <b>Sunday, bank holidays and public holidays:</b> at no time</p>
<p>Noisy work must not take place outside these hours unless otherwise agreed through a Control of Pollution Act 1974 Section 61 Prior Consent.</p> <p>Special circumstances for consideration include:</p> <ul style="list-style-type: none"><li>- police traffic restrictions</li><li>- emergencies related to public safety</li></ul>

Construction vehicle movements shall normally be restricted to:

**Monday - Friday:** 09.30 - 16.30 hrs

**Saturday:** at no time

**Sunday, bank holidays and public holidays:** at no time

If there is a school in the vicinity of the site or on the proposed access and/or egress routes, then deliveries during term time must be restricted to:

**Monday - Friday:** 09.30 - 15.00 hrs

Vehicles may be permitted to arrive at 08.00 only if they can be accommodated on site. They must then wait with engines switched off.

**Streetworks** (utility works & road works) will also follow the above restrictions to noisy works. However, under exceptional circumstances extended hours can be granted to:

- Reduce impact on sensitive road network
- Reduce duration of major road works
- Facilitate work activity to lessen congestion

Exceptional circumstance extended hours are as follows:

**Monday - Friday:** 8.00 - 23.00 hrs

**Saturday:** 8.00 - 17.00 hrs

**Sunday:** 10.00 - 16.00 hrs

Contact: [Streetworks@towerhamlets.gov.uk](mailto:Streetworks@towerhamlets.gov.uk) for making arrangements for works affecting the road network.

- Visit **London Works** at Transport for London for information about pending agreed public roadworks.
- Visit **Road Notices Listings** for details of road notices (including maps) around the borough

Noise complaints should be directed to the council's Environmental Protection Team  
[Environmental.Protection@towerhamlets.gov.uk](mailto:Environmental.Protection@towerhamlets.gov.uk)

**6.4 Working hours restrictions:**  
contractors must check with the relevant council team before commencing works as there may be additional conditions set relating to site-specific sensitivities. Council

contacts can be found in Appendix B.

**6.5 Noisy phases of work and work packages** are considered as the following:

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**Phases:**

- Demolition
- Earthworks
- Piling

**Work Packages:**

- Cutting using power tools
- Breaking out using power tools
- The use of impact fasteners
- The loading of heavy materials

For further technical information related to noise please refer to Chapter 8: Noise and Vibration.

### Variation from Working Hours

**6.6** Where the restrictions on hours of work in Table 5 (above) cannot be adhered to, the Contractor will be required to provide written justification for deviation from these timings and receive agreement in writing (from the council) before any works outside the usual working hours can commence.

**6.7** Additional mitigation measures may be required for out-of-hours noise control as well as clear communication to surrounding neighbours (residents and businesses) of the duration and detail of the works being undertaken.

### Good Housekeeping

**6.8** The Contractor will ensure all and visitors to site follow a 'good housekeeping' policy to ensure considerate site behaviour, including but not limited to the following:

- Ensuring considerate behaviour of workers
- Prohibiting open fires
- Ensuring appropriate road cleanliness is implemented
- Removing rubbish frequently, leaving site clean and tidy
- Frequent inspection, repair and re-painting as necessary of all site hoardings to comply with the council's Licence conditions all flyposting and graffiti must be removed as soon as reasonably practicable and within 24 hours of notice
- Maintenance of toilet and other welfare facilities for site staff
- Implement industry standards for site safety for all site operatives
- Removal of food waste
- Wheel-washing facilities
- Prevention of vermin and other infestations (with prompt and effective action to resolve any that do arise)

### Considerate Constructor's Scheme

**6.9** The Considerate Constructors Scheme (CCS) is a non-profit making, independent organisation founded in 1997 by the construction industry. The overriding aim is to improve the image of the construction industry by encouraging construction sites, companies and suppliers to voluntarily register with the Scheme and agree to abide by its Code of Considerate Practice. All contractors, in line with Local Plan Policy should register with the Scheme and adopt its Code of Practice:



- to care about appearance
- respect the community
- protect the environment
- secure everyone's safety
- value their workforce

**6.10** CCS details should be displayed on the site perimeter hoardings alongside details of contacts for the Developer, Contractor Site Manager with a 24-hour contact number provided for any emergencies. Refer to Appendix D: Temporary Structure Guidance for more information.

## Health and Safety

**6.11** All site work must be carried out in accordance with the provisions of the **Health and Safety at Work Act 1974** to the satisfaction of the Health & Safety Executive (HSE) or its local representative.

**6.12** This guidance does not seek to replicate, amend or replace duties under the **Construction (Design & Management) Regulations (CDM) 2015**. The Contractor will ensure adequate arrangements are in place for the discharge of all duties under the CDM Regulations 2015. Strategic and Major projects require that the Principal Contractor is responsible for ensuring the production of a compliant health and safety management.

## Emergency Procedures

**6.13** For Strategic and Major projects: the Contractor will ensure that emergency

procedures are developed in consultation with local emergency services. This should include emergency pollution control measures that consider current relevant Environment Agency and government guidance relating to pollution.

**6.14** The emergency procedure should contain:

- Emergency phone numbers (incl. emergency numbers for the developer/contractor key personnel)
- The method of notifying the Council and other relevant statutory authorities

Copies of the procedures will be issued to:

- the council
- London Fire Brigade (LFB)
- Police
- Ambulance Service
- Other relevant authorities

**6.15** Emergency Access: The Contractor will ensure that the requirements of the London Fire and Emergency Planning Authority (LFEPA) will be followed for the provision of site access. Where appropriate, the accesses to the site will be designed to the requirements of the London Fire Brigade Note 'Access for Fire Appliances' which addresses the road widths required for fire apparatus. Access may require updating in line with any planned changes at key stages of development. Access must be suitable for ambulances.

**6.16** Fire Prevention and Control:  
All construction sites and associated accommodation will develop appropriate plans and management controls to prevent fires. The site fire plans will be prepared and will have due regard to the following documents:

- Fire Safety in Construction (HSG 168)
- Fire Prevention on Construction Sites (CFPA Europe)

### Site Layout and Facilities

**6.17** Site layout of facilities requires early consultation with council teams and must aim to limit impacts from noise, vibration, dust, crime and traffic to residents and businesses as far as practicable.

**6.18** Further detailed information in the following sections:

- Chapter 7: Highways and Transport
- Chapter 8: Noise and Vibration
- Appendix D: Temporary Structures, Temporary Road Closures and Highways Licence Guidance
- Appendix E: Cranes and MEWPS

### Security

For further information please reference Appendix D: Temporary Structures, Temporary Road Closures and Highways Licence Guidance

**6.19** Under the London Local Authorities Act 1991 the licence holder is responsible for:

- preventing unauthorised access to the structure (or site)
- the security of the building (or site) where the structure is being used; and
- the security of any adjoining building

The Contractor must ensure the site is secure and unauthorised entry to or exit from the site is prevented.

**6.20** All construction is expected to be carried out in accordance with 'Construction Site Security Guide' Secured by Design (SBG)

### CCTV

For further information please reference Appendix D: Temporary Structures, Temporary Road Closures and Highways Licence Guidance

**6.21** CCTV cameras (either fixed or mobile) should be installed at the site perimeter (footage should be retained for at least 21 days). CCTV cameras must be positioned with care and not cause nuisance or offence to off-site local residents or businesses (e.g. avoid intrusion into private premises or gardens).

### Lighting

For further information please reference Appendix D: Temporary Structures, Temporary Road Closures and Highways Licence Guidance

### Policy Overview:

Tower Hamlets Plan 2031 Policy D.DH8 Amenity (paragraph 8.93)

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**6.22** All lighting on site shall be positioned and directed not to unnecessarily intrude on adjacent buildings and land users, or to cause distraction or confusion to passing drivers on adjacent roads.

Works affecting existing street lighting or illuminated street furniture require immediate notification to Tower Hamlets. No work will be permitted on or adjacent to these units without written authority from the council.

**6.23** The Environmental Protection Act 1990 was revised by the Clean Neighbourhoods and Environment Act 2005 to include artificial light emitted from premises to be deemed a statutory nuisance.

**6.24** Local authorities have a duty to investigate complaints about artificial light. If the light is classified as a statutory nuisance, a notice can be issued by the Environmental Health team requiring the abatement of the nuisance.

**6.25** Good practice guidance for lighting installations can be sought from the Institute of Lighting Professionals 'Guidance Note 1 for the reduction of obtrusive light' (2021).

### **Temporary Structures on the Public Highway**

For further information please reference Appendix D: Temporary Structures, Temporary Road Closures and Highways Licence Guidance

### **Cranes and MEWPs**

For further information please reference Appendix E: Cranes and MEWPS

**6.26** Works to be undertaken on or near the highway must adhere to The Highways Act 1980 (part 6). The highway is defined as the whole or part of a highway, other than a waterway or ferry. The highway is classed as Classified Roads, Unclassified Roads, Trunk Roads, Special Roads, Bridleways and Public Footpaths.

**6.27** All temporary structures must provide a minimum height clearance of 2100mm unless a temporary traffic road order is agreed to close part or all the footpaths. If any structure impedes onto the footway, 1.3 metres of access for pedestrians is expected to be provided. A minimum of 1 metre is required by law and must be justified and agreed before implementation. Developers are advised to review Government guidance on 'inclusive mobility'(2005) and the British Standard (BS) 8300-1:2018 ' Design of an accessible and inclusive built environment'.

### **Living Accommodation**

**6.28** No living accommodation will be permitted on site except with the approval of the council. Mess rooms, locker rooms, toilets and showers will be permitted.

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## CG 300 Technical Approval

For further information please reference Appendix D: Temporary Structures, Temporary Road Closures and Highways Licence Guidance

- 6.29** Any proposal to construct, widen, assess, improve, repair or demolish a structure:
- whether adjacent to or over/under the council's adopted Public Highway
  - where the proposed works can affect the safety of the Public using the highway

The council require a CG 300 Technical Approval submission before the installation of the works or the issuing of any licence agreements. CG 300 Technical Approval documentation (Clause 1.1)

- 6.30** Structures requiring CG 300 approval include (but are not limited to): site-based tower cranes, loading platforms, building hoists, temporary/permanent basements and sewer heading works (refer to CG 300 Technical Approval documentation (clause 3.3)).
- 6.31** Where planning permission is granted for the construction of a building over, under or adjacent to the adopted Public Highway, the Contractor must contact the council's Highways Asset Group, (Structures) and provide plans, elevations and cross-sections of the proposed works. If footway

or road closures are required to construct underground structures, the Contractor will also need to contact the council's Streetworks section.

- 6.32** If CG 300 Technical Approval is required, the council will charge a fee for checking and approving any CG 300 submissions. Following fee payment, the approval process for a CG 300 document takes minimum of 8 weeks, subject to any amendments or revisions required.
- 6.33** If any footway or road closures are required, the Contractor will need to contact the council's Streetworks section.
- 6.34** If consent is given for any structure under the council's adopted Public Highway, the Freeholder of the land must maintain the structure in a good condition in accordance with Section 180 of the Highways Act 1980.

**Table 6 : Structures on, under, over or adjacent to the adopted Public Highway**

Category of works	Types of works	Legislation and requirements
<p>Construction works adjacent to the Public Highway</p>	<p>A structure over or supporting the local authority's adopted Public Highway with a clear span or internal diameter greater than 0.9m</p> <p>Examples:</p> <ul style="list-style-type: none"> <li>- bridge</li> <li>- buried structure</li> <li>- subway</li> <li>- underpass</li> <li>- culvert</li> <li>- earth-retaining structures where the effective retained height (level of fill at the back of the structure) is greater than 1.5m, including:               <ul style="list-style-type: none"> <li>- noise barriers</li> <li>- loading platforms</li> <li>- building hoists</li> <li>- sewer heading works</li> </ul> </li> </ul>	<p>A CG 300 Technical Approval submission is required</p> <p>CG300 approval must be received before construction commences</p>
<p>Construction over the Public Highway</p>	<p>Any structure or part of a structure which overhangs the Public Highway</p> <p>Examples:</p> <ul style="list-style-type: none"> <li>- tower crane</li> <li>- balcony</li> <li>- shop sign</li> <li>- beams</li> <li>- rails</li> </ul>	<p>A CG 300 Technical Approval submission is required.</p> <p>CG300 approval must be received before any Section 177 'oversail licence' on any consent to oversailing building structures will be issued.</p> <p>Section 177 of the Highways Act 1980 Section 178 of the Highways Act 1980</p>

<p>Construction under the Public Highway</p>	<p>Any structure or part of a structure which will go under the Public Highway</p> <p>Examples:</p> <ul style="list-style-type: none"> <li>- arches</li> <li>- basements</li> <li>- cellars</li> <li>- vaults</li> <li>- pavement lights</li> <li>- ventilators</li> </ul>	<p>A CG 300 Technical Approval submission is required</p> <p>CG300 approval must be received before any Section 177 'oversail licence' on any consent to oversailing building structures will be issued</p> <p>Section 179 of the Highways Act 1980</p>
<p>Scaffolding projecting onto the Public Highway</p>	<p>Any scaffolding or other structure erected or retained on or over the Public Highway in connection with any building or demolition work or the alteration, repair, maintenance or cleaning of any building</p>	<p>A CG 300 Technical Approval submission is required if a scaffold or gantry is intended for use as a loading platform to store materials, plant or site cabins</p> <p>Section 169 of the Highways Act 1980</p>

## Abnormal Load – Vehicle Movements

**6.35** In accordance with The Roads Vehicles (Construction and Use) Regulations 1986, all movements of any abnormal load vehicle should be notified to the Police Authority, Highway Authority, and bridge owner on the proposed route.

**6.36** An abnormal load vehicle is a vehicle that conforms with one or more of the following:

- Has a weight of more than 44,000 kilograms

- An axle load of more than 10,000 kilograms for a single non-driving axle or 11,500 kilograms for a single driving axle
- A width of more than 2.9m
- A rigid length of more than 18.65m

**6.37** If a vehicle is classed as an abnormal load, the specialist haulage company should issue the appropriate notice to the council's Highways Asset Group, (Structures), using the following email: **[LBTH.ABLoads@towerhamlets.gov.uk](mailto:LBTH.ABLoads@towerhamlets.gov.uk)**

The Metropolitan Police Abnormal

Loads Unit shall be notified:  
**abloads@met.police.uk**

The Environmental Protection team shall also be notified: Environmental.Protection@towerhamlets.gov.uk

**6.38** The Highways Asset Team (Structures) will reply to each abnormal load movement notice.

**6.39** No abnormal load movement should take place using on council adopted Public Highway until the specialist haulage company have received the appropriate approval from Tower Hamlets council.

**Permitted hours for movement:**

At present, no movement of abnormal loads is permitted within the Metropolitan Police area between the following times:

**Monday to Friday** - 07:00 - 10:00 hrs  
or 16:30 - 19:00 hrs (rush hour)

**Saturday** - 10:00 - 19:00 hrs

Additionally, if any part of the route falls within 3 miles of Charing Cross Station, or any abnormal load movements exceed the following:

Length: 26m (85'0")

Width: 3.82m (12'6")

Weight: 100 Tons

These loads are also **not permitted to travel** between the following times:

**Monday to Friday** - 07:00 - 19:00 hrs

**Saturday** - 10:00 - 19:00 hrs

No restrictions are currently in place on movements taking place on a Sunday or bank holidays.

**Contact:** Highways Asset Group, (Structures) highwayassetscocp@towerhamlets.gov.uk

### **Pest Control**

**6.40** The Contractor shall ensure that the risk of infestation by pests or vermin is minimised. Adequate arrangements for disposing of food waste or other material attractive to pests must be implemented.

**6.41** If an infestation occurs, the Contractor must ensure appropriate action is taken to eradicate the infestation and prevent it reoccurring, as required by the council's Environmental Health Officer.

### **Unexploded Ordnance**

**6.42** There may potentially be unexploded bombs, shells and incendiary devices buried in sites that have been left undisturbed since World War II. The Contractor must ensure that all operatives are warned of this possibility.

**6.43** Where appropriate a risk assessment will be completed, and an emergency response procedure will be prepared and implemented by the contractor for the possibility of unexploded ordnance being found.

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## Site Inspection and Monitoring

- 6.44** Regular Contractor and council worksite inspections will cover matters including equipment use and confirming working methods on site are in accordance with those agreed in the CMP/SEMP and the CoCP.
- 6.45** A schedule of defects will be prepared with the time allowed to 'make good' determined by council officers. If a Contractor fails to take the required action, the Developer will need to exercise provisions in their contract as soon as practicable.

## Clearance of Site on Completion

- 6.46** On completion of the development the Contractor will remove from site all plant, surplus materials, waste and temporary works. The site must be left in a condition to the satisfaction of the council.

**Other site management information can be found in:**

### **Appendix D: Temporary Structures, Temporary Road Closures and Highways Licence Guidance**

- Hoardings, scaffolding and gantries
- Lighting
- Public Information (also Ch 5 above)
- Security

### **Appendix E: Mobile Cranes and MEWPS**

- Crane licence applications and guidance
- MEWP and platform applications





# 7. Highways and Transport

## Policy Overview:

**Tower Hamlets Plan 2031** Policy D.TR2  
Impacts on the Transport Network

**Tower Hamlets Plan 2031** Policy D.TR4  
Sustainable Delivery and Servicing

## Key Actions by Contractor:

- Submission of a Transport Management Plan (TMP) or Construction Logistics Plan (CLP) if required by Site Categorisation or Planning Condition
  - All freight operators are accredited as Fleet Operator Recognition Scheme (**FORS**) – Silver
  - Demonstrate how the Construction Logistics and Community Safety (**CLOCS**) standard has been achieved and maintained throughout the demolition and construction phase
  - Construction Logistics Plans should be submitted via the **CLOCS CLP Template**

## Regulatory Overview

- 7.1** Any temporary interference on the Public Highway should be in accordance with the following legislation and guidance:
- Highways Act 1980
  - New Roads & Street Works Act 1991
  - Traffic Management Act 2004 (legislation.gov.uk)
  - Safety at Street Works Code of

- Practice 2013
- Traffic Signs and General Directions 2016 (Traffic Signs Manual, Chapter 8)
  - Construction Logistics and Community Safety Standard (CLOCS)
  - Freight Operators Recognition Scheme (FORS)

Refer to Appendix D: Temporary Structures, Temporary Road Closures and Highways Licence Guidance and Appendix E: Cranes & MEWPs Guidance

Refer to Chapter 6: General Site Operations (Table 6) - for information on Temporary Structures on the Public Highway and other structures on or adjacent to the Public Highway.

## Objectives

- 7.2** Construction, demolition and excavation traffic generated by new development (of all scales) contributes significantly to poor air quality throughout the borough. It can also seriously impede on the availability of parking, traffic flow, road safety, residential amenity and pedestrian convenience.

Tower Hamlets is a borough with exceptionally high growth targets as well as high concentrations of development that result in multiple sites, operating simultaneously at varying stages of completion. Our residents and businesses are experiencing sustained negative

health, environmental and highways impacts that have spanned several decades in specific parts of the borough.

Disruption can stem from lengthy construction programmes, a high volume of vehicles, the need for prolonged or numerous parking suspensions and road closures and the constrained nature of local streets. Consequently, construction traffic and the use of the public realm must be managed as effectively as practicable, to maintain the amenity and safety of our residents.

### Post Planning Approval – Submissions

Continuing from Chapter 2 Site Categorisation and Impact (Refer to Table 3)

**7.3** Under the Town and Country Planning Act 1990, any potential pre-commencement conditions (for strategic and major developments as well as some basements) attached to the planning approval will require applicants to be bound by the guidance within this CoCP.

Applications for Pre- commencement Condition approval must allow at least **8 weeks** prior to works starting on site. The 8-week application period commences once all required submissions have been validated. **Works must not start until the condition has been discharged.**

The applicant must provide the following (as a minimum):

- **A Construction Management Plan** (including details of any Demolition works). LBTH has a CMP template available online
- **A Traffic Management Plan** (TMP) must be submitted with the CMP. For Strategic and Major developments, a Construction Logistics Plan (CLP) will be requested. Construction Logistics Plans should be submitted via the CLOCS CLP Template. The TMP must include:
  - Details of FORS (Silver) and CLOCS status and related reporting, implementation and monitoring mechanisms (compliance performance data must be made available if requested)
  - A plan of the site showing the location of loading points and/or temporary crossovers used by vehicles accessing the site including carriageway and footway dimensions and existing street furniture/trees
  - Details of any occupation/ temporary closure of the road or footpath
  - Swept path designs for the largest delivery vehicles
  - Confirmation of the different sizes and numbers of delivery vehicles and duration of stay planned throughout the project
  - Exceptional loads planned, including plant delivery

- A histogram of the proposed deliveries including type and size of vehicle (via the CLOCS CLP Template)
- Proposed tower crane positions including any over-sailing details
- Detailed plans of proposed and available vehicle routes to and from site
- Concrete operations, highlight the maximum pour size with vehicle numbers per pour
- Pedestrian and cycle diversions together with a plan showing signage layout
- Any parking bay suspensions
- Details of booking systems used to ensure 'just in time' deliveries, to include the use of consolidation centres
- Other impacts on the Public Highway not mentioned above, including any driver safety training undertaken to meet or exceed expected standards

Further queries should be directed to the Highways Development Control Team:  
[highways.development@towerhamlets.gov.uk](mailto:highways.development@towerhamlets.gov.uk)

## Air Quality Considerations

Refer to Chapter 9 for more information on Air Quality and Emissions, Chapter 10 for Water Pollution and Flood Risk, and Local Plan Policy D.TR4

- 7.5** Tower Hamlets council encourages Contractors to use consolidation for

waste and delivery related vehicle movements, avoiding duplicate journeys and single load trip inefficiencies.

- 7.6** Where practicable, Contractors should investigate the potential for the removal of spoil and transport of materials by waterways, provided that the safe procedures set out in Ch 10 for contaminated waste are carefully implemented. See also Chapter 11 Site Waste Management (11.27).

- 7.7** Road-based construction, demolition and excavation waste (CDE) journeys should use zero (tailpipe) emissions vehicles. Where this is not yet possible, low emission vehicles complying with local air quality regulation should be used. Contractors must keep sustainable transport options under review throughout the project.

### **Temporary Closures and Diversions**

Refer to Appendix E: Temporary Structures, Temporary Road Closures and Highways Licence Guidance

- 7.8 Impacts on the Public Highway:** Prior to commencement of construction, full justification must be provided in writing, for proposed uses of the Public Highway to facilitate works involving interference with a carriageway or footway, in any part of the borough. The council expects, prior to submission, consideration of all options available to minimise impacts on the public highway.

**7.9 Approval considerations:** In approving works, the council must bear in mind its network management responsibilities under the **Traffic Management Act 2004** to secure the expeditious movement of traffic (including pedestrians and cyclists) on its road network and in neighbouring authorities.

**7.10 Vulnerable footway users:** All temporary and diverted footways shall be designed for access for vulnerable footway users. Reasonable pedestrian routes must be provided throughout the construction period, including step free access and appropriate signage, and diversions should be kept to a minimum with desired routes maintained, wherever possible..

**Table 7: Maintaining accessibility and navigability of the public realm**

<ul style="list-style-type: none"> <li>- Any temporary footways and carriageways will be constructed to the reasonable requirements of LBTH, with uniform surfaces. There must be no steps and gradients should be no greater than 1 in 20. If unavoidable, alternative routes for vulnerable footway users must be identified and adequately signed</li> <li>- Ramps (1 in 20 gradient) are required at junctions of footways and carriageways. The base of the ramp must be flush with the carriageway.</li> </ul>	<ul style="list-style-type: none"> <li>- Care must be taken to avoid misdirection of vulnerable footways users and the visually impaired. Adequate signage with advance warning of alternative wheelchair and pram accessible routes must be provided</li> <li>- Any openings or obstructions on the carriageway and footway will be barricaded with a continuous rail (and lit at night). Rails must be strong enough to resist pedestrians walking into them and must have tapping rails to aid visually impaired users</li> </ul>
<ul style="list-style-type: none"> <li>- Temporary ramps must be surfaced with non-slip materials to the satisfaction of LBTH</li> <li>- So far as is reasonably practicable all footways and carriageways must be kept clear of mud and loose materials from works</li> <li>- Existing pavement widths around sites will be maintained; except where they exceed 2000 mm. In such cases LBTH may accept a reduction in clearance between street furniture, obstructions and temporary measures to a minimum width of 1300 mm. See also Appendix D: Temporary Structures, Temporary Road Closures and Highways Licences Guidance.</li> </ul>	<ul style="list-style-type: none"> <li>- All pedestrian routes diverted onto the carriageway will be defined by continuous barriers</li> <li>- Clear signage is also required for any diversion of cycle routes around the site</li> <li>- Headroom clearance over footways will be a minimum of 2300 mm, with 2500 mm to the soffit provided wherever possible</li> </ul>

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**7.11 Temporary Traffic Regulation Order** (TTRO) may be applied for prior to CMP submission but will be subject to having a signed CMP in place before being agreed. There is approximately a 9-week lead time for a TTRO and any application will be subject to consultation and coordination checks. Refer to Appendix D: Temporary Structures, Temporary Road Closures and Highways Licences Guidance

**7.12 Utility connections and disconnection** should be coordinated to minimise the disruption to the area. If new utility services are required, Developers must explore options for the utility companies to share the same excavations, work area and/or TTRO. Developers must supply details of this as part of any CMP application.

