TOWER HAMLETS

London Borough of Tower Hamlets **Code of Construction Practice**

April 2023


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CANARY WHARF STATION

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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PICK UP YOUR LITTER OR WE PICK UP THE BILL

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.

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

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.

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

- 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
Strategic	– 100+ residential units – 10,000 square metres – Sites exceeding 10 hectares – Above 30m in height – 200 or more car parking spaces	– Duration of the works overall – Phasing over multiple years – Duration of noisy works – Working methods, site activities – Choices of plant machinery	– Shared party wall – Site within a largely residential area – Two or more Strategic or Major category sites within 100 metres of each other – Existing ambient noise levels are low: site away from trunk routes main roads, railways and other noise sources – Site adjoins a school, hospital, care home or similar sensitive site
Major	– 10 or more residential units, or a residential site area of more than 0.5 hectares – 1,000 square metres of non-residential floorspace, or a non-residential site area of more than 1 hectare – Includes changes of use where the above apply		
Minor	– Non-major development – Less than 10 residential units – Less than 1000 square metres of new floor space – Sites of less than 1 hectare – Householder development – Includes changes of use where the above apply – Telecommunications apparatus that is not permitted development		
Basement	– Works not part of a Strategic or Major development that involve construction of a new or extended basement		

Table 2 Summary of submission requirements relative to categorisation

Topic	Site Categorisations			
	Strategic	Major	Minor	Basements
Submit a **Site Environmental Management Plan (SEMP)**	✓	✓		✓
Submit a **Construction Management Plan (CMP)**	✓	✓		✓
Community Liaison (Ch 5)				
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)	✓	✓		
General (Ch 6 + Appendix E & F)				
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	✓	✓	✓	✓
Waste Management (Ch 11)				
33. Arrangement for storage and disposal Reuse of construction material	✓	✓	✓	✓
34. Sustainable Waste Management Plan	✓	✓	✓ *	✓ *
Other issues which may be applicable to specific sites				
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

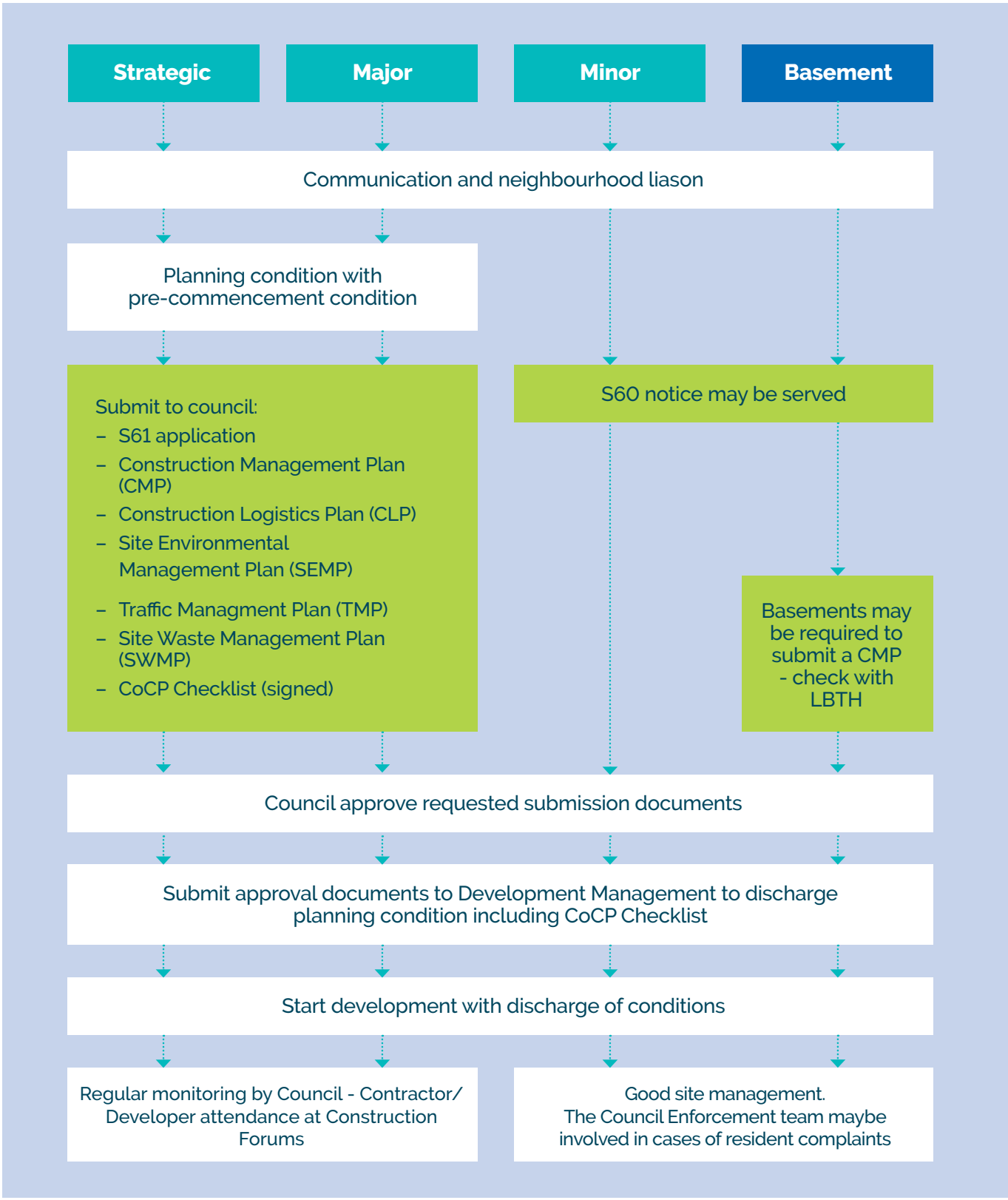
✓ = may be required (check with LBTH)