**7.13** Contractors can apply for Temporary Traffic Regulation Orders (TTROs) [online](#)

### **Maintenance and Repair of the Highway**

**7.14** The Contractor will comply with all relevant legislation affecting vehicle licensing and operation.

**7.15** The Contractor will be responsible for any damage caused by their activities to roads, kerbs or footpaths in the vicinity of the work site ([Highways Act 1980](#) (ss.148-151) and will carry out such temporary or permanent reinstatement as may be required, of such roads, kerbs or footpaths and in a manner approved by LBTH to the council's specification and reasonable satisfaction.

**7.16** Permanent work shall be carried out by the Highways Authority under a Section 278 agreement. The Contractor must allow a minimum of six months to agree the scope of the work and complete an agreement. [The Highways Act \(Section 278\)](#) provides for a financial contribution to be paid to the Highway Authority for highway works to be undertaken as mitigation for development.

### **Street Furniture**

**7.17** No street furniture (electrical or non-electrical) can be removed or relocated by the Developer or any Contractor. This work may only be carried out on a recharge basis by LBTH or its appointed Contractor. If the street furniture is electrical, allowances of up to 8 weeks must be given to allow for any electrical works that may be required. See further in Appendix D: Temporary Structures, Temporary Road Closures and Highways Licences Guidance.

### **Mud on Roads**

**7.18** The Contractor will ensure that strict suitable approved measures are taken to keep the highway clean and minimise mud on roads, which is considered to be one of the main environmental nuisance problems from construction sites ([Highways Act 1980 ss.148-151](#) and the [Environmental Protection Act 1990](#)). These measures will include, but will not necessarily be limited to:

- The provision of easily cleaned hardstandings for vehicles entering, parking and leaving the site
- The provision of wheel-washing facilities including, where practicable, mechanical wheel spinners
- The use of an approved mechanical road sweeper to clean the site or hardstanding of any mud or debris deposited by site vehicles on roads or footpaths near the site. The road sweeper is to be readily available whenever the need for cleaning arises and will be properly used and maintained
- The adequate sheeting of every lorry load of spoil to prevent spoil escape during the journey
- Measures to ensure mud and detritus is not swept into gullies

## Fly Tipping

**7.19** Fly tipping will not be permitted. Loads must only be deposited at authorised landfill sites or onto designated barges. Deposition will be in accordance with all requirements of the Environment Agency (EA), the Duty of Care provisions of the **Environmental Protection Act 1990** and any other relevant legislation, policy or guidance.

**7.20** Duty of Care Documentation must be kept and provided to LBTH upon request. A ticket system will be operated at all sites to confirm the correct depositing of excavated material and to prevent fly tipping. The

Contractor will provide to the council's satisfaction a sequentially numbered system for each of their worksites, to confirm that each waste load is deposited at an approved site.

**7.21** The Contractor must also ensure that no tipping by others takes place on the site, by providing adequate site security.

## Responsibility for Enforcement

**7.22** The Contractor is responsible for all vehicles delivering to or exiting from a site and must ensure that their movements within the borough adhere to designated traffic routes.

**7.23** Any breach of the CoCP requirements will be subject to enforcement action from either the Planning Compliance, Environmental Protection, or Highways team, depending on the nature of the breach and the details approved in the Construction Management Plan.

### Please contact:

- Environmental.Protection@towerhamlets.gov.uk
- highwaysenforcement@towerhamlets.gov.uk
- PlanningEnforcement@towerhamlets.gov.uk

## Designated Traffic Routes

**7.24** The London Borough of Tower Hamlets is a CLOCs Champion. The council is committed to maximising

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road safety and prioritising pedestrian and cycling movements, as well as minimising disruption from site traffic and other construction activity. Lorries should not be stacked, held, or parked on highways. Any barriers will be retracted when not in use.

**7.25** The council requires use of an agreed route for Heavy Goods Vehicles (HGVs) travelling to and from each work site. This will form part of the Traffic Management Plan (TMP), submitted with the Construction Management Plan (CMP). For Strategic and Major sites, a Construction Logistics Plan (CLP) will form part of the TMP. The routes will need to be agreed by the council and Transport for London (TfL), if required. Any abnormal loads requiring separate permission will be agreed with the relevant highway authority and the police.

**7.26** Vehicles must arrive at or leave the site during normal working hours as specified in Chapter 6: General Site Operations. The Contractor is required to abide by the **London Lorry Control Scheme** (LLCS).

**7.27 Low emission zones:** All vehicles and drivers servicing construction sites within Tower Hamlets are bound by the conditions in the CLOCS Standard and FORS Silver Standard as a minimum. Vehicles should also adhere to London-wide emissions requirements such as the **London Low Emission Zone** and **London Ultra Low Emission Zone (ULEZ)**.

**7.28 CoCP adherence:** It is the Developer's responsibility to ensure their Principal Contractor is fully compliant with the terms set out in this CoCP. It is the Principal Contractor's responsibility to ensure all operatives attending site are compliant and adhere to the CMP/CLP and other relevant related submission documents.

**7.29 Risk assessment of routes:** Routes must avoid, where possible, any major cycle routes and trip generators (such as schools, offices, stations, markets and places of worship on operational days). Where development sites are close to these building uses restriction of delivery times may be imposed.

**7.30 Driver compliance:** As part of the TMP/CLP the Contractor should submit their proposed method for checking operational, vehicle and driver compliance with the vehicle standards throughout the lifetime of the site and must confirm the person/s responsible for this.

**7.31 Suitability of vehicle choice:** Consideration should also be given to weight restrictions, low bridges and cumulative impacts of construction (including neighbouring construction sites) on the Public Highway network. The route(s) to and from sites should be suitable for the size of vehicles to be used.

**7.32 Access and egress routes** between the site and the Transport for London Road Network (TLRN) will be detailed



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in the TMP/CLP. Route maps must be supplied as appendices to the TMP/CLP and differentiated where applicable for rigid and articulated HGVs. Contractors and delivery companies must be made aware of the route/s and of any on-site restrictions prior to undertaking journeys.

**7.33** The TMP/CLP must contain a scaled plan detailing the local highway network layout around the site. This should include details of on-street parking bay locations, cycle lanes, footway extents, relevant street furniture, and proposed site access locations.

**7.34** All vehicles must enter and leave the site in a forward direction except where space restrictions do not allow this. In such cases, trained banksmen are required to provide necessary assistance.

### **Marking of Lorries – Site Identification**

**7.35** The Contractor will provide for LBTH's approval lorry stickers uniquely identifying the worksite. For identification purposes these will be positioned prominently on all lorries serving the worksite. The identification needs to be sufficiently large to be easily read from a distance of 20 metres. Details of this must be included in the TMP.

### **Deliveries and Logistics Planning**

**7.36** CLPs must include detailed

information on the numbers and types of vehicles required to service the site and the approximate number of deliveries per day for each vehicle type during all phases of the project.

The council requires the use of the **CLOCS CLP Template** for all submissions.

**7.37 Neighbouring site coordination:** Cumulative impacts of construction traffic servicing neighbouring sites must be adequately considered. The Contractor is expected to co-ordinate with other local developments or sites en route. Vehicles must not park, queue or circulate on the highway.

**7.38 Booking systems (GPS enabled):** A booking system will be employed to ensure 'just in time' deliveries. All deliveries must be booked at least 24 hours in advance. Deliveries which have not been booked should not be accepted.

**7.39** Whilst deliveries will be given set times to arrive, dwell and depart, undue time pressures must not be placed upon drivers. The booking system should be a 'real time' GPS enabled system, and its efficiency must be monitored regularly with the system being adjusted to mitigate against any problems, should they arise. Any impact on the public highway not agreed in advance with LBTH through the approved documents will be subject to strict enforcement action.

#### 7.40 Consolidation Centres:

The Contractor should consider measures which consolidate site vehicle movements, to reduce vehicle trips associated with the works, thereby reducing emissions and congestion impacts.

**7.41 Concrete pours** across the highway should be avoided. Where unavoidable, written details of concrete operations will be required as early as possible.

- The maximum pour size and vehicle numbers per pour must be highlighted, including preventing concrete spoil deposits on the highway, and information on post-operation clean-up.
- Refer to Mud on Roads, for additional details of Highways cleaning measures.

**7.42** Swept path analyses for constrained manoeuvres along the proposed route should be included in the CLP/TMP.

Additional resources available for delivery management:

- **TFL Temporary Traffic Management Handbook**
- **TFL Delivering Goods by Water**
- **TFL Deliveries Toolkits – advice on multi-modal transportation options**

### Site Access and Layout

**7.43** All loading and unloading activities,

including skip movements, should take place within the site boundary. Deviation will only be considered in exceptional circumstances. Full written justification must be provided in advance for any proposed use of the public highway to support works, and written agreement from LBTH received before any such use begins.

**7.44** LBTH expects full consideration of all options to minimise highway impacts prior to the submission of any proposal to occupy the highway. A site meeting may be necessary to discuss these requirements. **The Network Management Team** will inform Contractors of whether this will be required once proposals are received.

**7.45 Utility disconnections and connections** will be coordinated to minimise disruption. If new utility services are required, options for the utility companies to share the same excavations/traffic management/TTRO must be explored. The Contractor shall supply details of these discussions as part of their CMP/CLP.

For support with Utilities connections, contact the LBTH Utilities Coordinator for more details: infrastructure.planning@towerhamlets.gov.uk

**7.46** If the site is on or adjacent to the TLRN, or conflicts with a bus lane or stop, the Contractor will be expected to provide details of preliminary discussions with Transport for London in their transport management submissions.

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- 7.47** Site access shall be located to ensure the minimum of disturbance to nearby noise sensitive receptors from vehicles entering or leaving. The number of lorry movements, hours of operation and any lorry holding areas will be agreed in advance through the CMP and CLP/TMP.
- 7.48** The Contractor must comply with these agreed numbers. In certain circumstances the council may cap the number of vehicles to/from a development site if the proposals are deemed excessive for the location.
- 7.49** All access from the site onto the highway will be of sufficient width to accommodate two-way traffic wherever practicable. Tracking diagrams confirming that the largest vehicle expected on site can enter and exit in forward gear must be provided in the CLP.
- 7.50** Reversing out onto the public highway should be considered as a last resort only and requires approval from the highway authority. Any approved reversing movements must be accompanied by a trained banksman, and protection for pedestrians, cyclists and other road users must be detailed in the CLP/TMP.
- 7.51** **Pedestrian and cycle safety** is paramount and must be maintained, with the needs of vulnerable footway users having been fully considered and incorporated into proposals. Appropriate ramps must be used if cables, hoses, etc. are run across the footway. Pedestrian diversions will be kept to an absolute minimum with desired routes maintained. Changes to desired routes should be minimised and need be agreed in writing with council officers alongside a **pedestrian management plan**.
- 7.52** **Traffic Marshalls:** Vehicles entering and leaving site must be carefully managed, using clearly marked gates and free from obstacles. Traffic marshals will ensure the safe passage of all traffic on the highway when vehicles are entering and leaving site. Gates must open inwards towards the site only and be fully closed when not in use.
- 7.53** **Vehicle parking for operatives** should not be considered and a Travel Plan indicating how workers will access the site using public transport, walking and cycling may be required as part of the CLP. Cycle facilities (including cycle parking) should be provided on site wherever practical.
- 7.54** **Parking bay suspensions** should be kept to a minimum and the CLP must detail and justify any proposed suspensions and/or TTROs which are essential to facilitate the construction works.
- 7.55** **Material storage and accommodation** on the highway: The use of the highway for storage, site accommodation/huts or welfare facilities is at the council's discretion and will generally not be permitted. If

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such a use is proposed, the Contractor must supply robust justification setting out why it is impossible to allocate space on site or rented nearby. Only in exceptional circumstances where these cannot be accommodated on site will the Highway Authority consider applications for licences/consents to locate them outside the site boundaries.

- 7.56** Consent will not be granted for office accommodation structures on or above the highway; welfare facilities on or over the highway on gantries will be considered on their merits based on the needs and justifications provided.
- 7.57** Particular care should be taken where skips or heavy equipment are placed above vaults.
- 7.58** The relevant consent or licence must be obtained from the Highway Authority before placing on the highway any skip, erecting any temporary structure, scaffold, hoarding, hoist, gantry, fence, or conducting any excavation on the highway (see Appendix D: Temporary Structures, Temporary Road Closures and Highways Licence Guidance).

Where this will lead to loss of residents' parking spaces, an equal number of visitor parking bays in the vicinity should be converted into residents' parking bays for the duration of the works.

- 7.59** Permission must be obtained from

the highway authority representative before any plant and or equipment can be stored or operated on the public highway. The Contractor should ensure that an adequate crossover exists to allow access to the site. Should a temporary crossover be required then the Contractor must apply to the Highway Authority as early as possible before works commence.

### Traffic and diversion signage

- 7.60** The Contractor must apply to the council for approval for all temporary road signs on the public highway that indicate routes to the site and diversions, in accordance with the **New Roads and Street Works Act 1991**. Any signage on the highway must be in accordance with the **Traffic Signs Regulations & General Directions 2002** and with **BS873 on Road Traffic Signs and Bollards**. The precise location of each sign shall be determined by the Developer/Contractor to the satisfaction of the council.

### Completion of works

- 7.61** On completion of works the Contractor will clear and remove from the highway all plant, surplus materials, rubbish and temporary works of every kind. The site will be left clean and in a condition to the satisfaction of the council. Prior to being brought back into use, the highway must be free of any potentially hazardous defects.

Damage as a consequence of construction will be discussed and agreed at a joint site visit with LBTH officers and will be repaired at the expense of the Developer.

For proposing permanent changes to the Public Highway, see [Stopping Up Orders guidance](#).



# 8. Noise and Vibration

## Policy Overview:

**Tower Hamlets Plan 2031** Policy D.ES9  
Noise and Vibration

**Tower Hamlets Plan 2031** Policy D.DH8  
Amenity (paragraph 8.93)

## Key Actions by Contractor:

- Contact the **Environmental Protection Team** to agree the working hours and methods to be used which may generate **noise and vibration** prior to the commencement of any work on site
- Adhere to standard hours for noisy site work and ensure that 'best practicable means'(BPM) are applied to all activities to mitigate noise and vibration impacts on neighbours
- Use the quietest machinery and methods wherever possible
- Ensure that if work is planned to take place outside the standard hours, prior consent is obtained from the Environmental Protection (Noise) Team using the 'Site Hours Variation Request' procedure:  
**Environmental.Protection@towerhamlets.gov.uk**
- Refer to the Tower Hamlets Noise Map to assess site-specific sensitivity

## Objectives

- 8.1** Tower Hamlets is subject to intense cumulative development and infrastructure projects throughout, with noise and vibration impacts from demolition and construction activities

frequently cited by residents as highly disruptive. Protecting 'noise-sensitive receptors' from negative environmental impacts resulting from construction activities is essential to maintaining cooperative relationships with neighbours and ensuring the timely delivery of development.

**Noise-sensitive receptors** comprise housing, educational establishments, hospitals, care homes, hotels, hostels, concert halls, theatres, law courts and broadcasting and recording studios, in addition to any other uses which would be particularly affected by increased noise levels.

- 8.2** The Contractor must control and limit noise and vibration levels, by applying Best Practicable Means (BPM), as defined under **Section 72 of the Control of Pollution Act (COPA) 1974**, to all site-related activities.

## Regulatory Overview

- 8.3** Noise and vibration are covered by the same legislative controls. The principal controls are contained within the Control of Pollution Act 1974 Part III (COPA). In addition, statutory nuisance provisions contained within the **Environmental Protection Act 1990 (ss.79-82)** also apply to noise and vibration.
- 8.4** British Standard 5228: **Noise and vibration control on construction sites and open sites (BSI 2014)** is

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recognised by Statutory Order as the accepted guidance for noise and vibration control during construction.

- 8.5** Planning permissions (granted) may include specific conditions relating to noise control, and consideration to minimising noise and vibration from construction should be given at planning application stage. Where works are carried out close to, or on, a party wall, **The Party Wall Act 1996** may apply. The Contractor must consider all aspects of this Act and allow sufficient time to comply with it.

### **LANAF Good Practice Guide Risk Assessment**

- 8.6** For Strategic and Major projects (and any other relevant projects) the Contractor will complete a **risk assessment** as set out in the **Chartered Institute of Environmental Health's** London Good Practice Guide Noise and Vibration Control for Demolition and Construction (**LANAF**).
- 8.7** Minor and Basement schemes may need to undertake a risk assessment if the scope of the works could generate significant impacts for surrounding neighbours. Seek further discussion with the council to ascertain if necessary.
- 8.8** The required noise and vibration mitigation measures and any working practices identified by the risk assessment (commensurate with the level of risk) should be included in the noise and **vibration management plan**.

- 8.9** The principles of the LANAF guide will apply to all development in Tower Hamlets, as collectively in areas of high growth the concentration of construction activity requires that all construction sites incorporate appropriate working practices for negative environmental impact mitigation.
- 8.10** In assessing the impact of any operations, the Contractor will comply with the recommendations set out in **BS 5228** (Noise and Vibration Control on Construction and Open Sites) as well as the outputs of the LANAF risk assessment.

### **Noise and Vibration Control**

- 8.11** The required **noise and vibration management plan**, forms part of the Site Environmental Management Plan (SEMP). The plan must set out the location of noise and vibration sensitive receptors and detail how noise and vibration arising from demolition and/or construction will be controlled and limited as far as is reasonably practicable, so that all receptors are protected from excessive noise and vibration levels.
- 8.12** The Contractor will apply Best Practicable Means (BPM) to all activities that create noise and vibration and provide suitable mitigation to reduce their external impact as far as is practicable.
- 8.13** Noise and vibration management plan contents are to include:

- A site location plan, the site set-up (site plan) detailing the location of all noise-sensitive receptors, welfare facilities, storage areas, and access points (site gates)
- Strategic and Major projects will complete a London Authorities Noise Action Forum (LANAF) risk assessment setting out good practice measures for controlling on-site noise and vibration.
- Proposed working hours
- Overview of the proposed demolition and construction methodology, with 'best practicable means' and mitigation measures for reducing impacts on neighbours
- Strategic and Major projects will provide a baseline noise survey and noise predictions for the different phases of the development
- All sites are required to monitor noise and vibration, and to have procedures in place for recording and reporting monitoring results
- Procedures must be in place for remedial action in the event of any exceedances and non-compliance

The **Tower Hamlets Noise Map** is available for developments and the public to review current noise levels around the borough.

Further specific guidance on noise and vibration management plans is available [online](#).

**Working Hours** – Refer to Table 5 Chapter

## 6: General Site Operations

### Restrictions on High Impact Noisy Work Activities

**8.14** There is no formal definition of high impact activities although the following listed phases and noisy work activities and packages are considered to meet the criteria. For further reference see BS 5228 'Noise & Vibration Control on Construction and Open Sites' (Table B1, Annex B).

#### Phases:

- Demolition
- Earthworks
- Piling

Please note: Auger/rotary piling methods may not be considered high impact noisy activities. Developers are requested to seek advice from the council to confirm.

#### Noisy work activities and packages:

- Cutting using power tools
- Breaking out using power tools
- The use of impact fasteners
- The loading of heavy materials

**8.15** The Council requires time restrictions. In addition to the work packages listed above, works and processes that may be considered 'high impact noisy activities' can be defined on the following basis:

- Noise data within Table C of **BS 5228** indicates that if the equipment was used continuously



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for two hours it would likely produce noise levels in excess of 70 decibels (LAeq,10hr) at 1m from the nearest occupied premises

- Work activities that produce significant structure-borne noise and vibration in adjoining properties that is difficult to suppress will be classed as 'high impact noisy activity'

**8.16** Restricted hours on high impact noisy works can be referenced in Chapter 6 General Site Operations (Table 5). Sites located close to noise sensitive receptors must not carry out high impact noisy activities during restricted hours. As far as reasonably practicable, earthwork, demolition and piling as well as the above noisy work packages shall not be permitted during the restricted periods. The Contractor will ensure that all site operatives adhere to all agreed restricted working hours.

**8.17** Should the Contractor propose any additional or alternative working hours for operational and/or health and safety reasons, prior agreement with the council must be obtained. These proposals will be considered on a site-by-site basis.

In the case of work required in response to an emergency and or health and safety needs, the council and residents will be advised as soon as is reasonably practicable that the works are taking place and their likely duration.

All construction-related traffic will abide by the agreed hours of working for each site unless otherwise agreed with the council.

## Section 60 – Notice Imposing Requirements

**8.18** Section 60 provides control over construction works in progress or any construction works intended to be carried out. The scope of works to which these powers apply is wide-ranging:

- large and small works
- public and private works
- minor household repairs (not DIY works)
- large infrastructure projects (Tideway Tunnel, Cross Rail)

A Section 60 notice sets the site working hours and ensures that best practice working methods to control noise and vibration are maintained on site.

**8.19** Under the **Control of Pollution Act 1974**, the council may serve a **Section 60 Notice Imposing Requirements** on how the works should be carried out. It is usual to serve notices on the Principal Contractor as the 'person carrying out the works'. Other recipients of a notice can include architects, subcontractors, developers and (land) owners. Any Contractors responsible for Basement developments who do not have a Section 61 Consent in place may be issued with a **Section 60 Notice** prior

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to works commencing onsite. prior to works commencing onsite.

- 8.20** The Notice can specify the following:
- the plant or machinery which is/ not to be used
  - the hours during which works may be carried out
  - the level of noise which may be emitted

**8.21** When acting under this section, local authorities must have regard to:

- the need to protect any persons in the locality from the effects of noise
- the interests of contractors when specifying methods of plant/machinery, when other effective methods are available for minimising noise and could be more acceptable
- any relevant Code of Practice issued under the s71 of COPA; and
- the need to ensure that Best Practicable Means (as defined in s72 of the Act) are employed to minimise noise

**8.22** Under Section 61 of COPA, Contractors may apply for prior consent for noise-generating activities during construction via a **Section 61 Application**. The application must contain the details of the works to be carried out, the methods by which they are to be carried out, and the steps proposed to minimise noise resulting from them. Applying for prior consent offers Developers and Principal Contractors an opportunity

within a structured application framework for noise and vibration-related construction matters to be considered and agreed prior to works commencing.

**8.23** Upon receipt of the application (if sufficient information is provided) a decision, by the council, must be reached within 28 days of application receipt. No Section 60 Notice can be served once a Section 61 Prior Consent is in place.

**8.24** Strategic and Major sites must **apply to the council and obtain prior consent** under the Control of Pollution Act 1974, Section 61. Specific guidance relating to section 61 applications is available on the LBTH Noise Pollution webpages. An application form for a s61 Prior Consent is available [online](#).

Minor and Basements sites will not typically require prior consent unless they are proposing noisy works outside of the normal working hours. Developers for Minor and Basement projects should contact the LBTH prior to submission to confirm if prior consent is required.

**8.25** All applications for prior consent will include:

- Details of the work to be undertaken, including proposed hours of work.
- Baseline noise survey prior to any works commencing.
- List of proposed equipment to be used onsite.
- Activity noise predictions at the

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near noise sensitive receptors (ie residential use, educational establishments, hospitals, care homes, hotels, hostels, concert halls, theatres, law courts, broadcasting and recording studios)

- Outline steps to minimise and mitigate noise impacts
- Noise monitoring strategy including action and trigger levels
- Procedures to be enacted if action and/or trigger levels are exceeded
- Stakeholder complaints procedure

## S61 Advice and Charging

**8.26** Pre-application advice is available from the council for s61 Applications under the COPA (1974), refer to [Guidance for s61 Applications](#). For details of applicable charges for the service contact **Environmental.Protection@towerhamlets.gov.uk**

**8.27** Dispensation and Variation applications for works that cannot be carried out in compliance with the conditions set out in a s61 Prior Consent or s60 Notice Imposing Requirements (e.g. a change in working hours for highways/ traffic management), will incur an administration charge. For sites with an agreement in place, this fee will be charged against the existing agreement. For further information visit Environmental Health Noise Pollution [webpages](#)

**8.28 Payment process:** Upon receipt of an application, it will be assessed

by an Officer. If satisfactory, the applicant will be requested to provide payment by telephone with a debit/ credit card. Upon receipt of payment the Dispensation or Variation will be issued. Application forms are provided [online](#).

**8.29 Please note:** this scheme of charging will not apply to those sites where a S61 agreement is in place. Sites applying post CoCP 2023 adoption will be subject to charges. See the webpages for further details.

## Demolition, Construction and Piling Method Statements

**8.30 Method Statements:** For Strategic, Major and Basement projects, a site method statement (in accordance with BS 5228) must be prepared alongside the noise and vibration management plan. The statements should cover all planned activities onsite, including demolition, piling and construction activities.

**8.31** All method statements must include the following:

- The proposed noise control methods
- A programme of works demonstrating timing of planned activities
- The type of plant likely to be used onsite
- The location of plant within the site boundary

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## Baseline Noise Survey, Noise Predictions and Noise Monitoring

### Baseline Noise Survey

**8.32** Strategic and Major projects: require a baseline noise survey to be complete prior to construction activities commencing to establish ambient noise levels around the site. In particular, at specific locations such as noise-sensitive receptors. The council may also undertake noise level monitoring prior to commencement of construction as a cross check for developers' readings and establish ambient noise levels.

Basement projects should consider whether a baseline noise survey is advisable depending on the scope of works.

**8.33** Where this is not practicable the Contractor must confirm that the survey will be completed prior to works commencing and will form part of the **Section 61 application**.

### Noise Predictions

**8.34** Strategic and Major projects will be required to predict noise generated from the proposed site activities and compare their predictions against the baseline data.

The baseline data overlaid with the predictions will highlight potential impacts from site activities and enable the site to set appropriate noise trigger and action levels to prevent

significant noise impacts. Action and trigger levels should be incorporated into a continuous noise monitoring system combined with a real-time alarm system.

### Noise Monitoring

**8.35** Strategic and Major projects will be required to install continuous noise monitoring systems, combined with a real-time alarm system, with details to be agreed on an individual basis. The monitoring locations must be agreed with the council prior to installation and should be placed in noise-sensitive locations. Measured noise trigger and action thresholds will be based on significant noise criteria relative to the baseline as set out in **BS 5228** (latest version).

**8.36** Noise action levels are the maximum to be allowed, therefore Contractors will be required to take steps to ensure lower noise levels than the specified limits, as far as it is practicable.

**8.37** All measurements shall be made with a sound level meter complying with the latest BS EN 61672 (Electroacoustics. Sound level meters). Noise levels will be monitored by the Contractor during works and compared with the agreed noise trigger and action levels. **Council access to noise level readings:** the council should receive noise readings from the Contractor upon request. The Contractor will also submit a report (to the council) on a **monthly** basis.

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**8.38 Competence of personnel:** All personnel undertaking noise monitoring should be a full or associate member of the Institute of Acoustics or experienced in managing construction noise and vibration. This must be demonstrated by provision of a summary of training and competence in environmental noise measurements, unless otherwise agreed with the council.

**8.39 Basement projects** are not typically required to install a continuous noise monitoring system, combined with a real-time alarm system. However, it is advisable to contact the council in advance of works commencing to discuss potential monitoring requirements.

**8.40 Regular proactive informal subjective assessment checks** and monitoring of noise levels are also required for all sites. The frequency of assessments should be increased in line with the proposed work programme, where work packages likely to cause significant noise and vibration impacts are identified, and where complaints of noise and vibration are received.

### **Vibration and Vibration Monitoring**

**8.41** The council will require that the Contractor takes appropriate measures to protect neighbouring residents, businesses and visitors to the area from nuisance or harm.

**8.42** Receptors which may be particularly sensitive to vibration (including but

not limited to religious, educational, and community uses) will be subject to individual consideration by the council, relative to BS5228: Part 2 - Vibration.

**8.43** The Contractor should comply with the vibration levels established by agreement with the council on a site by-site basis and in compliance with British Standard 6472 (Evaluation of Human Exposure to Vibration in Buildings).

**8.44** Guidance on levels of vibration which may cause building damage can be found in BS 7385-2 (Guide to damage levels from groundborne vibration). The Developer or Principal Contractor should consult a suitably qualified structural engineer to ensure that any potential vibration generated from site activities does not result in building damage. Complaints of building damage are a civil matter between the affected party and the Contractor.

### **Vibration Monitoring**

**8.45** Strategic and Major sites are required to install continuous nuisance vibration monitoring system, combined with a real-time alarm alerting system, with specific details to be agreed (site by site) with the council. The location of monitors must be agreed with the council prior to installation, and will be placed in vibration-sensitive locations (e.g. party boundaries).

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**8.46 Competence of personnel:** All personnel undertaking vibration monitoring shall be sufficiently competent. As a minimum a full or associate member of the Institute of Acoustics, unless otherwise agreed with the council in writing..

**8.47** Basement and minor construction projects are not typically required to install a continuous nuisance vibration monitoring system combined with a real-time alarm system. However, developments with basements are advised to contact the council in advance of works commencing to discuss any monitoring requirements.

**8.48 Regular proactive informal subjective assessment checks** and monitoring of vibration levels is also expected for all sites. The frequency of assessments should be increased in line with the proposed work programme, where work packages likely to cause significant noise and vibration impacts are identified, and where complaints of noise and vibration are received.

## Reporting

**8.49** All projects that are required to install continuous noise and vibration monitoring systems will be required to report all data monthly unless otherwise agreed with the council or set out within any COPA Section 61 or 60.

**8.50** The council understands that occasionally sites will receive noise and vibration complaints from parties impacted by site activities and there may be periods where noise levels will be in excess of pre-agreed levels. In such cases, please refer to paragraph 8.27 (above) where information on Dispensation and Variation procedures can be found.

**8.51** The Contractor will ensure procedure exists to record all incidents onsite, complaints, periods of non-compliance and any ameliorative action taken. These incidents will need to be reported to the council, and any specific actions agreed prior to commencing activities on site.

**8.52 Please note:** Legal action, in statutory nuisance, can be brought by a member of the public even if the development works are being carried out in accordance with a prior approval or a notice.

For current Fees and Charges related to Section 61 Consents refer to the Environmental Health [webpages](#)

Refer to Chapter 3: Legal Requirements and Planning Policy for information on environmental controls around statutory nuisance.



# 9. Dust and Air Quality

## Policy Overview:

**Tower Hamlets Plan 2031** Policy D.ES2  
Air Quality (paragraph 14.8)

**Tower Hamlets Plan 2031 Policy D.DH8**  
Amenity (paragraph 8.93)

## Key Actions by Contractor:

- All practicable measures to avoid producing dust or air pollution must be implemented during demolition and construction works
- All construction must follow the Mayor of London's Control of Dust and Emissions during Construction and Demolition Supplementary Planning Guidance in addition to this document
- For all Strategic and Major developments, Contractors will need to submit a Dust Management Plan (including continuous PM10 monitoring details)
- For smaller sites seek further advice from the LBTH Pollution Team

This Chapter outlines simple measures that must be implemented in order to mitigate, minimise and control dust and air pollution arising during demolition and construction works.

## Air Quality

**9.1** The entire London Borough of Tower Hamlets was declared an Air Quality Management Area (AQMA) under part IV of the 'Environment Act 1995' in 2000.

This declaration required the creation of an **Air Quality Action Plan (AQAP)**, detailing how the London Borough of Tower Hamlets proposes to meet specified objectives. The AQAP details the current and future efforts being by the Borough and all stakeholders to deliver measurable sustainable improvements in air quality.

## Regulatory Overview

**9.2** The Mayor of London has published supplementary planning guidance (SPG) specifically on demolition and construction works: **The Control of Dust and Emissions during Construction and Demolition** SPG July 2014 (Mayor of London).

**9.3** The main regulatory controls over dust are the 'statutory nuisance' provisions contained in the **Environmental Protection Act 1990**. Dust can give rise to a statutory nuisance if it is considered to be "prejudicial to health or a nuisance".

**9.4** Smoke, for example from burning waste on site, can also result in a statutory nuisance and is also controlled by the **Clean Air Act 1993**.

**9.5** The **Air Quality Strategy for England, Scotland, Wales and Northern Ireland: Volume 1 (DEFRA 2007)** contains national air quality standards and objectives established by the Government to protect human health. The objectives for seven pollutants have been prescribed within the **Air Quality (England) Regulations**



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**2000** and the **Air Quality (England (Amendment) Regulations 2002** (benzene, carbon monoxide).

**9.6** The Contractor will comply with the following provisions:

- Environment Act 1995, the Clean Air Act 1993
- Health and Safety at Work etc. Act 1974
- Environmental Protection Act 1990
- UK Air Quality Strategy
- **Tower Hamlets Local Plan 2031** (2020).

**9.7** The **Environmental Protection team** must be contacted for matters relating to this section: Environmental.protection@towerhamlets.gov.uk

**9.8** This section incorporates the relevant advice within '**The Control of Dust and Emissions during Construction and Demolition SPG**', which is applicable to all construction.

**9.9** Major and Strategic development sites must follow the detailed, specific guidance, noted above, on risk-assessing sites, control measures, and site monitoring for dust, as well as the following measures set out within in this document.

**9.10** Major and Strategic development shall submit a Dust Management Plan (DMP), based on an Air Quality and Dust Risk Assessment (AQDRA) to the council for approval, identifying proposed dust control measures before any works commence.

**9.11** The Contractor shall take all necessary measures to avoid creating dust nuisance and air pollution. A number of common construction activities can potentially generate dust, including (but not limited to):

- excavation and removal of spoil (in dry weather)
- formation of access into existing structures using cutting equipment
- localised demolition
- concrete breaking

**9.12** The London Plan Control of Dust and Emissions SPG (and supporting guidance) advises that demolition and construction activities (including associated vehicles) may be responsible for up to 15% of London's air pollution emissions. Demolition activities have high potential to generate dust, especially where demolition is occurring over 20m above ground level, or where the material is highly dust generating (e.g. bricks, concrete).

**9.13** Early consultation with the LBTH Utility Coordinator (see Chapter 4, para. 4.15-16) at pre-application stage is advised if proposals are likely to include provision of substations on the development site, via the Growth and Infrastructure team. Please contact **infrastructure.planning@towerhamlets.gov.uk**

**9.14** As a minimum, the measures and practices found in the aforementioned SPG must be implemented. Specific measures set out by the SPG for demolition, construction and track-

out can be found in the tables below. Effectiveness of these measures will be monitored by the council.

**Table 8a: Site Management**

<ul style="list-style-type: none"> <li>- A <b>stakeholder communications plan</b> must be developed (with the community) and implemented prior to work commencing on site</li> </ul>	<ul style="list-style-type: none"> <li>- Record any exceptional incidents that cause dust and air quality pollutant emissions, either on or off the site, and ensure that the action taken to resolve the situation is recorded in the logbook</li> </ul>
<ul style="list-style-type: none"> <li>- Display the name and contact details of person(s) accountable for air quality pollutant emissions and dust issues on the site boundary</li> </ul>	<ul style="list-style-type: none"> <li>- Record any exceptional incidents that cause dust and air quality pollutant emissions, either on or off the site, and ensure that the action taken to resolve the situation is recorded in the logbook</li> </ul>
<ul style="list-style-type: none"> <li>- Display the head or regional office contact information</li> </ul>	<ul style="list-style-type: none"> <li>- Hold regular liaison meetings with other high-risk construction sites within <b>500m of the site boundary</b>, to ensure plans are coordinated and dust and particulate matter emissions are minimised</li> </ul>
<ul style="list-style-type: none"> <li>- Record (in a complaint log) and respond to all dust and air quality pollutant emissions complaints</li> </ul>	<ul style="list-style-type: none"> <li>- Hold regular liaison meetings with other high-risk construction sites within <b>500m of the site boundary</b>, to ensure plans are coordinated and dust and particulate matter emissions are minimised</li> </ul>
<ul style="list-style-type: none"> <li>- A <b>complaint log</b> must be made available to the local authority when required</li> </ul>	<ul style="list-style-type: none"> <li>- Where dust-generating works (e.g. excavation, piling, demolition) are undertaken particularly close to buildings such that there is a potential for soiling of windows and ledges with dust, the Developer/Contractor shall clean the windows and ledges during periods of dust-generating work activities as appropriate, and on completion of works</li> </ul>
<p><b>Develop a Dust Management Plan</b></p>	<ul style="list-style-type: none"> <li>- The Contractor must take responsibility for cleaning any dust which has contaminated a property. The site must ensure that equipment is readily available to clean any dry spillages as soon as reasonably practicable, using wet methods</li> </ul>
<ul style="list-style-type: none"> <li>- Monitor regularly site compliance with air quality and dust control procedures, record inspection results, and make an inspection log available to the local authority when asked</li> </ul>	<ul style="list-style-type: none"> <li>- Where necessary due to dust escape/contamination, the Contractor shall offer to have</li> </ul>
<ul style="list-style-type: none"> <li>- Increase the frequency of site inspections by those accountable for dust and air quality pollutant emissions issues when activities with a high potential to produce dust and emissions and dust are being carried out, and during prolonged dry or windy conditions</li> </ul>	
<ul style="list-style-type: none"> <li>- Monitor regularly site compliance with air quality and dust control procedures, record inspection</li> </ul>	

results, and make an inspection log available to the local authority when asked	neighbours' properties and cars cleaned at regular intervals
<ul style="list-style-type: none"> <li>– On Major construction sites where there is a medium or high risk that dust will be generated, in addition to visual observations, on-site monitoring of dust/particulate levels shall be required (typically through conditions imposed when planning permission is granted). The exact type of monitoring and number of real-time monitors will depend on identified risks of the site, and real-time baseline monitoring may be required prior to start of works</li> </ul>	<ul style="list-style-type: none"> <li>– Development delivery shall ensure that electrical connections of existing supplies to the site are maintained as long as possible and that new connections are programmed as early as possible minimising the use of on-site generators. Demolition and construction programmes shall enable the delivery of these electrical works</li> </ul>

**Table 8b: Preparing and maintaining the site**

<ul style="list-style-type: none"> <li>– Plan site layout: machinery and dust-generating activities should be located away from receptors, particularly schools, hospitals, and homes</li> </ul>	<ul style="list-style-type: none"> <li>– Cover, seed, or fence stockpiles to prevent wind whipping</li> </ul>
<ul style="list-style-type: none"> <li>– Erect solid screens or barriers around dust-generating activities or the site boundary that are at least as high as any stockpiles on site</li> </ul>	<ul style="list-style-type: none"> <li>– Carry out regular dust soiling checks of buildings within 100m of site boundary and cleaning to be provided if necessary</li> </ul>
<ul style="list-style-type: none"> <li>– Fully enclose site or specific operations where there is a high potential for dust production and the site is active for an extensive period</li> </ul>	<ul style="list-style-type: none"> <li>– Provide showers and ensure a change of shoes and clothes are required before going off-site to reduce transport of dust</li> </ul>
<ul style="list-style-type: none"> <li>– Install green walls, screens, or other green infrastructure to minimise the impact of dust and pollution</li> </ul>	<ul style="list-style-type: none"> <li>– Agree monitoring locations with the Local Authority</li> </ul>
	<ul style="list-style-type: none"> <li>– Where possible, commence baseline monitoring at least three months before phase begins</li> </ul>
<ul style="list-style-type: none"> <li>– Avoid site runoff of water or mud</li> </ul>	<ul style="list-style-type: none"> <li>– Put in place real-time dust and air quality pollutant monitors across the site and ensure they are checked regularly</li> </ul>
<ul style="list-style-type: none"> <li>– Keep site fencing, barriers and scaffolding clean using wet methods</li> </ul>	
<ul style="list-style-type: none"> <li>– Remove materials from site as soon as possible</li> </ul>	

**Table 8c: Operations**

<ul style="list-style-type: none"> <li>- Only use cutting, grinding, or sawing equipment fitted or in conjunction with suitable dust suppression techniques such as water sprays or local extraction, e.g. suitable local exhaust ventilation systems</li> </ul>	<ul style="list-style-type: none"> <li>- Use enclosed chutes, conveyors, and covered skips</li> </ul>
<ul style="list-style-type: none"> <li>- Ensure an adequate water supply on the site for effective dust/particulate matter mitigation (using recycled water where possible)</li> </ul>	<ul style="list-style-type: none"> <li>- Minimise drop heights from conveyors, loading shovels, hoppers and other loading or handling equipment and use fine water sprays on such equipment wherever appropriate</li> <li>- Ensure equipment is readily available on site to clean any dry spillages, and clean-up spillages as soon as reasonably practicable after the event using wet cleaning methods</li> </ul>

**Table 8d: Vehicle emissions**

<ul style="list-style-type: none"> <li>- Ensure all vehicles switch off engines when stationary; a no idling policy for all site vehicles is required to be implemented</li> </ul>	<ul style="list-style-type: none"> <li>- A wheel-washing system should be implemented for all construction vehicles where applicable</li> </ul>
<ul style="list-style-type: none"> <li>- Avoid the use of diesel or petrol-powered generators and use mains electricity or battery-powered equipment wherever possible. All sites must make efforts to have sufficient electrical power</li> </ul>	<ul style="list-style-type: none"> <li>- All vehicles entering or exiting the site must be securely covered to prevent the escape of material during transport</li> </ul>
<ul style="list-style-type: none"> <li>- Combustion-based equipment must, where practicable, be replaced with electric/battery/low-emission technology equipment</li> </ul>	<ul style="list-style-type: none"> <li>- All commercial road vehicles attending the site must meet European Emission Standards pursuant to the EC Directive 98/69/EC of Euro 4 for petrol vehicles and Euro 6 for diesel vehicles and Euro VI for all lorries and specialist heavy goods vehicles</li> </ul>
<ul style="list-style-type: none"> <li>- Impose and signpost a maximum speed-limit of <b>10mph</b> on surfaced haul routes and work areas. If long haul routes are required, the speed may be increased with suitable</li> </ul>	<ul style="list-style-type: none"> <li>- Ensure all road vehicles comply with the requirements of the London Low Emission Zone (LEZ) and Ultra Low Emission Zone (ULEZ)</li> </ul>
<ul style="list-style-type: none"> <li>- Submit a <b>Construction Logistics Plan (CLP)</b> to manage the sustainable delivery of goods and materials</li> </ul>	<ul style="list-style-type: none"> <li>- LBTH strongly encourages developers to use non-petrol and non-diesel vehicles and NRMM at the construction site (deliveries including). For instance, <b>electric and hybrid solutions</b> should be considered.</li> </ul>
<ul style="list-style-type: none"> <li>- Implement a <b>Travel Plan</b> that supports and encourages sustainable travel (public transport, cycling, walking, and car-sharing)</li> </ul>	

**Table 8e: NRMM (Non-Road Mobile Machinery)**

<ul style="list-style-type: none"> <li>- All NRMM (such as generators, excavators, piling machines, etc.) to be used during construction must comply with emission requirements and the scope of the 'Control of Dust and Emissions SPG' (or any subsequent amendment)</li> </ul>	<ul style="list-style-type: none"> <li>- Noise sensitive receptors (see 8.27 above) must be, wherever possible, protected from NRMM noise generation by location away from their boundaries</li> </ul>
<ul style="list-style-type: none"> <li>- Register, prior to the commencement of any demolition and/or construction works, all NRMM of net power (between 37kW and 560 Kw) for use on site with <a href="http://nrmm.london">http://nrmm.london</a></li> </ul>	<ul style="list-style-type: none"> <li>- No Idling Policy must be implemented for all NRMM when stationary. Engines to be switched off NRMM should, wherever possible, be powered by electric and hybrid solutions as opposed to noisier petrol and diesel engines (also applied to delivery vehicles)</li> </ul>
<p>Contact the following for any further information: <b><a href="mailto:Environmental.Protection@towerhamlets.gov.uk">Environmental.Protection@towerhamlets.gov.uk</a></b></p>	





# 10. Contaminated Land

## Policy Overview:

**Tower Hamlets Plan 2031** Policy D.ES8  
Contaminated Land and Storage of  
Hazardous Substances

## Key Actions by Contractor:

- Ensure appropriate investigations and risk assessments are carried out to characterise the ground conditions on site before works commence
- Ensure appropriate action is taken and/or mitigation measures put in place to ensure that:
  - The works do not pose any unacceptable risks to human health (including construction workers, neighbours and the general public), controlled waters or other ecosystems
  - The completed development does not pose any unacceptable risks to human health (including subsequent construction/maintenance workers, future occupants, neighbours and the general public), controlled waters and other ecosystems
- It is also the Contractor's responsibility to ensure that:
  - The LBTH Pollution Team is notified of any ground contamination found either during preliminary investigation or subsequently during development
  - Any remediation which takes place is approved by the Pollution Team and is thoroughly documented in a verification report

- Contaminated land which may have archaeological significance is properly assessed in accordance with Historic England advice and at the earliest practicable stage (see also Ch 14).

## Regulatory overview

- 10.1** The **Environmental Protection Act 1990** s.34 imposes a duty of care on any person who produces, imports, carries, keeps, treats, or disposes of controlled soil waste. Details of how to comply with this duty are set out in the **Waste Management: the Duty of Care – Code of Practice** including the use of registered soil waste carriers for transportation and of soil waste transfer notes. **The Waste Regulation section of the Environment Agency** can provide further guidance if required.
- 10.2** The identification and clean-up of contaminated land are governed by the **Environmental Protection Act 1990 Part IIA**, which was enacted by **Section 57 of the Environment Act 1995**. The regime provides an explicit statutory definition of contaminated land.
- 10.3** Definitions contained within the **Contaminated Land (England) Regulations 2006** indicate conditions which are deemed to be contaminated, and which must be developed in accordance with the **Environmental Protection Act 1990** Part IIA.

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**10.4** The **Pollution Prevention and Control Regulations 2000** are designed to prevent, reduce, and eliminate pollution at source through the efficient use of natural resources. Implementation is intended to help operators move towards greater environmental sustainability. The Regulations contain guidelines for the storage and transfer of contaminated material, under a system designed to minimise the impact of contamination.

## **Contaminated land**

### ***Pre-site clearance or demolition***

**10.5** Any clearance, demolition or construction on land where contamination is suspected, including those identified by the Council as potentially contaminated land under Part IIA of the **Environmental Protection Act 1990**, or which is of a particularly sensitive use, must ensure all relevant pre-commencement planning conditions are discharged and/or pre-development site requirements have been undertaken prior to site clearance commencing.

**10.6** Prior to any site clearance, demolition or construction, a preliminary risk assessment shall be undertaken, which includes:

- A desktop study, which identifies all current and previous uses and planning permissions at the site and surrounding area, as well as the potential contaminants associated with those uses

including previous records of polluted land.

- A site reconnaissance.
- A conceptual model indicating potential pollutant linkages between sources, pathways, and receptors, including those in the surrounding area and those planned at the site.
- A qualitative risk assessment of any potentially unacceptable risks arising from the identified pollutant linkages to human health, controlled waters, and the wider environment including ecological receptors and building materials.

**10.7** A walkover survey should also be undertaken to identify any potential on-site or off-site sources of contamination (e.g. underground storage tanks). The results of the desk study and walkover survey will determine the necessity for any intrusive site investigation works and the scope of such works.

**10.8** Prior to any site clearance, demolition or construction, a site investigation scheme on the potential pollutant linkages identified in the above preliminary risk assessment will be produced, which should allow for the following sampling, where relevant:

- Soil
- Soil vapour
- Ground gas
- Surface and groundwater



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## **Site investigation, remediation and verification**

- 10.9** The scope of any intrusive site investigation to be undertaken to determine ground conditions at the site, and the nature and extent of any contamination within the substrate, must be agreed with LBTH before the commencement of the works.
- 10.10** A quantitative risk assessment of the site investigation results shall be undertaken assessing the nature and degree of any contamination, including a revised conceptual site model from the preliminary risk assessment, which identifies the existence of any remaining pollutant linkages, and determine the risk to human health, controlled waters and wider environment.
- 10.11** The results of the intrusive site investigation shall then form the basis of a remediation strategy, which will outline the proposals for mitigating the risks posed by any contamination identified at the site. The remediation strategy must be agreed with the council before the proposed remedial works commence on site.
- 10.12** The remediation strategy is produced to address any remaining pollutant linkages identified in the quantitative risk assessment, including plans for verifying the remediation. The remediation strategy should include a testing regime for importing or reusing soil/sub-soil on site.
- 10.13** A verification report shall be undertaken and submitted to the council prior to occupation detailing how the remediation has been undertaken in line with the remediation strategy and its verification plan.
- 10.14** An onward monitoring scheme shall where appropriate be finally undertaken, as identified in the remediation strategy or verification plan, where remediation is on-going after the development progressing and/or being occupied.
- 10.15** With regard to competencies, all contaminated land submissions must be in line with, and completed by, a competent person as defined by the
- **Land Contamination Risk Management (LCRM) (EA 2020) Contamination**
  - all relevant British Standards including **BS10175 Code of Practice for the Investigation of Potentially Contaminated Sites**
- 10.16** Prior to and during construction at certain sites, it may be necessary to monitor emissions of carbon dioxide and methane gas. In such cases, the Contractor will be required to establish a programme of testing for carbon dioxide, methane, oxygen levels, and gas flow rates by a suitably qualified and experienced environmental consultant.
- Spoil, soil waste and hazardous waste**
- 10.17** The Contractor will be required to carry out the works in such a way that,

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as far as is reasonably practicable, the amount of spoil and soil waste (including groundwaters, production waters and run-off) for disposal is minimised. Any waste arising from the site shall be classified, transported and disposed in accordance with the following regulations:

- **Controlled Waste (Regulation of Carriers and Seizure of Vehicles) Regulations 1998** and any amendments
- **European Waste Catalogue (EWC)**
- **Environmental Protection (Duty of Care) Regulations 1991**
- **Hazardous Waste (England and Wales) Regulations 2005**

**10.18** The waste stream will be managed to maximise the re-use of surplus materials and, in circumstances where off-site disposal to licensed landfill is unavoidable, minimise any resulting adverse environmental effects.