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.



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


TRUMAN
CCTV
IN OPERATION
041
EXIT
EXIT
MINI
CAB
MINI
CAB
020 7247 7779
OCEANIC
LEATHERWEAR
Brick Lane
BOOK
SHOP
ELATE
KEEN
FUEL

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

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

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

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

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.

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
Post Planning Approval (Site Mobilisation)				
1. Communicate key project information to neighbours: – Project timeframe (start and end dates) – The nature of the project – The hours of work – Principal stages of the project (demolition, ground works, construction) – All operations that have potential to disturb (noise/vibration), including their start/end dates – Noise 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	✓	✓	✓	✓
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	✓	✓		✓
Demolition and key Construction Phases (see App. E)				
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)	✓	✓		
Phased Completion & Early Occupation				
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	✓	✓	✓	✓


HOUSING
DRW

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

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 Chapter 8 paragraphs 8.15-18).

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

Contact: 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

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:

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, Tenporary Road Closures and Highways Licence Guidance

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

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.

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
Construction works adjacent to the Public Highway	A structure over or supporting the local authority's adopted Public Highway with a clear span or internal diameter greater than 0.9m Examples: – bridge – buried structure – subway – underpass – culvert – earth-retaining structures where the effective retained height (level of fill at the back of the structure) is greater than 1.5m, including: – noise barriers – loading platforms – building hoists – sewer heading works	A CG 300 Technical Approval submission is required CG300 approval must be received before construction commences
Construction over the Public Highway	Any structure or part of a structure which overhangs the Public Highway Examples: – tower crane – balcony – shop sign – beams – rails	A CG 300 Technical Approval submission is required. CG300 approval must be received before any Section 177 'oversail licence' on any consent to oversailing building structures will be issued. Section 177 of the Highways Act 1980 Section 178 of the Highways Act 1980

Construction under the Public Highway	Any structure or part of a structure which will go under the Public Highway Examples: – arches – basements – cellars – vaults – pavement lights – ventilators	A CG 300 Technical Approval submission is required CG300 approval must be received before any Section 177 'oversail licence' on any consent to oversailing building structures will be issued Section 179 of the Highways Act 1980
Scaffolding projecting onto the Public Highway	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	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 Section 169 of the Highways Act 1980

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**

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.

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

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

– 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 – Ramps (1 in 20 gradient) are required at junctions of footways and carriageways. The base of the ramp must be flush with the carriageway.	– 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 – 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
– Temporary ramps must be surfaced with non-slip materials to the satisfaction of LBTH – So far as is reasonably practicable all footways and carriageways must be kept clear of mud and loose materials from works – 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.	– All pedestrian routes diverted onto the carriageway will be defined by continuous barriers – Clear signage is also required for any diversion of cycle routes around the site – Headroom clearance over footways will be a minimum of 2300 mm, with 2500 mm to the soffit provided wherever possible

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- 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

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 Contractors 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

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 pproval 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.

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

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

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 Vibzration 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

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

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

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

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 e 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.

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).