**10.18** Materials requiring treatment or recycling, such as scrap metal or crushed concrete, are likely to be classified as waste and will be subject to the waste management legislation and any other statutory guidance referred above.

**10.20** Disposal sites and routes will be identified by the Contractor in consultation with the council and the Environment Agency. When assessing the most suitable option for landfill disposal, the operator should consider the mode of waste transportation and alternatives to reduce adverse environmental impacts, transport

times, landfill capacity, and licence conditions (including hours of operations, etc.). See also paragraph 12.19 below on water barging.

**10.21** The Contractor will comply with relevant legislation, technical guidance and regulations in the identification, handling, storage recovery, and disposal of spoil and soil waste. They will also comply with the measures regarding discharges to controlled waters and wastewater.

**10.22** The Contractor must make provision for a suitably qualified and experienced environmental consultant to identify any hazardous waste as defined in the following regulations and subsequent amendments so that the materials can be appropriately managed and disposed of during works.

- **Hazardous Waste (England and Wales) Regulations 2005**
- **Special Waste Regulations 1996**
- European Waste Catalogue

### ***Excavated material***

**10.23** The Contractor will comply with provisions of the Environmental Protection Act 1990 and, if applicable, with the **Special Waste Regulations 1996** (as amended), and the Hazardous Waste (England and Wales) Regulations 2005. The removal and disposal of contaminated materials must be conducted under a strict consignment system. Disposal sites must be agreed with the Environment Agency.

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**10.24** The Contractor will comply with the **Control of Substances Hazardous to Health (COSHH) Regulations 2002**, the HSE Guidance Note EH/02, and the **Occupational Exposure Limits 2002**, to ensure that contaminated excavated materials are handled and disposed of safely and properly. The Contractor will take measures to prevent the contamination of watercourses and aquifers during excavation works.

**10.25** Specific safety measures concerning the workforce are outside the scope of this CoCP; see HSE guidance for more information.

### **Demolition material**

**10.26** The Contractor will comply with the provisions of the Environmental Protection Act 1990 and, if applicable, the Special Waste Regulations 1996 (as amended), and the Hazardous Waste (England and Wales) Regulations 2005.

**10.27** The Contractor will comply with the following regulations to ensure that contaminated materials are handled and disposed of safely and properly:

- **Control of Substances Hazardous to Health (COSHH) Regulations 2002**
- **HSE Guidance Note EH40/2005 Workplace Exposure Limits**

### **Asbestos**

**10.28** All work on asbestos and other hazardous materials must comply with current legislation and HSE Approved Codes of Practice and Guidance.

**10.29** Before any work is done or commissioned that is likely to disturb asbestos or other hazardous material, the following must be worked out:

- The amount of hazardous material
- Where it is and what condition it is in
- Whether work is likely to disturb material
- Whether and how the material needs to be safely protected or removed

**10.30** This can be achieved either by checking existing records (such as client's survey, asbestos plan or register) or commissioning a suitable survey before work starts. It is good practice to include the need for such a survey in the initial project cost and programme.

For more information, please see the **HSE Asbestos guidance**.

### **Archaeology**

**10.31** For land incorporating historic assets of potential archaeological significance please see Chapter 14 Archaeology, Built Heritage and Sustainability, in addition to the **Historic England** guidance.



# 11. Site Waste Management

## Policy Overview:

**Tower Hamlets Plan 2031** Policy S.MW1  
Managing Our Waste (paragraph 15.24)

## Key Actions by Contractor:

- Submit a Site Waste Management Plan (SWMP) if subject to relevant planning condition
- Ensure waste is contained and disposed of in an appropriate manner and in accordance with legislation and the Waste Management Hierarchy
- Ensure methodologies are adopted that prevent environmental impacts by the mishandling and storage of on-site materials and waste.
- Understand and implement the latest **London Plan** guidance on the **Circular Economy**

## Why we need waste management

**11.1** The built environment is the largest user of materials and generator of waste in the UK economy. In London the sector consumes 400 million tonnes of material each year and accounts for **9.7 million tonnes of construction, demolition and excavation waste (54%)**.

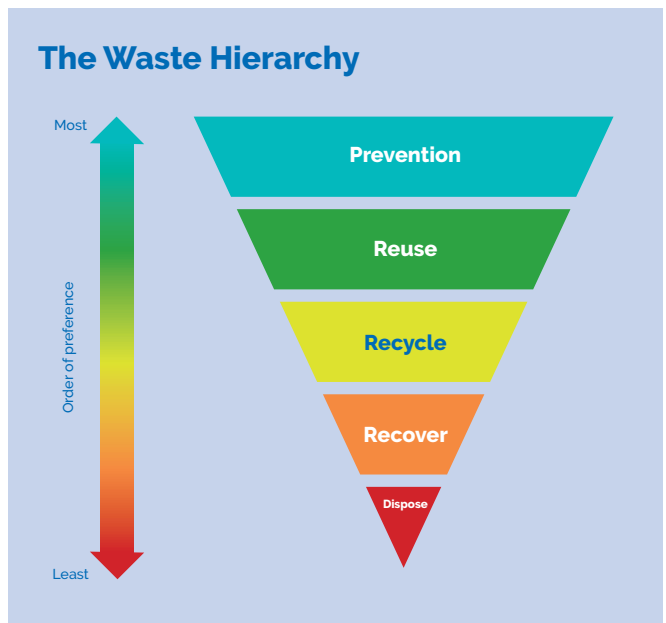
**11.2** Tower Hamlets already has the third-highest carbon emission levels in London and suffers from poor air quality as a result of congestion. Increasing development can worsen both, unless mitigating action is taken. Parts of the borough, particularly

around major roads and junctions, have some of the poorest air quality levels in London.

**11.3** It is therefore critical that Developers and Contractors support efforts in minimising and mitigating the impact on the environment through improved handling, transport, treatment and disposal of construction, demolition and excavation waste (CDE).

## Regulatory Overview

**11.4 The Waste (England and Wales) Regulations 2011** provide the legislative framework for the collection, transport, recovery and disposal of waste; under a waste management hierarchy.



The directive states that it is dealt with in a hierarchical approach, favouring:

- Waste prevention (reduction) as

- 
- the priority
  - Reuse
  - Recycling
  - Recovery (such as energy recovery)
  - Disposal (usually to landfill)

**11.5 Environmental Permitting (England and Wales) Regulations 2010** require a permit for the transport, handling, treatment and disposal of waste with the aim of preventing harm to human health or the environment. All waste consignments removed from the project site require a Waste Transfer Note (WTN).

**11.6 Environmental Protection Act 1990 section 34** classes CDE as 'controlled waste'. It is an offence to handle or dispose of controlled waste without a waste management license or, in contravention of a license, handle or dispose of waste in a manner likely to cause pollution or harm to health.

**11.7 Control of Pollution (Amendment) Act 1989** makes it a criminal offence to transport controlled waste unless registered with the Environment Agency. It is part of the duty of care to ensure that all waste carriers (including sub-contractors) employed are registered.

**11.8 The Duty of Care Code of Practice** applies to everyone who produces, imports, carries, keeps, treats or disposes of controlled waste.

**11.9 The Producer Responsibility Obligations (Packaging Waste)**

**Regulations 2007** (as amended) state that companies who manufacture, convert, pack/fill, sell or import more than 50 tonnes of packaging or packaging material per year, and have a turnover of more than £2m per year, must register with the environmental regulator (i.e. Environment Agency) and a registered packaging compliance scheme. Those registering with the regulator must achieve targets for recycling and recovering packaging waste and submit an annual certificate of compliance.

### **Site Waste Management Plans (SWMP)**

**11.10** The **Site Waste Management Plan Regulations 2008** were revoked by central government on 1st December 2013. The London Borough of Tower Hamlets, via conditions imposed on planning permissions, continues to require production of an SWMP as a part of the Construction Environmental Management Plan for the following projects:

- All construction and demolition projects with a cost greater than £300,000 (all Strategic and Major projects)
- Any Basement works

**11.11** The purpose of a SWMP is to ensure that building materials are managed efficiently, waste is disposed of legally, and that material recycling, reuse and recovery is maximised. The SWMP sets out how all building materials, and resulting wastes, are to be managed over the course of a project.

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For more information, please consult:

- **Defra**
- **Environment Agency**
- **Smartwaste** provides a simple method for recording information about the materials that leave the site as waste
- **Zero Avoidable Waste Report**

**11.12** The SWMP should:

- Set project specific waste targets aiming for less than 13.3 metres cubed or 11.1 tonnes per 100 square metres (gross internal floor area) with an aspiration towards achieving a more stringent target of less than 7.5 metres cubed or 6.5 tonnes per 100 metres squared where feasible.
- Minimise the amount of waste sent to landfill, ensuring that at least 95% of nonhazardous construction and demolition waste (in metres cubed) is diverted from landfill; this will also enable the scheme to score BREEAM waste credits.

### **Managing Construction, Demolition and Excavation Waste (CDE)**

Please note for contaminated waste relating to CDE please refer to the above **Chapter 10 Contaminated Land**

**11.13** All wastes must be removed from sites using a registered waste carrier and sent only to disposal facilities authorised in advance to receive it. Disposal must be in accordance with relevant legislation.

**11.14** All waste documentation – transfer notes, consignment notes, exemptions, waste carrier and facility licences – must be held on-site as required by legislation, and must be maintained to be readily available for inspection at all times.

**11.15** Landfill disposal should be the very last option for waste when all other options or treatment routes have been exhausted. Every tonne of waste disposed of to landfill in the UK attracts landfill tax which increases every year. Inert waste attracts a lower rate of landfill tax than biologically active waste.

### **Waste Storage**

**11.16** Tower Hamlets requires that CDE waste is managed on site as far as practicable, avoiding the need for off-site treatment or disposal.

- The Developers nominated representative must agree arrangements for storage and disposal of all waste including CDE with the Council prior to commencement of the development
- Large sites (or multiple sites in coordination) might benefit from an on-site waste transfer station, subject to regulator licenses (e.g. **Environment Agency**)
- Contingency capacity for waste storage must be planned for to anticipate interruptions to offsite waste transport

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## Vehicle movement consolidation to reduce transport emissions

Refer to Chapter 7: Highways and Transport for further information.

**11.17** The London Borough of Tower Hamlets encourages innovative approaches to waste management and movements. Contractors must take care to avoid unnecessary vehicle movements and single load trips wherever possible.

Alternative modes of CDE haulage should be used wherever possible, eg using water barging or rail. For further resources see the following:

- **Crossrail**
- **Laing O'Rourke – Maximising waste removal by barge**
- **Powerday – Transporting construction waste by water**
- **CLOCS case studies – Investigating the barriers to river and rail**

**11.18** Road-based CDE transport vehicles should be zero (tailpipe) emissions or low emissions vehicles that comply with local air quality regulation. Contractors are expected to review sustainable transport options throughout the whole life of the project.

**11.19 Transport by Waterways:** Contractors are expected to investigate the potential for spoil removal and materials transport by waterways, provided that the safe procedures for contaminated waste (Chapter 10) are

carefully implemented.

## Waste prevention and reduction

**11.20** Measures to reduce waste arising during construction or demolition should include the following, wherever practicable. Developers and Contractors should work together to:

- use prefabrication, if feasible
- plan early and define targets and processes in a SWMP
- allocate sufficient space to be able to separate materials and store them separately either for re-use or eventual disposal
- avoid overordering of materials
- avoid damage on delivery by using a walled layout storage and off loading area (consolidation centre)
- avoid repetitive handling
- salvage topsoil for reuse
- use of consolidation centres is encouraged, where these facilities can actively limit the amount of packaging waste that arrives on site daily (packaging materials supplied to a construction site might include pallets, cardboard boxes, plastic wrapping, barrels and containers)
- reduce municipal waste from temporary welfare accommodation on site by avoiding single use or excessively packaged items

**11.21** Audit waste management practices on site. Contractors should monitor waste practices throughout construction as part of their SEMP. See Chapter 7: Highways and Transport for



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guidance on fly-tipping.

## Waste re-use, recycling and recovery

**11.22 Circular Economy:** The Mayor of London's **Design for a Circular Economy Primer** urges developments to meet or exceed the targets for each of the following waste and material streams:

- construction and demolition waste
  - 95% reuse, recycling or recovery
- excavation waste – 95% beneficial use (for inert material)

**11.23** Tower Hamlets has a capacity gap for CDE waste in the borough. Around 80% of this waste is currently managed on site and 70% of the remainder proceeds to landfill.

**11.24 Tower Hamlets Local Plan 2031 Policy S.MW1 Managing our waste:** For Part 8 of the policy, developers should submit a plan for on-site waste to demonstrate how much construction, demolition and excavation waste will be reused and recycled, taking account of the London Plan target of 95%. The sustainable transportation of waste (by water and rail) will be assessed as part of Policy D.MW2, see Part 1(f).

### 11.25 Re-use:

- construct projects that allow for simple disassembly
- construct with re-used or recycled materials wherever possible
- concrete, brick, foundations etc should be re-used directly where

possible; alternatively include an on-site crusher for use on site roads, permanent roads, piling mats etc.

- earth spoil should be retained for landscaping or filling
- metal components should be retained for re-use on site or nearby cycle (e.g. legacy materials)

### 11.26 Recycling:

- segregate materials for recycling using bespoke areas or containers, which should include at minimum: timber/ wood, plastics, metals, batteries, electrical & electronic appliances, and cardboard packaging
- clean wood waste is a sought-after material for the panel board industry; lower grade wood waste is in demand for use in biomass energy generation
- vegetation should be composted

### 11.27 Recovery:

Waste which cannot be reused or recycled should be sent for recovery, a process that obtains further value from the waste (e.g. recovering the residual energy content via energy from waste incineration (EFW)).

**11.28** Ensure waste is only sent to appropriately licensed and R1 rated combustion facilities for energy recovery. When wood waste is to be sent to biomass fuelled power stations for energy generation, ensure in advance that the facility is licensed to accept the wood waste category concerned.

**The following can be considered for energy recovery:**

- materials for which no robust and reliable end-markets exist
- materials that can only be exported for recycling to developing nations where subsequent processing leads to environmental and ethical issues
- difficult to recycle composite materials – use of these should be avoided in construction
- certain hazardous waste streams requiring thermal destruction
- wood waste unsuitable for recycling in the panel board industry or for equestrian surfacing e.g. wood treated with certain chemicals
- materials containing chemicals that should not re-enter the material use cycle (e.g. legacy materials)



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# 12. Water Pollution and Flood Risk

## Policy Overview: Policy D. ES4 Flood Risk

### Key Actions by Contractor:

- Must not discharge any trade effluent waste or any other waste matter directly into surface or foul drains without contacting the appropriate governing body and gaining the relevant approval
- Must ensure effective working methods are developed and in place to protect the surface and groundwater from pollution
- Must ensure there are no adverse impacts on the water environment in and around the site, including changes to the water quality, water flow paths, or water levels
- Must guarantee flooding is considered and protection measures are in place to protect against any flooding
- Must ensure the site's drainage system is appropriately designed, installed and maintained

### Summary

**12.1** This chapter covers the legislative requirements and further industry guidance for the Contractor to protect surface and groundwater sources from pollution (and other impacts) caused during the construction phase of development. This seeks to ensure that flood risk is assessed and managed safely throughout the construction period.

**12.2** The above will need to be completed in accordance with the relevant legislative requirements and appropriate industry guidance.

### Regulatory Overview

**12.3** It is an offence to knowingly discharge any poisonous, noxious or polluting matter (liquid or solid) or solid waste matter into all controlled waters (including either surface or groundwater) without a discharge consent issued by the **Environment Agency** (under Part III Ch. II of the Water Resources Act 1991). In addition, good site management practices are essential to protect surface water and groundwater from accidental contamination, including from road sweeping and other cleaning measures.

**12.4** Where discharge of any polluting matter to controlled waters has occurred or the Environment Agency considers that such discharge is likely to occur, it can either carry out works to clean-up the pollution and recover its costs from the polluter (**s.161 of the Water Resources Act 1991**) or can serve a works notice on the polluter requiring them to clean-up the pollution at their own expense (**Anti-Pollution Works Regulations 1999 (SI 1999/1006)**).

**12.5** The **Control of Pollution (Oil Storage) Regulations 2001** came into force in March 2003 with the objective of minimising pollution into controlled waters from spillage or leaking of oil.

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The regulations impose requirements for anyone storing more than 200 litres of oil-based liquids outdoors to have in place storage facilities that comply with a comprehensive range of requirements, including but not limited to:

- The oil container must be of sufficient strength to ensure it is unlikely to leak.
- The container must be situated within a secondary containment system (SCS), which will prevent the release of any leaked oil.

For further details on the requirements of the regulations it is advised that advance guidance is sought from the Environment Agency.

## Wastewater and Groundwater

**12.6** The Developer/Contractor must seek to minimise the amount of wastewater that is discharged from site and must find alternative means of disposal for all trade effluent. Such disposal routes might include disposal through a licensed waste management contractor in compliance with the duty of care obligations (to remove from site and tip in a licenced waste plant), or discharge directly into the foul sewer (which requires prior approval from **Thames Water**), but this is subject to the trade effluent obligations within the **Water Industry Act 1991**.

**12.7** All wastewater and any seepage generated because of onsite activities such as water from

dewatering excavations, run-off slurry or bentonite, is classified as trade effluent. Therefore this type of wastewater cannot be discharged directly to a receiving water body or sewer without the appropriate approval from the Environment Agency (controlled waters) and Thames Water.

**12.8** All wastewater discharged from site shall only be permitted where the effluent quality and discharge location is acceptable to the Environment Agency or Thames Water (as appropriate). Effluent will have to pass through treatment facilities such as sediment traps and/or settlement lagoons, as appropriate, before being discharged.

**12.9** The Contractor will ensure that all treatment facilities are regularly inspected and maintained, and that a full record is kept of inspections, maintenance, and measures to sustain equipment performance. The Contractor is required to obtain the appropriate consents in advance of works commencing, and is responsible for ensuring compliance with any conditions stipulated in them from the responsible governing bodies. All evidence of approvals & consents must be kept, easy to access and stored on site.

**12.10** The Contractor must ensure continuous compliance with the requirements below under the monitoring of the site project management staff, in compliance with

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Environment Agency regulations:

- Any seepage and wastewater arising from works must be collected and discharged via a settlement tank. The standards for treatment, prior to discharge, will be agreed in advance with London Borough of Tower Hamlets; where applicable, they will satisfy the Environment Agency and Thames Water requirements, and must meet the Water Industry Act 1991 requirements.
- Soakaway discharge will only be permitted where the effluent is proved to be acceptable by the Environment Agency and will need the consent of Thames Water. Contaminated water or water of a dubious quality cannot be discharged into soakaways.
- Prior to any excavation works below the water table, including any site de-watering, the Contractor must inform the Environment Agency and Thames Water of the works to be conducted. The de-watering and disposal measures will be agreed with the Environment Agency and an Abstraction Licence shall be obtained before the works commence.
- The Contractor must comply with **BS 6031**: 1981 Code of Practice for Earthworks, regarding the general control of site drainage. The Contractor must ensure that any water which has been in contact with contaminated materials will be appropriately disposed of in accordance with the Water Industry Act 1991 (if discharged to foul sewer) and the **Water Resources Act 1991** (if discharged to controlled waters) and all other related regulations set out by the Environment Agency, Thames Water and London Borough Tower Hamlets.
- Any water discharged from site that directly or indirectly ends up in either the river Thames or a local canal requires the consent and approval of the **Port of London Authority (PLA)** or the Canal and River Trust prior to works starting. The PLA will also need to approve any proposed construction of surface water outfall into the river Thames.
- The Contractor must prepare a full management plan when contaminated land is identified and will be required to comply with all relevant handling and disposal legislation during the entire construction phase (including dewatering discharge from piling operations). Where earthworks or piling operations are planned, a detailed site investigation will be required to understand the full extent and situation of the contaminated land on site, so that appropriate mitigation measures can be implemented before works get underway.
- The Contractor must apply for all relevant consents and approvals prior to any works starting and must keep a track record of all discharges from site, as follows:

- A consignment note system will need to be implemented for all discharges of waste including liquid waste that is removed from site by a licensed waste carrier.
- For any discharge of wastewater into a watercourse or river, approval will be required from the Environment Agency.
- For any discharge of wastewater into a foul sewer, a Trade Effluent Consent and approval will be required from Thames Water.
- The Contractor must make provisions to ensure all hazardous substances including oil drums and containers or other potential contaminants stored on site are kept in accordance with **Control of Substances Hazardous to Health (COSHH) Regulations 2002**. This ensures they are properly isolated, labelled and, are stored within bunded tanks so that no oil or other contaminants are allowed to reach watercourses, ground water or the aquifer water layer. Storage locations for such materials should be positioned away from watercourses and agreed with the Environment Agency.
- Foul water and sewage effluents produced by the construction workforce on-site must be contained within temporary foul drainage facilities installed and subsequently disposed of off-site by a licensed waste contractor.

**12.11** For advice on issues of drainage or Sustainable Urban Drainage Systems (SUDS) please contact our Utility Coordinator within the Growth and Infrastructure Team **infrastructure.planning@towerhamlets.gov.uk**

### **Temporary and Permanent Sewer Connections**

**12.12** The Contractor is required to gain the relevant consents and approvals from the council and/or Thames Water for all onsite drainage works that affects either the public or highways drainage systems. Therefore, the general requirements outlined below for temporary and permanent sewer connections must be met by the Contractor throughout the entire development:

- Contact must be made and consents granted by Thames Water and/or the council prior to any works being undertaken for drainage connections which could affect either the public sewer (foul and combined sewers) or highways drainage systems (surface water sewers, highways drainage assets, or sustainable urban drainage systems (**SuDs**)).
- Any redundant drainage pipework that is connected to the sewer must be sealed off at the existing sewer connection and the remaining drainage pipework removed from site or filled with an acceptable material that complies with the **Approved Document H:**

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### **Drainage and Waste Disposal**

(Building Regulations 2010). Any existing drainage pipework that is to be retained must be cleaned, tested and CCTV surveyed to ensure it is in good working order and is suitable for the new development.

- All drainage works implemented by the Contractor must comply with the relevant regulations and code of practices for implementing drainage works. Therefore, the Contractor is required to follow all technical specification fully with regards to all drainage and reinstatement works.
- To prevent release of rodents or sewer gases from site during works, temporary sewer pipework must be provided with a 'cascade' cast iron interceptor trap which complies with the British Standard specification.

### **Spill and Leak Protection**

**12.13** Where development sites are located close to canals or other waterways, suitable precautions must be taken by the Contractor to prevent the entry of pollutants into the waterway, to the satisfaction of the council in liaison with the Canal & River Trust and the **Environment Agency**. Specific measures such as placing oil stores at a safe distance from the canal or putting in place additional secondary containment systems (SCS) should be considered.

**12.14** These measures will be required to

meet the Control of Pollution Regulation 2001. They will be considered on a site-by-site basis; where sites are adjacent to a canal and/or there is an increased potential risk to the canal, emergency procedures to ensure containment and treatment in the event of a spill must be agreed in advance of any works being undertaken.

### **Drainage Routes to Canals and Waterways**

**12.15** Drainage to canals or other waterways will not be permitted without prior agreement with either the British Waterways or the Canal & River Trust, and both are subject to the **Land Drainage Act 1991**. British Waterways and Canal & River Trust will require identification of the source and quality of the water, and both will liaise directly with the Environment Agency before consents are given.

**12.16** Where canals or other waterways are required to be drained in connection with construction works, the Contractor shall agree with LBTH, Canal & River Trust and British Waterways the details of the methodology to be employed, prior to commencement of any development.

**12.17** Particular attention must be given to regular pest control treatment (particularly rats and flies); removal of sludge and other debris after drainage; prevention of leakage and ingress of surface water to minimise risk from legionella organisms; minimising smell nuisance from

sludge & algae by measures including deodorising, hosing down, etc. Safety measures must also be taken to protect both the general public and employees, and to prevent fly tipping and illegal access during the works.

to quantify and account for the harms of pollution and congestion to local residents, businesses and other road users when assessed against the costs of alternative transport methods to and from site

## Protection of Aquifers

**12.18** The Contractor will have due regard for underlying aquifers and adhere to the Environment Agency's Groundwater Protection Policies. In all instances, appropriate protection of aquifers will be undertaken, following liaison with the Environment Agency regarding the piling and construction techniques to be employed. Details of appropriate measures to prevent groundwater contamination (including monitoring) will be agreed with the Environment Agency in writing prior to commencement of the relevant works.