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**

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

– A **stakeholder communications plan** must be developed (with the community) and implemented prior to work commencing on site	– 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
– Display the name and contact details of person(s) accountable for air quality pollutant emissions and dust issues on the site boundary	– 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
– Display the head or regional office contact information	
– Record (in a complaint log) and respond to all dust and air quality pollutant emissions complaints	– Hold regular liaison meetings with other high-risk construction sites within **500m of the site boundary**, to ensure plans are coordinated and dust and particulate matter emissions are minimised
– A **complaint log** must be made available to the local authority when required	
Develop a Dust Management Plan	– 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
– 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	
– 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	– 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
– Monitor regularly site compliance with air quality and dust control procedures, record inspection	– Where necessary due to dust escape/ contamination, the Contractor shall offer to have

results, and make an inspection log available to the local authority when asked	neighbours' properties and cars cleaned at regular intervals
– 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	– 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

Table 8b: Preparing and maintaining the site

– Plan site layout: machinery and dust-generating activities should be located away from receptors, particularly schools, hospitals, and homes	– Cover, seed, or fence stockpiles to prevent wind whipping
– Erect solid screens or barriers around dust-generating activities or the site boundary that are at least as high as any stockpiles on site	– Carry out regular dust soiling checks of buildings within 100m of site boundary and cleaning to be provided if necessary
– Fully enclose site or specific operations where there is a high potential for dust production and the site is active for an extensive period	– Provide showers and ensure a change of shoes and clothes are required before going off-site to reduce transport of dust
– Install green walls, screens, or other green infrastructure to minimise the impact of dust and pollution	– Agree monitoring locations with the Local Authority
	– Where possible, commence baseline monitoring at least three months before phase begins
– Avoid site runoff of water or mud	– Put in place real-time dust and air quality pollutant monitors across the site and ensure they are checked regularly
– Keep site fencing, barriers and scaffolding clean using wet methods	
– Remove materials from site as soon as possible	

Table 8c: Operations

– 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	– Use enclosed chutes, conveyors, and covered skips
	– Minimise drop heights from conveyors, loading shovels, hoppers and other loading or handling equipment and use fine water sprays on such equipment wherever appropriate
– Ensure an adequate water supply on the site for effective dust/particulate matter mitigation (using recycled water where possible)	– 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

Table 8d: Vehicle emissions

– Ensure all vehicles switch off engines when stationary; a no idling policy for all site vehicles is required to be implemented	– A wheel-washing system should be implemented for all construction vehicles where applicable
– 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	– All vehicles entering or exiting the site must be securely covered to prevent the escape of material during transport
– Combustion-based equipment must, where practicable, be replaced with electric/battery/ low-emission technology equipment	– 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
– Impose and signpost a maximum speed-limit of **10mph** on surfaced haul routes and work areas. If long haul routes are required, the speed may be increased with suitable	– Ensure all road vehicles comply with the requirements of the London Low Emission Zone (LEZ) and Ultra Low Emission Zone (ULEZ)
– Submit a **Construction Logistics Plan (CLP)** to manage the sustainable delivery of goods and materials	– LBTH strongly encourages developers to use non-petrol and non-diesel vehicles and NRMM at the construction site (deliveries including). For instance, **electric and hybrid solutions** should be considered.
– Implement a **Travel Plan** that supports and encourages sustainable travel (public transport, cycling, walking, and car-sharing)	

Table 8e: NRMM (Non-Road Mobile Machinery)

– 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)	– Noise sensitive receptors (see 8.27 above) must be, wherever possible, protected from NRMM noise generation by location away from their boundaries
– 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 http://nrmm.london	– 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)
Contact the following for any further information: **Environmental.Protection@towerhamlets.gov.uk**	

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.

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

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,

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.

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%).**

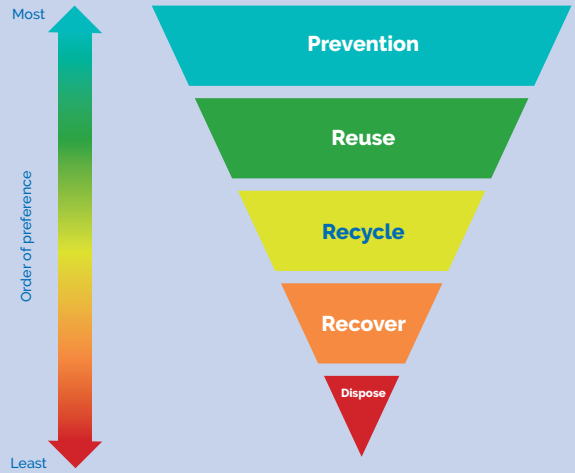
11.2 Tower Hamlets already has the third-highest carbon emission levels in London and suffers from poor air quality as a result of congestion. Increasing development can worsen both, unless mitigating action is taken. Parts of the borough, particularly around major roads and junctions, have some of the 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 Waste 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.