**12.19** Where a construction site is located next to a waterway with direct jetty access, the Contractor will assess the feasibility for both spoil removals and construction material deliveries to be made by barge. This is to reduce the number of large vehicles required to travel to the site, but the Contractor must ensure no construction material, spoil or other waste is deposited accidentally within surface watercourses.

**12.20** The Contractor must provide on request of the Port of London Authority (PLA) an adequate, sequentially numbered ticket system for use with all barges travelling to authorised tipping sites, to prevent occurrence of unauthorised river tipping. The system will be subject to approval by the council.

## Water Transport and Barging

### Policy Overview:

**Tower Hamlets Plan 2031** Policy D.TR4 Sustainable Delivery and Servicing

### Key Actions by Contractor:

For construction sites situated in appropriate locations, the Developer or Contractor is expected to conduct feasibility studies for water transport which include realistic assessments of the negative impacts of road transport on noise and air quality in the financial analysis. These studies should seek



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## Flood Risk

### Policy Overview:

- Tower Hamlets Plan 2031 Policy D.ES4 Flood Risk (Please refer to the plan for an overview of flood risk in Tower Hamlets)
- More detailed flood risk mapping is available from the Environment Agency and the following report **Tower Hamlets Strategic Flood Risk Assessment 2017**

### Key Actions by Contractor:

The Contractor must ensure that flood risk is reasonably considered, mitigated, and managed throughout the entire construction phase of the development

**12.21** Flood zones are assessed by the Environment Agency and are categorised as flood zone 1, 2 and 3. Flood zone 1 is a site with low probability of flooding, whereas flood zones 2 and 3 have a much higher probability of flooding.

**12.22** Therefore, sites based within either flood zones 2 or 3 are required to undertake a **site-specific flood risk assessment** to consider and develop measures to protect against flooding. Flooding can be a result of tidal or fluvial rivers, over ground surface water flows, sewer surcharging, or groundwater. All aspects need to be managed as far as reasonably possible by the Contractor.

**12.23** For all sites located within flood zone 3 which have a boundary onto the River Thames, the Landowner and the Contractor must ensure they are providing and maintaining a suitable flood defence provision that meets the site constraints for both temporary and permanent works. The flood defence provision implemented must meet the requirements of the Thames River Protection of Floods Amendment Act 1879.

**12.24** The Contractor must gain the relevant consents and approvals from the Environment Agency for any works on the bed and banks of a river which are likely to impede the flow of water under the **Land Drainage Act 1991**.

**12.25** The Contractor is required to manage flood risk to make sure on-site works do not increase the likelihood of flooding, cause damage to existing flood defences, impede water flows, or harm the environment in any way.



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# 13. Urban Ecology

## Policy Overview:

- **Tower Hamlets Plan 2031 Policy D.ES3** Urban Greening and Biodiversity
- **Tower Hamlets Plan 2031 Policy S.OWS1:** Creating a network of open spaces
- **Tower Hamlets Plan 2031 Policy D.DH6:** Tall buildings
- **Tower Hamlets Local Biodiversity Action Plan 2019-2024**

## Key Actions by Developer and Contractor:

- Establish the planning status of the site (e.g. Listed Building, Conservation Area) and employ best practice to introduce innovative techniques in identified priority areas that ensure a more sustainable approach
- Ascertain whether any trees on the site or immediate area are either protected or fall within a Conservation Area prior to works starting
- Ensure an ecological survey has been undertaken by a qualified professional and appropriate mitigation measures agreed with the council ahead of works commencing

## Regulatory Overview

**13.1** Protection of important habitats and species is provided for by the following legislation:

- **Wildlife and Countryside Act 1981**
- **Countryside and Rights of Way (CroW) Act 2000**
- **Conservation of Habitats and**

**Species (Amendment) (EU Exit) Regulations 2019** (as amended).

**13.2** The **Wildlife and Countryside Act** protects nationally important wildlife sites as Sites of Special Scientific Interest (SSSIs) and creates offences relating to the killing, injury, disturbance and taking of wild birds, other animals and plants. All wild birds, their eggs, and their nests are protected under the Act.

- Schedule 1 (of the Act) lists species of birds with stricter protection (including higher penalties for breaches)
- Schedules 5 and 8 set out which species of other animals and plants are protected.

**13.3** The **CroW Act** also makes it an offence to recklessly disturb a place of rest or shelter of a protected animal or a nest site. The 2019 Regulations implement the EU Habitats Directive, provide for designation of "European sites" (Special Areas of Conservation and Special Protections Areas) and give protection to certain animals (excluding birds) and plants "European Protected Species".

The **Protection of Badgers Act 1992** provides legal protection for badgers and their setts, although this is not relevant in Tower Hamlets as there are no badgers in the borough.

**13.4** The **Wild Mammals (Protection) Act 1996** provides protection for wild mammals against a wide variety of

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acts of deliberate harm. It primarily addresses animal welfare rather than biodiversity conservation and applies to all wild mammals. animal welfare rather than biodiversity conservation and applies to all wild mammals.

- An offence under the Act would constitute an act "with intent to inflict unnecessary suffering"
- This could apply if wild mammals, such as foxes, are trapped underground if their burrows are knowingly or recklessly destroyed during clearance of a development site

**13.5 The Town and Country Planning (Trees) Regulations 1999** (SI 1999/1892) provide for local authorities to protect trees by means of Tree Preservation Orders (TPOs). Trees in Conservation Areas are also protected as if they were covered by a TPO.

Consent of the council planning authority is required before any tree protected by a TPO or in a Conservation Area may be cut down, topped, lopped, uprooted, damaged or destroyed. Certain trees are exempt from this requirement, e.g. those that are dying, dead or have become dangerous.

- Undertaking any of the above actions toward a relevant tree without the council's consent may constitute a criminal offence under Section 210 of **The Town and Country Planning Act 1990**

## Protection of Habitats

- 13.6** The Contractor will comply with the provisions of the Wildlife and Countryside Act 1981, as amended, and any other relevant nature conservation legislation together with the requirements of the Local Plan and any conditions or Agreements attached to planning permissions.
- 13.7** There are no European sites or Sites of Special Scientific Interest in Tower Hamlets.
- 13.8** The need to protect existing habitats or other features of biodiversity value within or adjacent to development sites must be considered at the planning application stage. Where such features are to be retained, this will be managed through planning conditions, Section 106 Agreements, and other agreements with the Council. These areas or features should be securely fenced to ensure no encroachment by Contractor's staff, machinery or materials.
- 13.9** Standards of dust and air pollution control, as set out in Chapter 9, will be applied to all construction to protect adjacent wildlife habitats.

## Protection of Species

- 13.10** The Contractor will comply with the provisions of the Wildlife and Countryside Act 1981, as amended, and other relevant nature conservation legislation together with the requirements of the Local Plan and any conditions or Agreements

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attached to planning permissions.

**13.11** Specially protected species include those on Schedules 1 (birds), 5 (other animals) and 8 (plants) of the Wildlife and Countryside Act 1981:

- Protected species regularly occurring in Tower Hamlets include peregrine falcon, black redstart, bats, great crested newt (in a limited area around Allen Gardens and Spitalfields City Farm) and Jersey cudweed
- Otters could possibly occur along the waterways in the east of the borough
- There are no badgers, water voles or dormice in Tower Hamlets
- In addition, all wild birds, their eggs and nests are protected under the Wildlife and Countryside Act 1981.

**13.12** All wild mammals are protected from unnecessary cruelty under the Wild Mammals (Protection) Act 1996.

**13.13** Where protected species are known to be on or near a development site, this must be considered at the pre-planning or planning application stage. In such cases, the measures required to avoid harm to protected species, and to avoid offences under the relevant Acts, will be set out in planning conditions and/or agreements.

- These could include timing of works, protection of parts of the site (which might include existing buildings that support bat roosts

or nesting birds), translocation of plants or animals, provision of alternative habitat, and/or obtaining a licence from **Natural England**.

**13.14** Where protected species concerns are covered by conditions or agreements, the Contractor will follow all the specified provisions. If there is any uncertainty as to what is required, the Contractor should consult the council's biodiversity officer as early as is feasible.

**13.15** Wildlife legislation applies whether or not a planning consent includes mention of protected species. The lack of a planning condition or agreement relating to protected species should not be taken to imply that there are no protected species on or around the development. Responsibility for compliance with wildlife legislation is the responsibility of the Developer or their Contractor.

**13.16** If the Contractor finds protected species on the site or has reason to believe there could be protected species (including being informed of their presence by a third party), works should not commence or continue (if already underway) until a suitably qualified ecologist has been consulted.

**13.17** By far the most widespread protected species in Tower Hamlets are common breeding birds. If there is any suitable nesting habitat (such as trees, shrubs or tall herbaceous vegetation and existing buildings) on

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a site, it should be assumed that birds are likely to be nesting until proven otherwise.

- If removal of potential bird nesting habitat is required, this should take place outside the breeding bird season (March to August inclusive) wherever possible
- Where this is not possible, advice shall be sought from a qualified professional
- It is likely that a survey for nesting birds will be required prior to habitat removal. This should take place as close to the start of clearance work as possible, and certainly within five days. If nesting birds are found, they must not be disturbed until they have left the nest

**13.18** Foxes are the most widespread wild mammal in Tower Hamlets that might lead to a breach of the **Wild Mammals (Protection) Act 1996** through construction. If mammal burrows or other signs of possible breeding are found on a site, advice must be sought from a suitably qualified person on how to ensure no foxes are trapped underground during site clearance works.

### **Protection of Mature Trees**

**13.19** The Contractor will follow the specific requirements agreed with LBTH and the loss of trees will be avoided wherever possible.

**13.20** Whilst every reasonable attempt must be made to preserve all mature

trees, where the removal of a tree is agreed with LBTH, the following mitigation is required:

- A minimum net gain of 2:1 for any trees removed
- Trees are replaced with a stock size of Semi Mature in line with BS 3936
- Trees will not be removed prematurely and not until necessary

#### **Key references:**

- The **Open Space Strategy** ensures the council adopts a consistent approach to the planting and management of trees across the borough
- The **Tree Management Plan** forms an important part of the strategy

**13.21** Evidence of viability to plant upon completion of the development will also need to be submitted, including consideration of both current and proposed underground utilities and service runs.

**13.22** Planting locations will be chosen to mitigate the amenity impact any tree removals may have on the surrounding area, and should also consider post-development pressures (e.g. excessive shade and litter) once fully established.

**13.23** Tree species will preferably be **native to the UK** and of a suitable size, shape and form to allow them to reach their intended proportions

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without significant or regular pruning.

**13.24** No development shall commence until all trees within the site and all trees overhanging from adjoining land (save for any trees explicitly identified for felling on approved drawings) have been protected in accordance with British Standard 5837:2012 – ‘Trees in relation to design, demolition and construction. Recommendations’. The following documents will need to be submitted as evidence:

- Tree retention/removal plan, detailing retained trees within and outside of the development red line and their Root Protection Areas (RPA's)
- Arboricultural Impact Assessment (AIA), detailing the possible impact construction could have on retained trees
- Arboricultural Method Statement (AMS), describing how trees within and outside the development redline will be protected during construction and detailing any specialist engineering solutions and methodologies for works close to trees

**13.25** The tree protection measures shall be retained in place for the duration of the construction works and during this period no works other than landscaping works shall be carried out or materials stored within the protected areas underneath the trees.

**13.26** These measures are required to protect trees on site from damage

during construction, in accordance with policy D.ES3 of the **Tower Hamlets Local Plan 2031** (2020) and of the **Town and Country Planning Act 1990** Section 197 (as amended).

**13.27** If any protected tree on the site dies or is damaged due to construction activity, suitable mitigation will be agreed with the council, which at minimum, meets the mitigation planting requirements outlined above.

**13.28** Developers and their Contractors are expected to adopt best practicable means to protect and preserve public amenity of green and open spaces during works. Wherever possible, opportunities for installing temporary green space around the site perimeter should be sought.

See Appendix D: Temporary Structure, Temporary Road Closures and Highways Licence Guidance for advice on ‘greening of hoardings’.





# 14. Archaeology, Built Heritage and Sustainability

## Policy Overview:

- **Tower Hamlets Plan 2031**  
Policy S.DH3 Heritage and the Historic Environment
- Ancient Monuments and Archaeological Areas Act 1979
- National Heritage Act 1983
- National Planning Policy Framework (Section 16 – Conserving and Enhancing the Historic Environment)

## Key Actions by Developer and Contractor:

- Seek advice from Historic England if the development proposal affects any identified 'scheduled monuments', conservation areas or listed buildings
- Contact GLAAS if your site is located within an APA
- Contact the LBTH Conservation Officer:
  - If your site exceeds 2 Hectares or includes new basement or extension excavation works
  - The development includes buildings within a conservation area or buildings that are listed

## Archaeological Features at Pre-Application Stage:

**14.1** The Developer is expected to take advice from Historic England before any application for development that will affect scheduled monuments.

The **Ancient Monuments and Archaeological Areas Act 1979**, as

amended by the **National Heritage Act 1983**, provides for the designation of certain ancient monuments as Scheduled Monuments by the Secretary of State. The Ancient Monuments and Archaeological Areas Act 1979 defines "scheduled monuments" (sites that warrant protection) and makes damage to and metal detecting on scheduled monuments a criminal offence.

**14.2** Further pre-application discussions should be instigated in the following circumstances:

- The Developer must establish whether the site is in an area of archaeological importance. Sites identified as within an **Archaeological Priority Area (APA)**, should contact the **Greater London Archaeology Advisory Service (GLAAS)**
  - In line with the National Planning Policy Framework (NPPF Section 16 - Conserving and Enhancing the Historic Environment) the **Greater London Archaeology Advisory Service (GLAAS)** will be requested to carry out a preliminary assessment of sites (identified as within an APA) to be investigated early in the project, to identify those of particular interest and to enable an action plan for excavation and/or a watching brief to be prepared
- Sites outside of an APA that comprise (in excess) of 2 hectares in area or where development

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plans involve excavation for new or extended basements should contact the council **Conservation Team**

- Preliminary site investigations (e.g. ground remediation, grubbing out, decontamination, pile mat creation, etc) must not proceed before the above mentioned contacts have been alerted, as such works could have a detrimental impact on archaeological remains

**14.3** The Contractor must allow for prior archaeological excavation of sites of particular interest. Alternatively, an archaeological "watching brief" may be authorised during initial surface layer stripping.

**14.4** Any worksite investigation required by planning condition or agreement will be carried out by a recognised archaeological institution. High standards and up-to-date professional methods are vital for understanding the significance of any heritage assets affected by development.

**14.5** The Tower Hamlets Local Plan 2031 includes policy (Policy S.DH3 Heritage and the Historic Environment) and guidance notes for Developers. Policy S.DH3 is supported by the **Tower Hamlets Conservation Strategy** which clarifies that, 'It aims to protect and enhance Tower Hamlets' heritage and ensure that it can be appreciated and enjoyed by current and future generations.'

**14.6** If the site is within an APA as defined by the Local Plan and Conservation Strategy a full archaeological investigation is required. Significant archaeological remains can also be found outside of APAs, hence the need to consult with the TH Conservation Team prior to any site investigative works taking place (see 14.2).

**14.7** Any site evaluation is to be carried out to a specification to be approved in advance by LBTH. This usually involves archaeologists opening up trial trenches to assess the nature, extent and significance of any surviving ancient remains. The results of the evaluation will enable recommendations to be made as to how remains are to be treated. If the evaluation reveals no ancient remains, then no further action will be necessary.

**14.8** Where significant remains are revealed, there are two options available:

- The preferred option is to preserve in situ. This can be achieved by relocation of groundworks or by adoption of a more sympathetic foundation design
- The second option is that of preservation by record. This would necessitate a full-scale rescue excavation to record the remains before their destruction.

**14.9** The overall objective is to ensure the buried heritage of Tower Hamlets

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is appropriately safeguarded within the development process. Any person who destroys or damages a scheduled ancient monument without lawful reasonable excuse commits a criminal offence under **Section 28 of the Ancient Monuments Act 1979**.

- a. World heritage sites
- b. Statutory listed buildings
- c. Conservation areas
- d. London squares
- e. Registered parks and gardens
- f. Scheduled monuments
- g. Archaeological priority areas

## Built Heritage

**14.11** The Developer will comply with all requirements of the relevant legislation in respect of listed buildings and listed building consents. Attention is drawn to the **Planning (Listed Buildings and Conservation Areas) Act 1990**, The **Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2005** and the National Planning Policy Framework (NPPF) Section 16 'Conserving and Enhancing the Historic Environment'.

**14.12** The Developer must contact the Development Management team and take advice from Historic England before any application for development that will affect listed buildings or conservation areas.

**14.13** The Developer must take advice from council's Conservation Officer before any application for development that will affect listed buildings, undesignated heritage assets, and/or conservation areas. The interactive **Policies Maps** in the Tower Hamlets Local Plan 2031 show the location of the borough's **heritage designations**, namely:

**14.14** In addition to the above, there are many non-designated buildings and sites of heritage significance within the borough which contribute to its distinctive character, such as unregistered parks and gardens, public houses, cemeteries and places of worship.

Details of some of these assets are available in the Tower Hamlets Conservation Strategy, Conservation Area Character Appraisals and Management Guidelines and Local List.

- The Developer should contact the LBTH Conservation Officer if there is any uncertainty about a potential item of heritage significance.

**14.15** The **Local List** identifies locally important heritage assets which are of community value and contribute to the special character and distinctiveness of the borough. A Listed Building cannot be altered, demolished, or extended in any way that affects its historic or architectural character without the council's consent.

# Appendix A

## Glossary and Abbreviations

Term	Meaning
Code of Construction Practice (CoCP) Checklist	<p>Prior to commencement developers will be required to complete a CoCP checklist. The CoCP Checklist will be available on the Council's website and requires a commitment to:</p> <ul style="list-style-type: none"> <li>- Comply with the CoCP, any S61 Prior Consent (or S60 Notice issued) and any documents listed in the CoCP Checklist or required by relevant planning condition.</li> <li>- Confirmation that development (including site preparation works) will not commence on site until all relevant documents have been approved by the Council in writing.</li> <li>- Agreement to pay any fees set out in the Council's Non-Statutory Fees &amp; Charges for Building Control, Land Charges and Planning as enabled under Section 93 of the Local Government Act 2003 (or any other relevant legislation).</li> </ul>
Contractor	<p>Is used to mean all those working on a site under contract from the developer, whether formally a contractor, subcontractor or consultant. Usually refers to the Principal Contractor.</p>
The council, the borough, LBTH, the local planning authority	<p>The London Borough of Tower Hamlets (LBTH)</p>
Developer	<p>Is used to mean the person or company promoting a scheme or development, who might be the landowner of a site or work under the owner's direction. The developer has ultimate responsibility for the scheme or development.</p>

# List of Abbreviations

Term	Meaning
AIA	Arboricultural Impact Assessment
AMS	Arboricultural Method Statement
APA	Archaeological Priority Area
AQAP	Air Quality Action Plan
AQMA	Air Quality Management Area
BPM	Best Practicable Means
CCS	Considerate Constructors Scheme
CCTV	Closed-circuit Television
CDE	Construction, Demolition and Excavation (waste)
CDM	Construction Design and Management (HSE Regulations, 2015)
SEMP	Site Environmental Management Plan
CISRS	Construction Industry Scaffolders Record Scheme
CLOCS	Construction Logistics and Community Safety
CLP	Construction Logistics Plan
CMP	Construction Management Plan
CoCP	Code of Construction Practice
COPA	Control of Pollution Act 1974
DMP	Dust Management Plan
EA	Environment Agency
EFW	Energy from Waste
FORS	Fleet Operators Recognition Scheme
GLAAS	Greater London Archaeological Advisory Service

HSE	Health and Safety Executive
LANAF	London Authorities Noise Action Forum
LEZ	Low Emission Zone
LFEPA	London Fire and Emergency Planning Authority
NPPF	National Planning Policy Framework
NRMM	Non-Road Mobile Machinery
MEWP	Mobile Elevated Working Platform
MWCF	Marsh Wall Construction Forum
PLA	Port of London Authority
RPA	Root Protection Area
SCS	Secondary Containment Systems
SPG	Supplementary Planning Guidance
SWMP	Site Waste Management Plan
TMP	Traffic Management Plan
ULEZ	Ultra-Low Emission Zone
WTN	Waste Transfer Note

# Appendix B

## Contacts

Query	Service Teams	Contact details	Weblinks
General Enquiries	Development Management	Duty Planner Service Tel: 020 7364 5009 Monday to Friday 9am to 1pm Development.Control@towerhamlets.gov.uk	<a href="#">Online</a>
Report a breach of Planning Approval	Planning Enforcement	PlanningEnforcement@towerhamlets.gov.uk	<a href="#">Online</a>
Report a dangerous structure or construction site	Building Control	Please find the link to the page on the council webpages. Working Hours Tel: 020 7364 5000 Out of Hours Tel: 020 7364 7070	<a href="#">Online</a>
Report a Street Problem	Streets	Report a street problem	<a href="#">Online</a>
Report a problem on the public highway	Highways Enforcement	highwaysenforcement@towerhamlets.gov.uk	<a href="#">Online</a>
Request licence for temporary structure on highway	Highways	Apply online for a Highways Licence	<a href="#">Online</a>
Request Temporary Road Closure	Highways	streetworks@towerhamlets.gov.uk	<a href="#">Online</a>
Request Highway Licences	Highways	streetworks@towerhamlets.gov.uk	<a href="#">Online</a>
Queries concerning roads, pavements, road closures, site deliveries	Highways	highways.development@towerhamlets.gov.uk	<a href="#">Online</a>
Noise and dust, air quality issues, site-related waste or pollution	Environmental Protection	Environmental.Protection@towerhamlets.gov.uk  Noise Map	<a href="#">Online</a>

Unsafe structures	Building Control	building.control@towerhamlets.gov.uk	Online
Excessive noise and/or dust	Environmental Protection	Environmental.Protection@towerhamlets.gov.uk	Online
Working outside of permitted hours	Environmental Protection and Planning Enforcement	Environmental.Protection@towerhamlets.gov.uk PlanningEnforcement@towerhamlets.gov.uk	Online
Site deliveries outside of permitted hours	Environmental Protection Planning Enforcement	Environmental.Protection@towerhamlets.gov.uk PlanningEnforcement@towerhamlets.gov.uk	
Works not in accordance with approved plans	Planning Enforcement	PlanningEnforcement@towerhamlets.gov.uk	Online
Issue with access to roads and pavement	Highways	highways.development@towerhamlets.gov.uk	Online
For abnormal vehicle loads	Highways and freight transport	LBTH.ABLoads@towerhamlets.gov.uk	
Roadworks and closures (statutory undertakers)	Streetworks	streetworks@towerhamlets.gov.uk	Online
CG 300 Technical Approval	Highways Asset Group (Structures)	Highwaysassetscop@towerhamlets.gov.uk	
Notification of abnormal loads on the highway	Highways Asset Group (Structures)	LBTH.ABLoads@towerhamlets.gov.uk	
Archaeology and Built Heritage	Place Shaping	PlaceShaping@towerhamlets.gov.uk	Online



Development coordination queries relative to CoCP	Development Coordination	Development.Coordination@Towerhamlets.gov.uk	<b>Online</b>
Support for developments seeking utility connection advice	Utility Coordination Service	infrastructure.planning@towerhamlets.gov.uk	<b>Online</b>
Flood risk management	Environment & Waste	See Tower Hamlets webpages	<b>Online</b>
Checking for Utilities Works in your area	External Online Platforms	<a href="https://one.network/uk">https://one.network/uk</a> London's Register of Roadworks by Transport for London (londonworks.gov.uk)	<b>Online</b>
Hazardous Waste	Environment & Waste	See Tower Hamlets webpages	<b>Online</b>
Council-owned non-residential land	Asset Management	asset.management@towerhamlets.gov.uk Tel: 020 7364 4084	<b>Online</b>
Enterprise Support Enquiries	Business Growth Team	business.support@towerhamlets.gov.uk	<b>Online</b>

# External Agency Contacts

Agency	Issue/Address	Contact details
Environment Agency (EA)	Incident Hotline General Enquiries	Tel: 0800 80 70 60 enquiries@environment-agency.gov.uk www.environmentagency.gov.uk
Greater London Authority (GLA)		www.london.gov.uk
Health & Safety Executive	Building Site Safety	www.hse.gov.uk/contact/ Tel: 0300 003 1647 Lines are open Monday to Tuesday and Thursday to Friday from 8.30am to 5pm, and Wednesdays from 10am to 5pm.  Fatal or Major injuries: Tel: 0345 300 9923 (opening hours Monday to Friday 8.30 am to 5 pm)
Historic England  including Greater London Archaeology Advisory Service (GLAAS)	Care and protection of heritage assets  Advice on working with and preserving London's archaeological heritage	<a href="https://historicengland.org.uk/">https://historicengland.org.uk/</a>  <a href="https://historicengland.org.uk/services-skills/our-planning-services/greater-london-archaeology-advisory-service/contact/">https://historicengland.org.uk/services-skills/our-planning-services/greater-london-archaeology-advisory-service/contact/</a>
London Fire and Emergency Planning Authority (LFEPA)  Metropolitan Police - Abnormal Loads Unit		Tel: 020 8555 1200 (Mon-Fri 8.00-17.00 hrs) <a href="https://www.london-fire.gov.uk/contact-us/">https://www.london-fire.gov.uk/contact-us/</a>  Office - 0203 054 2146 Ext: (82146)  Abloads Email: <a href="mailto:abloads@met.police.uk">abloads@met.police.uk</a> Web: <a href="http://content.met.police.uk/Site/traffic">http://content.met.police.uk/Site/traffic</a>
Museum of London Archaeology (MOLA)	Archaeological enquiries	Tel: 020 7410 2200 <a href="https://www.mola.org.uk/">https://www.mola.org.uk/</a> <a href="mailto:enquiries@mola.org.uk">enquiries@mola.org.uk</a> London office tel: 0300 060 3900
Natural England	Protection and restoration of natural environment	<a href="https://www.gov.uk/government/organisations/natural-england">https://www.gov.uk/government/organisations/natural-england</a>

Port of London Authority	Navigation and Environmental issues London River House, Royal Pier Road, Gravesend, Kent, DA12 2BG	Tel: +44 (0)1474 562200 <a href="http://www.pla.co.uk/Contact-Us">http://www.pla.co.uk/Contact-Us</a>
Thames Water (trade effluent)	Thames Water Trade Effluent Department, Trade Effluent Team, Lovick House Crossness STW Bazalgette Way Abbey Wood London SE2 9AQ	Tel: 0203 577 9200 Email: <a href="mailto:trade.effluent@thameswater.co.uk">trade.effluent@thameswater.co.uk</a>
Transport for London		<a href="https://tfl.gov.uk/help-and-contact/">https://tfl.gov.uk/help-and-contact/</a>

# Appendix C

## Legislation and Guidance

(This list is not exhaustive; please refer to the latest legislation, policy, guidance and best practice)

### General

Town and Country Planning Act 1990  
Planning and Compensation Act 1991  
Land Drainage Act 1991  
Party Wall Act 1996  
Building Safety Act 2022  
Building Regulations 2010  
National Planning Policy Framework  
Planning Policy Guidance Notes  
Environment Agency Pollution Prevention Guidance Notes

### Noise, Vibration and other Pollutants

Environmental Protection Act 1990 (especially Sections 79 – 82)  
Control of Pollution Act 1974 (especially Sections 60 and 61)  
Control of Pollution (Amendment) Act 1989  
Water Industry Act 1991  
Water Resources Act 1991  
Noise and Statutory Nuisance Act 1993  
Clean Neighbourhoods and Environment Act 2005  
Anti-Pollution Works Regulations 1999 (SI 1999/1006)  
Pollution Prevention and Control Regulations 2000  
Control of Pollution (Oil Storage) Regulations 2001  
Control of Noise at Work Regulations 2005  
London Authorities Noise Action Forum (LANAF) 'London Good Practice Guide: Noise & Vibration Control for Demolition and Construction'  
BS4142:2014-Methods for rating and assessing industrial and commercial sound  
BS 5228-1:2009+A1:2014 and BS 5228-2:2009+A1:2014, – Noise & Vibration Control on Construction and Open Sites  
BS8233: 2014 Guidance on sound insulation and noise reduction for buildings  
BS 7385-2:1993 Evaluation and Measurement for Vibration in Buildings. Part 2 Guide to Damage Levels from Ground borne Vibration  
BS 6472:2008 Guide to Evaluation of Exposure to Vibration in Buildings (1Hz - 80Hz)  
BS EN 61672 (Electro acoustics Sound level meters)  
Institute of Lighting Professionals Guidance Note 01, 2021 'The Reduction of Obtrusive Light'

### Air Quality (including Smoke & Fume nuisance)

Clean Air Act 1993  
Noise and Statutory Nuisance Act 1993

Environment Act 1995  
Air Quality (England) Regulations 2000  
Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002  
Road Vehicles (Construction and Use) Regulations 1986 (as amended) – Regulation 98  
The Control of Dust and Emission during Construction and Deconstruction (SPG 2014) (GLA Guidance supporting the London Plan)  
DEFRA (2001) UK Air Quality Strategy, HMSO, London  
Building Research Establishment Code of Practice on Controlling Particles from Construction and Demolition (2003)

### Asbestos and Hazardous Substances

The Control of Asbestos Regulations 2012  
Special Waste (Amendment) (England and Wales) Regulations 2001  
Control of Substances Hazardous to Health (COSHH) Regulations 2002  
Environmental Protection (Controls on Substances that Deplete the Ozone Layer) Regulations 2011  
MDHS 100 "Surveying sampling and assessment of asbestos-containing materials" HSE Guidance Note 2002

### Site safety

Health and Safety at Work Act 1974  
Highways Act 1980  
Construction (Design & Management) Regulations 2015  
London Fire Brigade Note 'Access for Fire Appliances'  
Fire Safety in Construction (HSG 168)  
Fire Prevention on Construction Sites (CFPA Europe)  
HSE Guidance Note EH40/2005 Workplace Exposure Limits  
Other relevant HSE Approved Codes of Practice and Guidance

### Vehicle Movements and Highways

Highways Act 1980  
Road Traffic Regulations Act 1984  
New Roads and Street Works Act 1991  
Traffic Management Act 2004  
The Roads Vehicles (Construction and Use) Regulations 1986  
Traffic Signs Regulations & General Directions 2002  
Department for Transport guidance on Inclusive Mobility 2005  
CG 300 - Technical approval of highway structures – DRMB  
CD 377 - Requirements for road restraint systems - DMRB  
Standard for Construction Logistics – Managing Work Related Road Risk (CLOCs - TfL) and Fleet Operator Recognition Scheme (FORS - TfL)

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London Lorry Control Scheme (LLCS)  
TFL Temporary Traffic Management Handbook  
TFL Delivering Goods by Water  
TFL Deliveries Toolkits  
BS873 on Road Traffic Signs and Bollards  
BS 8300-1:2018 Design of an accessible and inclusive built environment - Code of practice  
BS 7121, Code of Practice for Safe Use of Cranes

### Waste Management

Environmental Protection Act 1990  
Environment Act 1995  
Clean Neighbourhoods and Environment Act 2005  
Environmental Protection (Duty of Care) Regulations 1991  
Waste Management Licensing Regulations 1994 (as amended)  
Environmental Protection (Special Waste) Regulations 1996  
Hazardous Waste (England and Wales) Regulations 2005  
Producer Responsibility Obligations (Packaging Waste) Regulations 2007  
Environmental Permitting (England and Wales) Regulations 2010  
Waste (England and Wales) Regulations 2011  
Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations 1991  
Waste Management Duty of Care Code of Practice, HMSO

### Contaminated Land

Environmental Protection Act 1990 Part IIA  
Environment Act 1995  
Environmental Protection (Duty of Care) Regulations 1991  
Special Waste Regulations 1996  
Controlled Waste (Regulation of Carriers and Seizure of Vehicles) Regulations 1998  
Pollution Prevention and Control Regulations 2000  
Control of Substances Hazardous to Health (COSHH) Regulations 2002  
Hazardous Waste (England and Wales) Regulations 2005  
Contaminated Land (England) Regulations 2006  
Land Contamination Risk Management (LCRM) (EA 2020)  
BS10175 Code of Practice for the Investigation of Potentially Contaminated Sites  
Occupational Exposure Limits 2002  
HSE Guidance Note EH40/2005 Workplace Exposure Limits  
European Waste Catalogue (EWC)

### Discharges and Site Drainage

Environmental Protection Act 1990  
Environment Act 1995

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Water Resources Act 1991  
Water Industry Act 1991  
Trade Effluent (Prescribed Processes and Substances) Regulations 1989 (as amended)  
Anti-Pollution Works Regulations 1999  
British Standards Institute, Code of Practice for Earthworks BS 6031: 1981

### **Wildlife and Pests**

Wildlife and Countryside Act 1981  
Wild Mammals (Protection) Act 1996

### **Trees**

Town and Country Planning Act 1990  
Wildlife and Countryside Act 1981 (as amended)  
Conservation of Habitats and Species Regulations 2010  
BS 5837:2012 Trees in relation to design, demolition and construction - Recommendations  
BS 3998:2010 Tree work: Recommendations  
BS 3936: 2007 Nursery stock specification

### **Archaeology and Built Heritage**

Ancient Monuments and Archaeological Areas Act 1979  
Planning (Listed Buildings and Conservation Areas) Act 1990  
Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2005

### **Greater London Authority (GLA) Documents**

London Plan 2021 and supporting documents, including:  
Sustainable Design and Construction Supplementary Planning Guidance (GLA, 2014)  
London Plan Circular Economy Guidance Statement, GLA 2020

### **London Borough of Tower Hamlets Documents**

Tower Hamlets Local Plan 2031 (and supporting guidance)  
Tree Management Plan  
Neighbourhood Plans  
Air Quality Action Plan

# Appendix D

## Temporary Structure, Temporary Road Closures and Highway Licences Guidance

### Policy Overview:

- **Tower Hamlets Plan 2031 D.DH10** Advertisements, Hoardings and Signage (p70)

### Key actions by the Contractor:

- Arrange a 'pre-inspection' site visit with relevant Highways Licensing Engineer
- Make applications for required Highways Licences via **Customer Reference Management System**
- Supply TMP/CLP plan for any requested closures for hoardings/scaffolding
- Ensure valid Public Liability Insurance (minimum £5,000,000) is in place
- Once payment is made, a remittance advice slip will be provided by the applicant as proof.
- Approval of applications can be obtained within **30 working days** (subject to conditions)

### Appendix D offers guidance on the following topics:

This guidance covers the following topics:

1. How to apply for a Highway Licence
2. Design Requirements
  - a. General
  - b. Hoardings
  - c. Scaffolding
  - d. Site Welfare
3. Safety and Security
4. Maintenance
5. Public information and advertising on temporary structures

Contact the team at:

- [streetworks@towerhamlets.gov.uk](mailto:streetworks@towerhamlets.gov.uk)
- visit the council [webpages](#)

## 1 Temporary Road Closures

- 1.1** Most traffic restrictions are subject to the Road Traffic Regulations Act 1984. These are known as Temporary Traffic Regulation Orders (TTRO). Any bodies wishing to carry out any work on roads in the borough require permission to do so.
- 1.2** The lead time to process a planned temporary road closure (TTRO) is 9 weeks from the time payment is made and authorisation is granted.
  - A completed TTRO application must be accompanied by a diversion plan (traffic management plan), stakeholder letter informing the public of the upcoming closure, discharged CMP and payment. Subsequently there is a legal requirement of advertising an upcoming Traffic Order.

## 2 Highway Licences

- 2.1 Crane Licence** - A licence is required to place a crane on the public highway or oversail the highway with a crane. Crane operations include using a crane, cherry picker or any type of mobile elevated working platform. Please refer to Appendix E Cranes and MEWPS guidance on further details including processing time.
- 2.3 Section 50 Licence** - Anyone other than a Statutory Undertaker wishing to carry out street works which includes



the breaking open, boring or tunnelling under any street to place, adjust, repair, alter or renew any apparatus must seek consent via the S50 licence application. Please refer to table of licence application for expected processing time.

to carry out investigatory works which includes the breaking open, boring or tunnelling under any street maintained at public expense, must seek consent via the S171 licence application. Please refer to Table 1 (below) of licence application for expected processing time.

**2.3 Section 171 Licence** - Any person, other than a Statutory Undertaker, wishing

**Table 9: Licence Applications (timeframes for approval)**

Licence required	Application method	Expected processing time	Applicable Charge
Hoarding and Scaffold licence	<b>Customer reference management system</b>	30 days	Yes
Temporary Traffic Regulation Order (TTRO)	<b>Customer reference management system</b>	9 weeks	Yes
Street furniture	In writing to Network Management	Depends on works and site, no set time period	Yes
S.50 licence, Part 1	In writing to Network Management	35 working days	Yes
S.S171 licence, Part 1	S.50/S171 licence, Part 1	28 working days	Yes
S.50 and S171 licences, Part 2	In writing to Network Management	From 3 working days to 3 months depending on size of project	Yes
Streetworks licence (section 50 New Roads and Streetworks Act)	In writing to Network Management	At least 10 days' notice required	Yes

### Legislation applicable to Temporary Structures:

- The Town and Planning Country Act 1990
- The New Roads and Street Works Act 1991
- The Road Traffic Regulation Act 1984
- The Traffic Management Act 2004

### Legislation applicable to Hoardings:

- Health and Safety at Work Act 1974
- Highways Act 1980
- Construction, Design and Management Regulations (CDM)

- Works to be undertaken on or near the highway must adhere to Part 6 of **The Highways Act 1980**. The highway is defined as the whole or part of a highway, other than a waterway or ferry. The highway is classed as Classified Roads, Unclassified Roads, Trunk Roads, Special Roads, Bridleways and Public Footpaths.

#### A temporary structure is defined as but not limited to:

Scaffolding  
Hoarding  
Gantry  
Fan  
Raking Shore  
MEWP (mobile elevated working platform) or Genie Boom  
Container  
Site Hut  
Welfare Unit  
Portaloo

- To erect a structure on or place the highway, a licence must be issued by the local authority providing permissions which the Contractor must comply with (including the Terms and Conditions). Failure to comply will be deemed an offence and liable to a fine.
- All temporary structures must provide a minimum of 1300mm width and a height clearance of 2032 mm unless a **Temporary Road Closure (TTRO)** has been approved by LBTH **Streetworks**, allowing closure of part or all of the footpath.
- The minimum width for pedestrians in each case must be agreed in advance with the Highways Licensing engineer to facilitate access by vulnerable footway users. Developers are advised to review **government guidance on inclusive mobility** (refer to Fig 1 (p31) for a visual summary of footway dimensions) and the **British Standard (BS) 8300-1:2018 Design of an accessible and inclusive built environment**.

#### 1. Temporary Structure Licence applications

- All temporary structures (including scaffolding, construction hoarding, gantry, temporary crossing or fencing) located on or adjacent to the public highway must be licenced by the Council before installation.
- Certain structures may also require the submission of a **CG 300 Technical Approval** (to Highways Asset Group (Structures)) for consent prior to works commencing. See also Chapter 6:

- General Site Operations.
- All requests to erect temporary structures and any general enquiries should be made to the Network Management team within the following timeframes in the Table 1 above.
- Any temporary structure in breach of the conditions of its licence could result in the issue of fixed penalty notices, revoking of licences, or prosecution.
- The licensee must display a copy of the relevant licence on the structure, no higher than six feet above the ground, on the first day of operation.
- Hoarding erected on the public highway with local authority consent will not permit any attachment to, removal, or enclosure of street furniture (bollards, street lighting, road signs, etc). Any structure failing to follow these terms will be in breach of their licence conditions.
- **Skips and Machinery:** A separate licence will be required for the storage of any skip, excavation machinery or material storage on the highway; granted only in exceptional circumstances.

## 2. A Design Requirements for Temporary Structures

### General

- All sites engaged in demolition, excavation and/or construction must be contained by licenced site perimeter hoarding or fencing in order to prevent public access.

- Contractors must ensure all temporary structures are safe, navigable and accessible for site employees and the neighbouring residents.
- Where a hoarding, scaffold or fence is located at 750mm dimension (or under) from the kerb edge, a handrail (and platform if required) will be fixed at a height of 1000 mm from footway surface (to the approval of Highways Licensing Engineer)

### Hoardings Guidance

#### Key Conditions for a Hoarding Licence:

- Valid Public Liability Insurance (min £5 million)
- Traffic Management Plan (TMP) – for footway, carriageway, partial/full closures
- Any other national or regional measures in operation (eg safety measures)

- The purpose of erecting hoardings is to protect the public from the inherent risks posed by the activities and machinery involved in the demolition, excavation, construction or renovation of planned development.
- Contractors have a duty to protect the site from unauthorised access and the public from hazardous substances.
- Hoarding is licensed by the Council under the **Highways Act 1980** (s172).
- A hoarding/scaffolding licence is

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granted solely for use of the highway surface and does not grant permission to dig, breakout, tunnel or bore into the ground. Any such work within the hoarding would require a separate **Section 50** or a **Section 171** licence if undertaken on private land or a **Streetworks permit** if the request is made to a statutory undertaker.

### Lighting:

- Any hoarding on the carriageway (no more than 45 centimetres from the kerb face) shall be illuminated by red lights set at intervals not exceeding 3 metres. The lights shall be positioned at a height of approximately 1.8 metres
- Any hoarding forming one side of a temporary walkway (or stretch of unenclosed footway) shall be illuminated by white lights set at intervals not exceeding 3 metres
- During hours of darkness (i.e. from half an hour after sunset to half an hour before sunrise), and at any time when visibility is seriously reduced (e.g. by fog), hoardings and tunnels beneath gantries must be well lit at all times
- Site lighting shall be positioned and directed not to unnecessarily intrude on adjacent buildings and land users, or to cause distraction or confusion to passing drivers on adjacent roads
- Works affecting existing street lighting or illuminated street furniture require immediate notification to Tower Hamlets. No work will be permitted on or adjacent to these units without the Council's written authority
- Good practice guidance for lighting installations can be sought from the Institute of Lighting Professionals

### 'Guidance Note 1 for the reduction of obtrusive light' (2021)

#### Appearance:

- Hoardings should have a smooth finish with no projecting parts into areas or pathways accessible by the public
- Hoardings should be decorated in either a single colour or a simple design with a limited colour palette:
  - Hoardings should not be decorated with white or black as the sole decoration
  - Strong colours such as reds or neon shades should be avoided
  - Softer tones, particularly on larger sites, prevent hoardings from visually dominating the public realm
  - Contrasting markings at projecting angles (to assist highway users with visual access needs) should be incorporated to the satisfaction of the council
- Designs should not incorporate advertisements of any type without the written consent of the Council (see Section 5 below)
- Design concepts should be discussed with the Council's Planning and Highways Licensing teams during the planning process and before works commence on site

### Greening of Hoardings

- The introduction of biodiverse 'green' hoardings and scaffold enclosures is increasingly employed to improve visual amenity, resist graffiti, reduce noise and improve air quality. The approach reintroduces greening, where there is invariably a significant loss during construction phase of development.
- The council requires Strategic and Major sites with perimeter hoarding measuring over 50m horizontally and in use for over 6 months to incorporate live maintained greenery. Written justification is required if deemed not practicable. Minor and Basement sites are advised to consider options for greening hoardings, particularly for sites in proximity to sensitive noise receptors.
- Green hoardings should cover a minimum of 30% of the total perimeter length of the site hoardings, increasing to a higher percentage where conditions allow. Installation should take account of prevalent growing seasons and requires appropriate ongoing maintenance, irrigation, and sustainable disposal. Re-use of green hoardings on alternative sites is encouraged.
- Incorporate a full cover of climbing plants or wildflower mats, with the plants trimmed back (periodically) to allow for visibility of essential lighting and health and safety signage.
- Green hoarding proposals should be provided as part of CMP/SEMP and hoarding license applications.

### Arts, Cultural and Educational enhancements of Hoardings:

The council welcomes creative and visually appealing hoardings that acknowledge their surroundings and invite positive community involvement, such as:

- Incorporation of educational information on the character and history of the neighbourhood particularly if assets of historical value have been identified on site
- Educational information on Modern Methods of Construction being utilised to minimise negative impacts on the surrounding neighbourhood, shorten construction phase and increase efficiencies in freight logistics
- Incorporation of viewing windows at varying (accessible) heights, to preserve important views or provide opportunities to observe construction progress, archaeological remains or other features of architectural, historic or cultural interest
- Offer a minimum of 20% of hoarding for community arts projects for local schools and other local educational institutions to utilise

### Perimeter Gates:

- Doors/gates must open inwards and must not obstruct the highway with a minimum clear opening of 4500 mm wide
- Gates must be positioned and designed to minimise vehicle and machinery noise and other disturbances from the worksite. Care must be taken around sensitive uses such as schools, care homes, hospitals and residential areas
- Gates must be adequately controlled by trained personnel. The council recommend the **CLOCS Site Access Traffic Marshall Training**
- Gate positions must be agreed in advance with the LBTH Network Management and/or Highways Licensing teams

### Accessibility:

- Contractors are encouraged to engage with the TFL 'Disability Caused By Works' Working Group
- Barrier free access Temporary structures must enable barrier-free equal access for all vulnerable footway users. Good practice examples can be found at the following link **CCS Best Practice hub**
- Signage indicating alternative routes for pedestrians and cyclists must be placed at appropriate distances from the works to avoid placing vulnerable carriageway and footway users in further danger or difficulty.
- Additional information can be found in **Traffic Signs Manual** (Ch8)

### Scaffolding Guidance

#### Key Conditions for a Scaffolding Licence:

- Accredited CISRS qualified scaffolders
- Valid Public Liability Insurance (minimum £5,000,000)
- Scaffolding Safety Certificate (certification of compliance with the health and safety assessment scheme)
- Specifications for over-sailing onto the highway (if applicable)
- TMP (traffic management plans for footway/carriageway, part/full closures)
- Any other national or regional measures in operation (eg safety measures)
- **CG 300 Technical Approval:** Where the scaffold/gantry is intended for use as a loading platform to store materials, plant or site cabins, then a **CG 300 Technical Approval submission** is required prior to the issuing of any **s169 scaffolding licence**. See 6.36 and Table 6 of CoCP.

- Scaffolding is licensed by the Council under the Highways Act 1980 (s169). All scaffolding licence applications must be applied for online using the **customer reference management system**.
- Scaffolding licences are provided with conditions applied to specific works of the application submitted and terms which all temporary structures must adhere to.
- Vehicle protection measures: If vehicle protection measures are required

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to protect the scaffold/gantry from accidental vehicle impacts, these measures must comply with **CD 377 Road Restraint Systems**.

- For roads with a speed limit of less than 50mph, these must provide a minimum N1 containment level, unless a site-specific risk assessment indicates that the containment level should be higher.
- Safe working areas to be provided at ground level to prevent pedestrian access.
- Illumination Provide illumination to the external structure. Gentries oversailing public footways require illumination internally and design must not imperil vulnerable footway users.
- Pedestrian access must be maintained around all scaffolding; design must allow no trip hazards, no projecting tubes or fittings, and adequate cover to provide a working platform to prevent materials or debris falling onto the public footway.
- Design width must be agreed with the Highways Licensing engineer to allow vulnerable footway users (wheelchairs, prams and mobility scooters) safe, unobstructed access.
- Signage for pedestrians (suitable for blind and visually impaired) must be correctly installed at locations that enable safe continuous access around the site perimeter

### Site Welfare Guidance

Site welfare provision must be located within the site perimeter and should not over-sail the public highway. Any deviation must be agreed with Highways Licensing engineer for technical approval for design and licensing.

### 3. Safety and security

Under the **London Local Authorities Act 1991** the licence holder is responsible for:

- preventing unauthorised access to the structure (or site)
- the security of the building (or site) where the structure is being used; and the security of any adjoining building

**Best Practice Resource:**  
**'Construction Site Security Guide'**  
Secured by Design (SBG)

- **Prevent unauthorised entry or exit** site gates must be secured during non-active hours. Larger sites should be staffed with 24-hour security.
- Reduce opportunities for unauthorised access and follow guidance for designing out crime, avoiding unlit areas, hiding places or climbing opportunities.
- Scaffolding, ladders and other site equipment should not facilitate access to neighbouring buildings or land.
- Reduce opportunities for rough sleeping and anti-social behaviour. The Principal Contractor should refer adult rough sleepers encountered to Streetlink. Rough sleepers under 18 should be notified to the police.
- CCTV cameras (either fixed or mobile) can be installed at the site perimeter (footage should be retained for at least 21 days). CCTV cameras must be positioned with care and not cause nuisance or offence to off-site local residents or businesses (e.g.

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avoid intrusion into private premises or gardens).

- TFL Approvals all parking, scaffolding, hoardings and road closure consents on TFL Red Routes must be directed to TFL for approval.
- Alarms must be connected to a 24 hour monitoring station and adhere to HSE requirements (BS EN 50131 1-3), with a notice specifying contact details for the monitoring company; they must incorporate an appropriate cut-out period.
- Avoid obstruction of the following (deviation requires approval from LBTH/TFL or service provider):
  - Traffic Signals
  - Manholes, sewer access, subway access points (require 24-hour access)
  - Chambers
  - Electrical/data cabinets
  - CCTV cameras
  - Pay and Display machines
- Fire Hydrants (require 24-hour access).
- Fans and facade netting shall be installed to contain potential falling debris.
- Lighting must be provided at site boundaries for public safety. Precautions to be taken to avoid casting shadows on footpaths, increasing the likelihood of criminal activity.
- Emergency access must ensure the requirements of the London Fire and Emergency Planning Authority (LFEPA) are incorporated. Access for ambulances must also be considered.