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

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 laidout 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

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)

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.

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 contactor 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

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:**

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.

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.

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 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

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 accidently 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.

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

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

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

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

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

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

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**.

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:

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

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	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: – 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. – Confirmation that development (including site preparation works) will not commence on site until all relevant documents have been approved by the Council in writing. – Agreement to pay any fees set out in the Council's Non-Statutory Fees & Charges for Building Control, Land Charges and Planning as enabled under Section 93 of the Local Government Act 2003 (or any other relevant legislation).
Contractor	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.
The council, the borough, LBTH, the local planning authority	The London Borough of Tower Hamlets (LBTH)
Developer	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.

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	**Online**
Report a breach of Planning Approval	Planning Enforcement	PlanningEnforcement@towerhamlets.gov.uk	**Online**
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	**Online**
Report a Street Problem	Streets	Report a street problem	**Online**
Report a problem on the public highway	Highways Enforcement	highwaysenforcement@towerhamlets.gov.uk	**Online**
Request licence for temporary structure on highway	Highways	Apply online for a Highways Licence	**Online**
Request Temporary Road Closure	Highways	streetworks@towerhamlets.gov.uk	**Online**
Request Highway Licences	Highways	streetworks@towerhamlets.gov.uk	**Online**
Queries concerning roads, pavements, road closures, site deliveries	Highways	highways.development@towerhamlets.gov.uk	**Online**
Noise and dust, air quality issues, site-related waste or pollution	Environmental Protection	Environmental.Protection@towerhamlets.gov.uk Noise Map	**Online**

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) CG 300 Technical Approval	Streetworks Highways Asset Group (Structures)	streetworks@towerhamlets.gov.uk Highwaysassetscocp@towerhamlets.gov.uk	**Online**
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	**Online**
Support for developments seeking utility connection advice	Utility Coordination Service	infrastructure.planning@towerhamlets.gov.uk	**Online**
Flood risk management	Environment & Waste	See Tower Hamlets webpages	**Online**
Checking for Utilities Works in your area	External Online Platforms	https://one.network/uk London's Register of Roadworks by Transport for London (londonworks.gov.uk)	**Online**
Hazardous Waste	Environment & Waste	See Tower Hamlets webpages	**Online**
Council-owned non-residential land	Asset Management	asset.management@towerhamlets.gov.uk Tel: 020 7364 4084	**Online**
Enterprise Support Enquiries	Business Growth Team	business.support@towerhamlets.gov.uk	**Online**

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	https://historicengland.org.uk/ https://historicengland.org.uk/services-skills/our-planning-services/greater-london-archaeology-advisory-service/contact/
London Fire and Emergency Planning Authority (LFEPA) Metropolitan Police - Abnormal Loads Unit		Tel: 020 8555 1200 (Mon-Fri 8.00-17.00 hrs) https://www.london-fire.gov.uk/contact-us/ Office - 0203 054 2146 Ext: (82146) Abloads Email: abloads@met.police.uk Web: http://content.met.police.uk/Site/traffic
Museum of London Archaeology (MOLA)	Archaeological enquiries	Tel: 020 7410 2200 https://www.mola.org.uk/ enquiries@mola.org.uk London office tel: 0300 060 3900
Natural England	Protection and restoration of natural environment	https://www.gov.uk/government/organisations/natural-england

Port of London Authority	Navigation and Environmental issues London River House, Royal Pier Road, Gravesend, Kent, DA12 2BG	Tel: +44 (0)1474 562200 http://www.pla.co.uk/Contact-Us
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: trade.effluent@thameswater.co.uk
Transport for London		https://tfl.gov.uk/help-and-contact/

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)

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

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
- 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.

2.3 Section 171 Licence - Any person, other than a Statutory Undertaker, wishing 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.

Table 9: Licence Applications (timeframes for approval)

Licence required	Application method	Expected processing time	Applicable Charge
Hoarding and Scaffold licence	**Customer reference management system**	30 days	Yes
Temporary Traffic Regulation Order (TTRO)	**Customer reference management system**	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 t he 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

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

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. Gantries 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.

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

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

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

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**.

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.

TOWER HAMLETS