#### 4. Maintenance

- Frequent inspection, repair and repainting as necessary of all

temporary structures is required to comply with licence conditions and to preserve the amenity of the surrounding area.

- Hoardings on or adjoining the public highway should include finishes that deter climbing and graffiti and allow for prompt removal of graffiti or flyposting, reducing the need for chemical applications.
- Contractors should monitor and remove perimeter graffiti or flyposting daily. Cleaning should occur regularly, during normal working hours, using wet methods where practical to prevent re-suspension of particulates. Offensive graffiti shall be removed as quickly as practicably possible.

#### Removal of structures

Structures should be erected no sooner than required and must be removed as soon as practicable after completion of the works.

If works are to pause on site for any significant length of time an interim maintenance plan for all temporary structures must be agreed with the Highways Structures team in advance of any site closure.

#### 5. Public information and advertising

##### Site information and community liaison

Public information (refer also to Ch 5 of CoCP) shall be provided on a weatherproof display board by the main entrance of the site. Frequent updates should be anticipated with updated operational information at each stage of the works.

- If the site has multiple or very long



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boundaries, it may be advisable to provide key contact information in more than one location.

- Information displayed must be at a height suitable for wheelchair users and Braille readers to read
- Font size must take account of the needs of partially-sighted visitors.

Further **guidance and best practice** can be found in the Considerate Constructors Scheme Code and at the Best Practice Hub

### **Advertising**

The display of advertisements is subject to its own consent process within the planning system and is set out in the **Town and Country Planning (Control of Advertisements)** (England) Regulations 2007 and the **Outdoor Advertisements and Signs Guidance 2007**.

#### **Minimum information for Public Display on Hoardings of Scaffolding:**

- Project timeframe: start and end dates, nature of project, principal project stages
- The hours of work
- Details of disruptive operations: start/end dates
- Noise and vibration mitigation approaches adopted
- Complaint's procedure and planned frequency of communications Key contacts (names/numbers) for site and project personnel: developer, project manager, site manager/foreman, community liaison manager
- Emergency out-of-hours contacts
- Hoarding or Scaffold Licenses
- Large print and Braille contact information including: email, phone, website

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# Appendix E

## Cranes and MEWPS Guidance

All queries regarding licencing for cranes and MEWPs should be directed to the LBTH Network Management team.

### 1. Cranes

#### 1.1 Site-based Tower Crane

- The jib arm swing radius of all site-based tower cranes should be restricted to within the boundary of the site unless agreed otherwise in writing with the Highway Authority and the adjacent property owners/occupiers whose air space is affected.
- If at any time the crane's jib arm radius extends out over the Council's adopted Public Highway the developer will need to contact the Council's Highways Asset Group, (Structures), to apply for an over-sail licence in accordance with **Sections 177 & 178 of the Highways Act 1980**.
- In addition, regardless of whether a Section 178 licence is required, the Developer's nominated agent will also need to submit a **CG 300 Technical Approval** submission. This document will need to be approved by the Council's Highways Asset (Structures) group, before the Council will consent to the installation of a site-based tower crane or issue any Section 178 over-sail licence.
- Please note that all site-based tower cranes must comply with and be operated in accordance with the requirements of BS 7121, Code of Practice for Safe Use of Cranes and with **other best practice** for lifting operations. In addition, Aviation obstruction lighting should also be provided for cranes of 150 metres or

more above ground level, as well as for cranes of a lesser height where they are considered a significant navigational hazard, in accordance with the requirements of Article 219 of the UK Air Navigation Order 2009.

- If road closures are required to erect or dismantle the site-based tower cranes, the Developer will need to contact the Council's **Streetworks** section prior to such activities commencing.

#### 1.2 Mobile Cranes and MEWPs

For any works that will require the use of mobile cranes or mobile elevated working platforms, (MEWPs), the initial contact will be via the Council's **Streetworks** section.

- For any works that will necessitate the use of mobile cranes, mobile elevated working platforms (MEWPs), or Cherry Pickers, a licence for operation is required under the Highway Act 1980.

Due to the limited load carrying capacity of the existing footways and possible underground basements/cellars, the London Borough of Tower Hamlets has the following policy in place:

- Not allowing any vehicle 'out-riggers' to be placed onto or directly load the footway areas of the Council's adopted Public Highway road network.
- All 'out-riggers' are to be positioned within the carriageway areas only.
- In addition, all lifting operations can only take place within the agreed limits of the proposed closure of the

- 
- Council's adopted Public Highway.
- No lifting operations can take place over any 'open/live' section of the Council adopted Public Highway.
  - Mobile crane/MEWP/Cherry Picker applications must be made using the **Highways Licences' customer reference management system** .
- Processing the licence for any crane or MEWP licence will take at least two weeks; this extends to at least 9 weeks if any highway closure is required.



# London Borough of Tower Hamlets Code of Construction Practice

Summary document  
[www.towerhamlets.gov.uk](http://www.towerhamlets.gov.uk)  
April 2023



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In April 2023 the revised Code of Construction Practice was officially adopted. The Code has been expanded to cover the full range of impacts that construction work has on the local environment and residents. It sets out what the council expects from developers and those involved in construction activities in the borough. The expectation is that all construction sites (unless deemed DIY) in the borough meet or exceed the requirements or best practice set out in the Code, reducing disruption for residents and businesses across all phases of the construction programme.

## Chapter 1: Introduction

This summary document highlights key aspects of the full **Code of Construction Practice** (CoCP). Please refer to the full document [insert link] for detailed guidance on specific topics prior to submitting applications for licences (or submissions against conditions) and before commencing any works.

For reference the word 'construction' is defined as any activity carried out in connection with demolition, building new developments, alterations, conversion, fit-out, commissioning, renovation, repair, maintenance, and refurbishment, decommissioning or dismantling of a structure.

## Chapter 2: Site categorisation

All sites are categorised according to scale (no. of housing units or square metre area) and impact on surrounding neighbourhoods, during the planning process. These categories are Strategic, Major, Minor or Basement (see Table 1 for details). Table 2 further sets out the document submission requirements for planning,

relative to site categorisation.

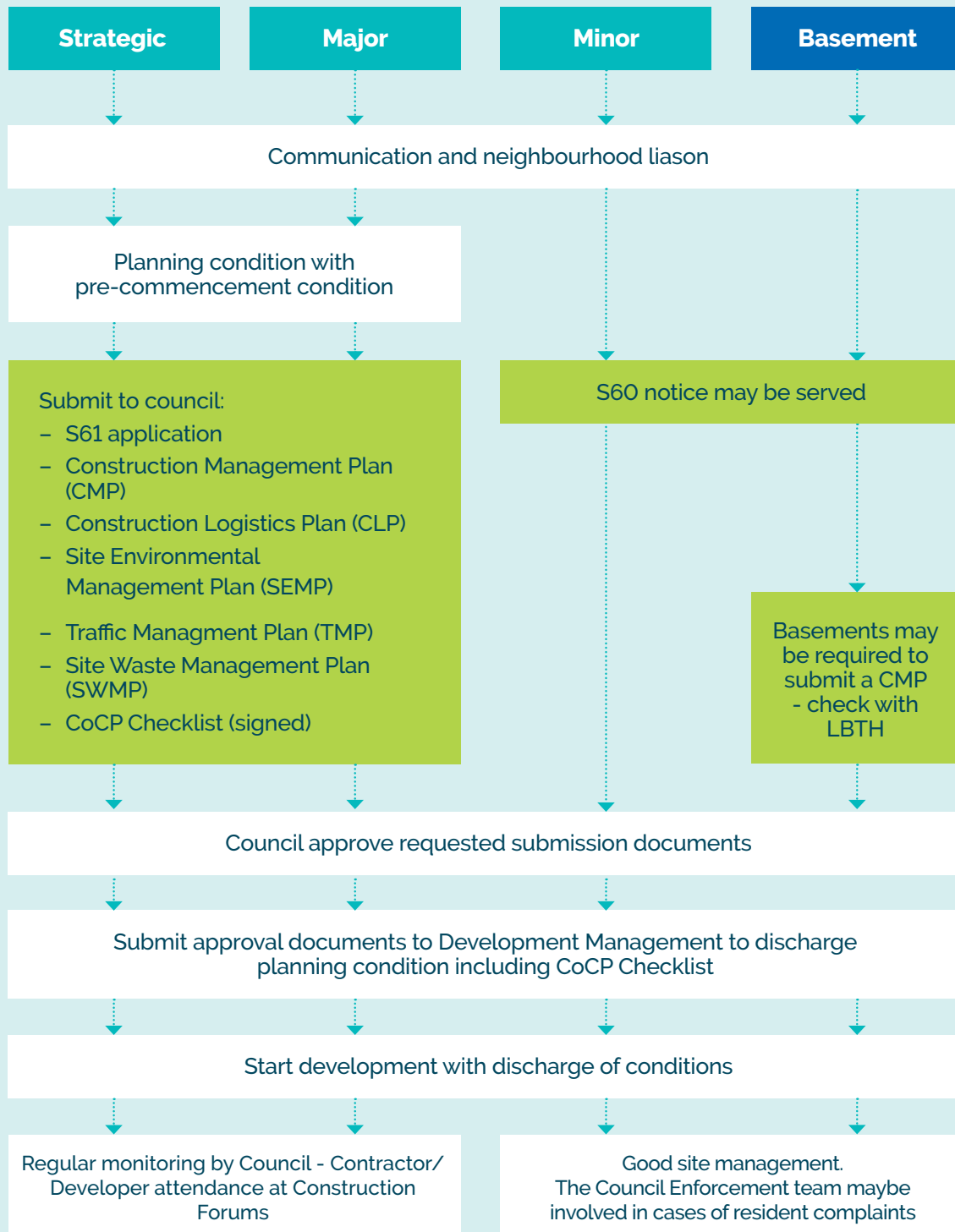
Table 3 provides information on the process for submission of documents required by each of the specific site categorisations. Strategic and Majors likely requiring more detail in terms of submissions, though this will be advised on a site-by-site basis for Minors and Basements.

### *Compliance with the Code*

Planning approvals on Strategic and Major (and potentially Minors) sites will be subject to a planning condition requiring compliance with the CoCP. Developers and Contractors must sign a copy of the CoCP Checklist to agree to be bound by the Code, pay any relevant fees and provide an approved Construction Management Plan (CMP), Site Environmental Management Plan and any other requested submissions before works commence.

**Table 3 Flowchart for submission process by site category**

Table 3 provides information on the process for submission of documents required by each of the specific site categorisations. Strategic and Majors likely requiring more detail in terms of submissions, though this will be advised on a site-by-site basis for Minors and Basements.



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### Chapter 3: Legal Requirements and Planning Policy

This chapter sets out the prevailing national level legislation and local policy context within which development must comply over the duration of construction works.

- Responsibility lies with the Developer and Contractor to comply with all legislation, guidance and best practice regarding protective measures concerning construction operations.
- It is the responsibility of Developers and Contractors to demonstrate their compliance with Planning Conditions
- All construction operations will be subject to control under S60 or s61 of the Control of Pollution Act 1974 (COPA). For further information refer to Chapter 8: Noise and Vibration
- Developers and Contractors must familiarise themselves with the principles of Best Practicable Means and BS 5228

### Chapter 4: Coordination with Tower Hamlets

The council encourages all Developers and Contractors to engage with the council at the earliest opportunity. Particularly in relation to applications and approvals for planning condition submissions, licenses and permits.

#### Constructor Forums

Tower Hamlets Local Plan Policy D.SG4, requires Contractors to join a local Constructor's Forum (where available) to better manage and mitigate the cumulative impacts arising from multiple simultaneous works in the borough's key development areas. **Contact:** [development.coordination@towerhamlets.gov.uk](mailto:development.coordination@towerhamlets.gov.uk) for further information.

#### Construction Management Plan (CMP) Officers

In response to the negative impacts of construction activity experienced by residents and the increasing complaints received, the council are introducing a service (chargeable to developers) that aims to adequately coordinate the review, approval and monitoring of Construction Management Plans and adherence to the Code of Construction Practice (CoCP).

#### Utility Coordination

LBTH's new Utility Coordinators can support Developers, their Designers and Contractors to liaise with local utility and services expertise and is recommended to be engaged at the earliest opportunity. **Contact:** [infrastructure.planning@towerhamlets.gov.uk](mailto:infrastructure.planning@towerhamlets.gov.uk)

#### Tower Hamlets Construction Awards

The Development Coordination team are seeking to establish an awards scheme for Developers and Contractors working within the London Borough of Tower Hamlets for demonstrated innovation around environmental mitigation during construction works.

The awards will focus on rewarding exemplar action taken on:

- community engagement
- construction logistics and local amenity
- environmental mitigation
- site hoardings design

### Chapter 5: Community Liaison and Consultation

All construction sites are expected to engage with the council and with neighbouring residents and businesses likely to be affected by their works, prior



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to commencement, for coordination and mitigation of disruption. The method of communication and frequency of engagement depends on the site category. Table 4 sets out the expected (minimum) scope for community liaison throughout the various phases of construction works.

As a minimum all sites must provide sufficient regular communications on the following:

- Project timeframe: start and end dates, nature of project, principal project stages
  - The hours of work
  - Details of disruptive operations: start/end dates
  - Noise and vibration mitigation approaches adopted
  - Complaint's procedure and planned frequency of communications
  - Key contacts (names/numbers) for site and project personnel: developer, project manager, site manager/ foreman, community liaison manager
  - Emergency out-of-hours contacts
  - Hoarding or Scaffold Licenses
  - Large print and Braille contact information including: email, phone, website
- Further information can be found in Chapter 6 (General Site Operations) and Appendix D: Temporary Structure, Temporary Road Closure and Highways Licences Guidance

## Chapter 6: General Site Operations

This chapter outlines 'good housekeeping' activities for sites, such as Health and Safety, pest control, emergency

procedures, security and CCTV. Tower Hamlets Local Plan Policy D.SG4, requires Contractors to sign up to the **Considerate Constructors Scheme (CCS)**.

### Permitted hours of work (Chapter 6)

**Standard Working Hours:** Where residential occupiers are likely to be affected by noise, the hours for carrying out works which can be heard at the site boundary shall normally be restricted to:

**Monday - Friday:** 08.00 - 18.00 hrs

**Saturday:** at no time

**Sunday, bank holidays and public holidays:** at no time

**High Impact Activities:** Certain works (including piling, excavation and demolition) are classed as High Impact Activities (see 8.15-18 below).

Working hours restrictions apply as follows:

**Monday to Friday:** 09.00 - 12.00 and 14.00 - 17.30 hrs

**Saturday:** at no time

**Sunday, bank holidays and public holidays:** at no time

Noisy work must not take place outside these hours unless otherwise agreed through a **Control of Pollution Act 1974 Section 61 Prior Consent**.

Special circumstances for consideration include:

- police traffic restrictions
- emergencies related to public safety

Construction vehicle movements shall normally be restricted to:

**Monday - Friday:** 09.30 - 16.30 hrs

**Saturday:** at no time

**Sunday, bank holidays and public holidays:** at no time

If there is a school in the vicinity of the site or on the proposed access and/or egress routes, then deliveries during term time must be restricted to:

**Monday - Friday:** 09.30 - 15.00 hrs

Vehicles may be permitted to arrive at 08.00 only if they can be accommodated on site. They must then wait with engines switched off.

**Streetworks** (utility works & road works) will also follow the above restrictions to noisy works. However, under exceptional circumstances extended hours can be granted to:

- Reduce impact on sensitive road network
- Reduce duration of major road works
- Facilitate work activity to lessen congestion

Exceptional circumstance extended hours are as follows:

**Monday - Friday:** 8.00 - 23.00 hrs

**Saturday:** 8.00 - 17.00 hrs

**Sunday:** 10.00 - 16.00 hrs

Information about pending agreed public roadworks can be found on the [London Works Website](#) and details of road notices (including maps) can be found on the [road notices listings](#).

Contact [Streetworks@towerhamlets.gov.uk](mailto:Streetworks@towerhamlets.gov.uk) for making arrangements for any works affecting the road network

Noise complaints should be directed to the council's [Environmental Protection Team](#)  
[Environmental.Protection@towerhamlets.gov.uk](mailto:Environmental.Protection@towerhamlets.gov.uk)

## Chapter 7: Highways and transport

Construction, demolition and excavation traffic generated by new development (of all scales) contributes significantly to poor air quality throughout the borough. It can also seriously impede on the availability of parking, traffic flow, road safety, residential amenity and pedestrian convenience and safety.

Contractors must abide by their Traffic Management Plan and Construction Logistics Plan (if required).

Roads and pavements must be kept clear. No plant, material, temporary structures or skips can be placed on the highway without a licence. Works vehicles should not stop or park on the highway unless an appropriate parking suspension has been sought.

Refer to Table 5 above for permitted hours for construction vehicle movements and streetworks.

Abnormal load movement restrictions can be found in Chapter 6: General Site Operations.

### *CLOCS Champion*

The council is a Construction Logistics and Community Safety (CLOCS) champion and expects all Contractors working in the borough to meet the CLOCS standard, as required by Tower Hamlets Local Plan Policy D.SG4. Additionally, all freight vehicles servicing construction sites within the borough must meet FORS Silver accreditation.

Table 7 outlines guidance on maintaining accessibility and navigability of the public realm for the duration of the planned works.

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Public safety and emissions reductions are of paramount importance when planning deliveries and logistics for construction. Sites must aim to reduce road-based vehicular traffic, wherever possible. The use of consolidation centres and alternative freight transport options (river barge and train) wherever feasible, are encouraged. Contractors' vehicle engines must comply with the Ultra Low Emission Zone requirements and should not be kept idling on the highway.

### Chapter 8: Noise control

For permitted working hours in the borough refer to Table 5 in Chapter 6 General Site Operations.

Strategic and Major are advised to apply for 'prior consent' under Section 61 of the Control of Pollution Act 1974, where working hours dispensations are required, prior to commencing work on site.

All construction sites should follow LANAF Good Practice Guide and BS 5228 Noise and Vibration Control to manage and mitigate noise and vibration on site.

#### LBTH Noise Map

The Environmental Protection team have developed a, publicly available, **noise map**. This enables contractors to assess all cumulative noise impacts in their neighbourhood prior to developing their Site Environmental Management Plan (SEMP). All new and active sites are invited to submit their noise monitoring readings, for incorporation onto the map.

**Contact** Environmental.Protection@towerhamlets.gov.uk for further information.

The quietest available equipment and methods must be used in conjunction with

noise barriers and mitigation measures. The use of percussive breaking equipment must be avoided wherever possible.

### Chapter 9: Air quality and dust

Tower Hamlets was declared an Air Quality Management Area (AQMA) and operates an **Air Quality Action Plan (AQAP)**.

All developments must follow the requirements of the Mayor of London's **Control of Dust and Emissions during Construction and Demolition SPG (2014)**. Refer to Tables 8A to 8E in the main CoCP document for a summary of key actions.

Strategic and Major sites will be required to submit a Dust Management Plan.

All practicable measures to avoid producing dust or air pollution must be implemented during construction works, including:

- Avoiding cutting/grinding/sawing wherever possible
- Fitting equipment with water-based dust suppression or dust collection facilities
- Ensuring sufficient water suppression is used during highly dust-intensive works
- Using pre-fabricated materials wherever possible
- Covering stockpiles/arising of dust-generating materials when not in use
- Covering skips, chutes and chimneys, and minimising drop heights
- Where plasterboard ceiling/partitions are being removed, seal the exposed structure with suitable temporary sheeting

### Chapter 10: Contaminated Land

All sites must ensure appropriate investigations and risk assessments are

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carried out to characterise the ground conditions on site before works commence.

- Works must not pose a risk to human health, controlled waters or other ecosystems.
- The completed development must not pose a risk to human health, controlled waters or other ecosystems.

The contractor must ensure:

- LBTH Pollution Team is notified of any ground contamination found
- Any remediation which takes place is approved by the Pollution Team
- Contaminated land which may have archaeological significance is properly assessed in accordance with **Historic England**
- Asbestos, if found, must be procedurally handled in accordance with the latest HSE Asbestos Guidance

## Chapter 11: Site Waste Management

Contractors must ensure:

- Submission of a Site Waste Management Plan (SWMP) if subject to a relevant planning condition
- Ensure waste is contained and disposed of in an appropriate manner and in accordance with legislation and the Waste Management Hierarchy
- Ensure methodologies are adopted that prevent environmental impacts by the mishandling and storage of on-site materials and waste.
- Understand and implement the latest **London Plan** guidance on the **Circular Economy**

## Chapter 12: Water Pollution and Flood Risk

The Contractor:

- Must not discharge any trade effluent waste or any other waste matter directly into surface or foul drains without contacting the appropriate governing body and gaining the relevant approval
- Must ensure effective working methods are developed and in place to protect the surface and groundwater from pollution
- Must ensure there are no adverse impacts on the water environment in and around the site, including changes to the water quality, water flow paths, or water levels
- Must guarantee flooding is considered and protection measures are in place to protect against any flooding
- Must ensure the site's drainage system is appropriately designed, installed and maintained for the duration of the works

## Chapter 13: Urban Ecology

The Contractor must:

- Establish the planning status of the site (e.g. Listed Building, Conservation Area) and employ best practice to introduce innovative techniques in identified priority areas that ensure a more sustainable approach
- Ascertain whether any trees on the site or immediate area are either protected or fall within a Conservation Area prior to works starting
- Ensure an ecological survey has been undertaken by a qualified professional and appropriate mitigation measures agreed with the council ahead of works commencing
- Contractors are expected to be familiar

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with and adhere to the council **Open Space Strategy** and **Tree Management Plan**. Steps should be taken to prevent the loss of trees, wherever possible.

- Appendix D: 'green hoardings' gives further advice for Strategic and Major sites on enhancing urban ecology for the temporary works by providing greening to site hoardings (at least 30% of total hoarding surface).

### **Chapter 14: Archaeology, Built Heritage, Sustainability**

Provides guidance on expectations around archaeological protection measures and working with **Greater London Archaeology Advisory Service (GLAAS)**.

Key Actions by Developer or Contractor:

- Seek advice from Historic England if the development proposal affects any identified 'scheduled monuments', conservation areas or listed buildings
- Contact GLAAS if your site is located within an Archaeological Priority Area (APA)
- Failing to protect heritage assets can constitute a criminal offence. Key personnel are expected to be familiar with the **Tower Hamlets Conservation Strategy**.

#### **Contact the council Conservation Officer:**

If your site exceeds 2 Hectares or includes new basement or extension excavation works.

For useful contacts details of internal council teams and external agencies mentioned, please refer to: Appendix B: Tower Hamlets Council Contacts

For further information on the Code of Construction Practice

**contact:** [development.coordination@towerhamlets.gov.uk](mailto:development.coordination@towerhamlets.gov.uk)

# Equality Impact Analysis Screening Tool

## Section 1: Introduction

Name of proposal
For the purpose of this document, 'proposal' refers to a policy, function, strategy or project Code of Construction Practice
Service area and Directorate responsible
Infrastructure Planning, Planning & Building Control
Name of completing officer
Hannah Horton, Development Coordination Manager
Head of Service
Matthew Pullen, Head of Infrastructure Planning

**The Equality Act 2010 places a 'General Duty' on all public bodies to have 'due regard' to the need to:**

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
- Advance equality of opportunity between those with 'protected characteristics' and those without them
- Foster good relations between those with 'protected characteristics' and those without them

This Equality Impact Analysis provides evidence for meeting the Council's commitment to equality and the responsibilities outlined above. For more information about the Council's commitment to equality, please visit the Council's [website](#).

## Section 2: Summary of proposal being screened

Describe the proposal including the relevance of proposal to the general equality duties and protected characteristics under the Equality Act 2010

The Code of Construction Practice sets out the Council's expectations around how construction sites are managed. The Code of Construction Practice has been updated to align with latest

legislation, policy and best practice guidelines. There have been two rounds of public consultation to ensure all residents have been given the opportunity to input.

One key focus for this review has been to improve accessibility around construction sites and the Development Coordination Team have been working closely with the Transport for London Accessibility Working Group to ensure best practice street layout practices are adopted and communicated effectively to all residents including those with visual and mobility impairments.

## Section 3: Equality Impact Analysis screening

<p>Is there a risk that the policy, proposal or activity being screened disproportionately adversely impacts (directly or indirectly) on any of the groups of people listed below?</p> <p>Please consider the impact on overall communities, residents, service users and Council employees.</p> <p>This should include people of different:</p>	Yes	No	Comments
<ul style="list-style-type: none"> <li>▪ <b>Sex</b></li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Development construction impacts are likely to have comparable effects for all genders. As such the benefits of better co-ordination of development delivery will be uniformly shared.
<ul style="list-style-type: none"> <li>▪ <b>Age</b></li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Development construction impacts are likely to have comparable effects for all ages. As such the benefits of better co-ordination of development delivery will be uniformly shared.
<ul style="list-style-type: none"> <li>▪ <b>Race</b></li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Development construction impacts are likely to have comparable effects for all races. As such the benefits of better co-ordination of development delivery will be uniformly shared.
<ul style="list-style-type: none"> <li>▪ <b>Religion or Philosophical belief</b></li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Development construction impacts are likely to have comparable effects for all religions and philosophical beliefs. As such the benefits of better co-ordination



			of development delivery will be uniformly shared.
<ul style="list-style-type: none"> <li>▪ <b>Sexual Orientation</b></li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Development construction impacts are likely to have comparable effects for all sexual orientations. As such the benefits of better co-ordination of development delivery will be uniformly shared.
<ul style="list-style-type: none"> <li>▪ <b>Gender re-assignment status</b></li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Development construction impacts are likely to have comparable effects for all genders. As such the benefits of better co-ordination of development delivery will be uniformly shared.
<ul style="list-style-type: none"> <li>▪ People who have a <b>Disability</b> (physical, learning difficulties, mental health and medical conditions)</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Any temporary changes to street layout as a result of construction can have a disproportionate impact on those with mobility impairments. This programme will review the way the Council manages and communicates changes to street layout and this will benefit all residents, but particularly those with mobility impairments.
<ul style="list-style-type: none"> <li>▪ <b>Marriage and Civil Partnerships</b> status</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Development construction impacts are likely to have comparable effects for all marriage and civil partnerships status'. As such the benefits of better co-ordination of development delivery will be uniformly shared.
<ul style="list-style-type: none"> <li>▪ People who are <b>Pregnant</b> and on <b>Maternity</b></li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Development construction impacts are likely to have comparable effects for all who are pregnant or on maternity. As such the benefits of better co-ordination of development delivery will be uniformly shared.
<p>You should also consider:</p> <ul style="list-style-type: none"> <li>▪ <b>Parents and Carers</b></li> <li>▪ <b>Socio-economic</b> status</li> <li>▪ People with different <b>Gender Identities</b> e.g. Gender fluid, Non-binary etc.</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Development construction impacts are likely to have comparable effects for all. As such the benefits of better co-ordination of development delivery will be uniformly shared.

▪ Other			
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If you have answered **Yes** to one or more of the groups of people listed above, **a full Equality Impact Analysis is required**. The only exception to this is if you can 'justify' the discrimination (Section 4).

## Section 4: Justifying discrimination

Are all risks of inequalities identified capable of being justified because there is a:	
(i) <i>Genuine Reason</i> for implementation	<input checked="" type="checkbox"/>
(ii) The activity represents a <i>Proportionate Means</i> of achieving a <i>Legitimate Council Aim</i>	<input type="checkbox"/>
(iii) There is a <i>Genuine Occupational Requirement</i> for the council to implement this activity	<input type="checkbox"/>

## Section 5: Conclusion

Before answering the next question, please note that there are generally only two reasons a full Equality Impact Analysis is not required. These are:

- The policy, activity or proposal is likely to have **no or minimal impact** on the groups listed in section three of this document.
- Any discrimination or disadvantage identified is **capable of being justified** for one or more of the reasons detailed in the previous section of this document.

### Conclusion details

Based on your screening does a full Equality Impact Analysis need to be performed?

Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>

If you have answered **YES** to this question, please complete a full Equality Impact Analysis for the proposal

If you have answered **NO** to this question, please detail your reasons in the 'Comments' box below

## Comments

The screening found that no groups would have any disproportionate adverse impacts (directly or indirectly).

Furthermore, any temporary changes to street layout as a result of construction can have a disproportionate impact on those with mobility impairments. This programme will review and seek to improve the way the Council manages and communicates changes to street layout and this will benefit all residents, but particularly those with mobility impairments.

**CONSULTATION STATEMENT ON THE SECOND PHASE OF CONSULTATION ON THE  
REVISED CODE OF CONSTRUCTION PRACTICE (CoCP)**

**December 2022**

## 1 Introduction

1.1 Tower Hamlets is one of the fastest growing boroughs in the country as well as one of the most rapidly-expanding areas in Europe. It is currently the most densely-populated Inner London borough. Population growth is expected to continue, with a further projected increase in households of around 30% by 2030. This growth is accompanied by a high level of development-related construction, with new homes, commercial space and services needed to support our increasing population.

1.2 While new development can bring many benefits to communities, it can also be extremely disruptive. The social and environmental impacts can include worsening road congestion, pedestrian and cyclist safety concerns and an increase in noise and carbon emissions throughout active stages of construction. This is particularly pronounced in high-growth areas within the borough, where multiple construction sites may simultaneously operate within a condensed neighbourhood. In recognition of these challenges the Council has established a Development Coordination Team whose focus is to seek long term strategic solutions that address the improved coordination of cumulative construction activity across the borough.

1.3 The Development Coordination Team was setup in Q4 2020 in order to gauge an understanding of the real-time challenges with construction from a resident's perspective and respond to these challenges. The teams work looks critically at the developer's role in construction alongside the council's roles in facilitating, requiring, monitoring, and enforcing good practice. Through clear high-quality guidance and working with developers, we hope to avoid many issues from occurring and reduce the need for residents to complain and the council to enforce against issues.

1.4 A key initial project for the team is to review and revise, where necessary, the Council's Code of Construction Practice (CoCP), establishing a robust starting point for managing good construction. The current guidance was published in 2006.

1.5 The CoCP is a guidance document that draws on the strategic London Plan and [Tower Hamlets Local Plan 2031](#) policies that support construction phase activities. It seeks to encourage best practice from all development related stakeholders by setting minimum standards for construction operations that seek to minimise disruption to the lives of residents and businesses in the surrounding area. Once formally adopted this guidance will be attached to all newly approved developments and the Council will expect adherence to the guidance laid out within.

1.6 The Council has implemented a two-phase public consultation for the CoCP. The first phase took place from 14<sup>th</sup> January to 25<sup>th</sup> February 2022. After extensive evaluation of the Phase 1 consultation feedback, the feedback received, where relevant, was used to edit and amend the second draft of the Code, prior to Phase 2 of the consultation which took place between 24<sup>th</sup> October 2022 and 2<sup>nd</sup> December 2022.

1.7 Formal adoption of the CoCP is expected in Q1 2023. All newly approved development is expected to adhere to the guidance stipulated in the CoCP after this adoption date.

1.8 This statement summarises the process and findings of Stage 2 of the CoCP public consultation.

## **2 Consultation methods**

2.1 The Council undertook a range of consultation activities to maximise the range of opinions garnered. Phase 2 of the CoCP consultation sought the views of the public and development professionals on the revisions made to the CoCP following the Phase 1 consultation, relative to its ease of comprehension and best practice processes.

## **3 Consultation events**

3.1 During the consultation period, the Development Coordination team held the following:

- Three online Webinars for the public
- Three in-person drop-in events at three separate locations around the borough: Whitechapel and Chris Street Idea Stores and the Alpha Grove Community Centre, E14.
- Two online workshops for construction professionals.

3.2 Each of the in-person and online events (for both public and professionals) ran for 2 hours and featured a 30-minute webinar presentation explaining the Development Coordination Pilot and the content of each chapter of the revised CoCP and any revisions that had been made following Phase 1 of the consultation. This was followed by an open Q&A with DC Officers. Stakeholders were able to query elements of the CoCP as well as discuss in detail experiences of construction related issues in their respective neighbourhoods. While the open public events had low attendance, those held for professionals, were productive in terms of both attendance and discussion, leading to a range of detailed feedback being offered on many parts of the draft Code.

3.3 Two questionnaires were made available via the [online Let's Talk engagement webpage](#): a public-focussed one and another aimed at construction professionals, both of which invited comments on the effectiveness of the new draft CoCP and suggestions for ways it could be improved. These surveys were a mix of qualitative and quantitative questions to elicit engagement, with optional questions for each part of the CoCP enabling respondents to answer questions on areas directly concerning them.

3.4 During the 6-week consultation period, the council received 212 visits to the dedicated Let's Talk engagement webpage, of which 49 are categorised as 'informed' (i.e. the visitors carried out engaged actions). This includes 29 downloads of the new draft Code of Construction Practice, 24 downloads of the short code summary and 6 downloads of the new accompanying Construction Management Plan template (however, this document was not being consulted upon).

3.5 The Professionals Questionnaire was completed 4 times, whilst the Public Questionnaire was completed 6 times.

## **4 Other communications**

4.1 **Email** communications were sent to local residents, community organisations, housing providers, residents associations, members of the Marsh Wall Construction Forum (MWCF) and other construction professionals who work within Tower Hamlets.

4.2 **Twitter/Facebook** Updates on the LBTH official Twitter and Facebook pages were posted twice a week informing people of the date, time and location of the in-person drop-in sessions as well as the public webinars.

**4.3** **Hard copies** of the CoCP were provided at 8 libraries and Ideas Stores for viewing.

## **5 Feedback mechanisms**

5.1 Feedback and comments during the consultation were collected via the following methods:

- Online via the Council’s Let’s Talk pages
- Online drop-ins, workshops and webinars
- Face to face drop-ins
- By email [development.coordination@towerhamlets.gov.uk](mailto:development.coordination@towerhamlets.gov.uk) (\*no comments were received via email)
- By post to Development Coordination Team, Tower Hamlets Town Hall, Mulberry Place, Clove Crescent, London, E14 2BG (\* no comments were received by post)

5.2 Summary of findings from feedback: the number of responses giving feedback has been quite small - overall, the Council received 10 completed questionnaire responses and detailed feedback from 5 online events and 3 in-person events.

5.3 Quantitative data: The two questionnaires contained two optional quantitative questions for the respondents’ views on each of the 15 sections of the Code, one for clarity/comprehensibility and one for efficacy. Each of these had a single 5-option radio button response, which corresponded to a 5-point Likert scale, with 1 being the most positive and 5 being the least positive response. Within the data from these answers, the median average for all Likert responses for completed questions in both the public questionnaire and the professionals’ questionnaire was 2, which correlates to “somewhat clear”.

5.4 Overall, both the public and the professional responses showed a reasonably high level of satisfaction with the revisions to the CoCP, notwithstanding some specific points regarding clarity in each survey’s collated responses. The Development Coordination team consider this to be a good level of acceptance.

5.5 Qualitative data: The qualitative data (including the longform responses to the questionnaires) was assessed by topic in relation to the structure of the CoCP, and the occurrence of each topic noted; this was captured via thematic breakdown and has been compiled into a table recording 57 distinct points of input (see table below).

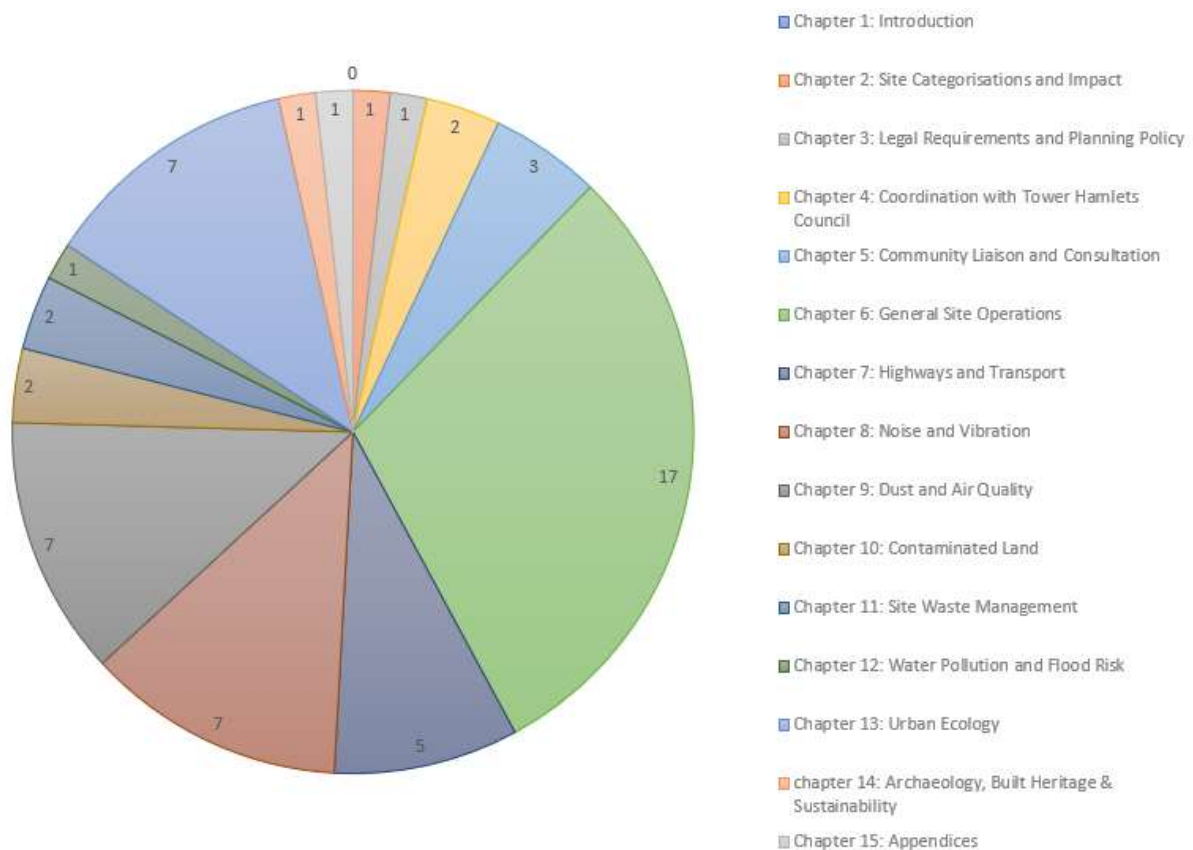
CoCP Chapter	No. of issues raised
Chapter 1/Intro	0
Chapter 2/Site Categorisation	1
Chapter 3/Legal & Policy	1
Chapter 4/Council Communication	2
Chapter 5/Public Communication	3
Chapter 6/General Site Operations	17
Chapter 7/Highways & Transport	5
Chapter 8/Noise & Vibration	7
Chapter 9/Dust & Air Quality	7
Chapter 10/Contaminated Land	2
Chapter 11/Site Waste Management	2



Chapter 12/Water Pollution & Flood Risk	1
Chapter 13/Urban Ecology	7
Chapter 14/Archaeology, Built Heritage & Sustainability	1
Chapter 15/Appendices	1
Total	57

5.6 This table has also been presented as a pie chart at 5.7 below. The longform feedback has been broken down into individual responses on matters related to particular sections of the code. Some longform data contained multiple points of interest in single comments. A few longform comments were potentially duplicated by participants.

5.7 The qualitative responses in relation to each part of the CoCP are recorded in the following pie chart:



## 6 Overview of Responses to consultation

6.1 The paragraphs below summarise the substantive feedback received via the questionnaires, webinars, and drop-in sessions. This is followed by an extensive table of written responses received during the consultation period, and the Council’s response to the comments.

6.2 **Public Questionnaire:** An overview of the quantitative feedback by section for the public questionnaire found that whilst the public are supportive of the amendments to the current CoCP, which was published in 2007, they are concerned about how its requirements will be enforced, if and when, sections are not being adhered to.

**6.3 Professionals Questionnaire:** This found a broadly general level of satisfaction overall with the second draft of the CoCP, with the main source of concern surrounding the proposed hours of operation and there being no working on a Saturday without prior consent from LBTH. Whilst this section has undergone a review and adjustments made to the chapter since the first consultation, the construction professionals have stated that they would like further clarification about how much notice needs to be given of an intention to work on a Saturday, especially given when events occur outside of their control which may necessitate this (adverse weather conditions, road closures etc) which may delay site operations and require the need to work on a Saturday.

6.4 Cumulative assessment of the quantitative data across all questionnaires has found that respondents are largely satisfied with the additions and amendments made to the CoCP itself, notwithstanding a few specific concerns which correlate directly to the areas where the most quantitative feedback was received.

6.5 While local residents of course dislike the disruptions associated with construction and demolition works, the impacts of those disruptions are felt more strongly when they are not communicated at an early stage, and when there are insufficient avenues for complaints to be made and responded to in a timely manner. This points to a key area where the draft CoCP could greatly improve matters with relatively little intervention, by providing clearer guidelines about developer expectations around communication with the public.

6.6 Overall, there was a light to intermediate level of interest in the CoCP itself, stronger interest in the ways the Council will manage coordination of activities described within the CoCP, (with a strong desire from the public to see active monitoring and oversight from all relevant Council teams), and some key areas of the CoCP where sufficient detailed feedback was received to facilitate further work.

7 Table of substantive issues raised during Phase 2 of the consultation:

CoCP Chapter	Feedback: Residents	Feedback: Professionals
1. Introduction		
2. Site Categorisations and Impact	None	Would be useful to have the weblinks when reading online, so relevant links can be opened in a new tab as opposed to moving from the page you are reading. At present when you press 'back' to go back to the document it brings you to page 1 of the CoCP.
3. Legal Requirements and Planning Policy	None	Links to the policies listed would be useful.
4. Coordination with Tower Hamlets Council	None	Would like to join any developer/LBTH forums that are setup.
		Coordination is key when planning the works, we have often looked at utility connections/disconnections with a view to trying to get them all to carry out their works within the same traffic management set up where possible. Councils need to be more aware of the nature of connections works taking place and work with the developer and the utility providers.
5. Community Liaison and Consultation	<p>LBTH should enforce when complaints are made.</p> <p>No buildings should be higher than buildings already in area.</p> <p>More community interaction is needed. The building on the Violet Road has been unsafe for locals for months with no community interaction to enable residents to raise concerns.</p>	Often find that residents tend not to read the relevant resources provided (ie site hoardings)

6. General Site Operations	When complaints are made about breaches on site, LBTH do not seem to enforce.	The revised draft of the CoCP does not state the current standard working hours - only the new ones.
		The change of restricting any works on Saturdays will inevitably add to programme duration and thus the duration of overall impact on residents of the project. High impact activities will also be prolonged.
		Definition of "construction vehicle movements" needs to be clearer. Size of vehicles need to be considered as small delivery vans should not be restricted if these can be accommodated on site.
		Saturday working is often required to catch up on the programme. For example you could be faced with adverse weather on a certain week day which impacts progress and often Saturday would be seen as a catch up day. The main question with implementing this rule is how much notice one would have to give the council in order to achieve the necessary consent?
		With regards to the High Impact activities, clarification is needed as to wheter piling is in reference to sheet piling and/or CFA Piling?
		Excavation should not be classes as high impact works but as every project is different it would depend on ground conditions, if you were breaking out concrete or rock for example then that would be high impact however digging out London Clay or sandy/gravel ground would not be high impact.
		Demolition works should be classed as high impact.
		Looking at the list of classifications, where cutting using power tools, the use of impact fasteners, loading of heavy machinery, why are these are all classed as high impact? These are essential processes in day to day construction. To limit these activities to just 5.5 hours a day results in half a days work in most contracting organisations which could result in doubling the duration of the programme of works.
		Construction vehicle movements being restricted to 09:30 to 15:00/16:30 - whilst it is appreciated why this would be considered, planning construction logistics can be challenging enough with the nature of the road networks and forces of nature beyond developers control, who cannot account for accidents or incidents causing delays to the road network. There could and often can be issues with concrete batching plants where they could have a breakdown in the plant which would have a cumulative effect on all sites requiring concrete that day.
		There will be days where cranes get winded off, there will also be days where it is nice and calm up until 09:30 and then the wind picks up and developers will have missed a window of opportunity. There could be anti-climate protestors gluing themselves to roads and bridges resulting in delays.

		With regards to providing justification in writing to work on a Saturday - this would have to be on the day based on events of that day, Would dynamic reporting be acceptable in these instances?
		Saturday working is often required to catch up on the programme. For example you could be faced with adverse weather on a certain week day which impacts progress and often Saturday would be seen as a catch up day. The main question with implementing this rule is how much notice one would have to give the council in order to achieve the necessary consent?
		Often in London it takes vehicle an hour to get anywhere. Every single development project is different and developers have to deal with the 'here and now; all of the time. Proximity to batching plants or tips is a main factor as is the volume of traffic to and from each destination. Sites will not know the intricacy of it all until they are fully up and running, until then they have to make assumptions.
		With regard to modular construction methods the restriction to construction vehicle movements looks to be limiting. Adhering to the permitted hours of operation within the draft CoCP would result in an increase in the number of days needed to install modular units.
		Whilst developers endeavour to do their best to comply with the rules and regulations they are working in a sensitive area (LBTH) and the benefit of modular construction is that it is quicker and quieter than some traditional methods of construction - however if the hours are cut back due to restrictions on delivery times then this method of construction may not be suited to LBTH.

7. Highways and Transport	No enforcement carried out by LBTH when breaches are reported.	It is often the case that the S278 works can drag out, more transparency would be appreciated in the planning and execution of these works particularly if they are to be carried out by the councils nominated contractor.  It would be useful to sort the S278 plan out early in the contract so that plans are in place in time for the actual works to take place. Often external works are the last thing to come to fruition however they can have an impact on practical completion so having plans in place in good time should aid the process.
	Bellamy Close should be made a way-way street before any works commence on site	
	Roads should be repaired more often	
8. Noise and Vibration	LBTH appear to let everybody work on Saturdays	No advice on fees or charges. What is a Pre-CoCP agreement?
	The CoCP should state that there is to be no engine idling - contractors need to be better informed and made to turn engines off.	Page 65 states refer to 3.3 to 3.10 above - should this read 8.3 to 8.10?
	Should be more police control of noise.	By applying for a Section 61 Prior Consent, does this mean that there is an agreement in place whereby if a situation arose during the week which meant that work had to take place on the forthcoming Saturday, the developer would only have to give LBTH 24 hours notice to activate the agreement?
	Residents often woken up by noise late at night from sites.	
	Sites not adhering to current noise and vibration level limits all over LBTH.	
9. Dust and Air Quality	There should be less high rise developments (15 storeys max. is sufficient), less strain on local infrastructure and less traffic. Currently no real visible monitoring by LBTH. Development often blocks out light to other buildings. Dust and pollution from sites gets into peoples homes. More robust enforcement needed as dust is a problem around E14. Dust and pollution result in peoples windows often being filthy. Need to be tougher on builders not having dust / debris management plans in place.	None
10. Contaminated Land	The smells from sites can cause severe headaches and nausea and these complaints are not taken seriously by LBTH.	Would be useful if links opened within a new tab
11. Site Waste Management	Site waste can be changed to green energy. People working on sites must stop dumping their personal rubbish onto residential streets.	None
12. Water Pollution and Flood Risk	Better drainage and more control of waste water.	None

13. Urban Ecology	The CoCP should state that there is to be no engine idling - contractors need to be better informed and made to turn engines off.	Whilst it is a very onerous document, it is useful to have the links.
	No consideration for the appearance of an area. Ongoing construction work will have a detrimental impact upon the Cemetery Park in Mile End and will ruin the village feel to Bow Common Lane.	13:17 should state "... (such as trees, shrubs, tall herbaceous vegetation, and existing buildings)..." Reason: in an urban borough like Tower Hamlets, the majority of red-listed birds (e.g. house sparrows, starlings, and swifts) will be nesting in buildings, but this is not currently acknowledged in this chapter.
	Local MP's do not support local residents with opposing proposed schemes.	13.13 should state: "- These could include timing of works, protection of parts of the site or existing buildings,..." Bats, a protected species, will be potentially roosting in buildings. This could also state perhaps as a 2nd sentence for additional clarity: "Existing buildings may also host wildlife."
14. Archaeology, Built Heritage & Sustainability	<u>None</u>	Very useful to have the information should it become necessary.
15. Appendices		All very useful information to have, good to have the links too and as stated previously it would be better if they opened in a new tab. The document is onerous and 128 pages is rather daunting however it is appreciated that not all sections are relevant all of the time and good to know the information is there should it be required.

## 8 Key findings from Phase 2 of the consultation summarised

8.1 Despite hosting a number of online and in-person events, emailing a wide range of housing, residents and other relevant groups within the borough, and the regular use of the Council's own social media platforms to inform people about upcoming consultation events, the sample size for this consultation has been relatively small. Nevertheless, a reasonable amount of data upon which to proceed with final amendments to the CoCP was received.

The feedback received ranged from providing further clarification to certain chapters within the CoCP, to matters outside the Code (such as planning policy). The overall response, particularly from construction professionals, has been positive for the second draft of the Code.

Since the last CoCP was published in 2006, the need for revisions has been established, particularly with regard to updates in 'best practice' and new or amended legislation. The DC team will review the feedback received and make any amendments, where considered relevant and necessary, to the code.

It is anticipated that the final version of the code will be adopted Q1 2023

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