

**CONSULTATION STATEMENT ON THE SECOND PHASE OF CONSULTATION ON THE
REVISED CODE OF CONSTRUCTION PRACTICE (CoCP)**

December 2022

1 Introduction

1.1 Tower Hamlets is one of the fastest growing boroughs in the country as well as one of the most rapidly-expanding areas in Europe. It is currently the most densely-populated Inner London borough. Population growth is expected to continue, with a further projected increase in households of around 30% by 2030. This growth is accompanied by a high level of development-related construction, with new homes, commercial space and services needed to support our increasing population.

1.2 While new development can bring many benefits to communities, it can also be extremely disruptive. The social and environmental impacts can include worsening road congestion, pedestrian and cyclist safety concerns and an increase in noise and carbon emissions throughout active stages of construction. This is particularly pronounced in high-growth areas within the borough, where multiple construction sites may simultaneously operate within a condensed neighbourhood. In recognition of these challenges the Council has established a Development Coordination Team whose focus is to seek long term strategic solutions that address the improved coordination of cumulative construction activity across the borough.

1.3 The Development Coordination Team was setup in Q4 2020 in order to gauge an understanding of the real-time challenges with construction from a resident's perspective and respond to these challenges. The teams work looks critically at the developer's role in construction alongside the council's roles in facilitating, requiring, monitoring, and enforcing good practice. Through clear high-quality guidance and working with developers, we hope to avoid many issues from occurring and reduce the need for residents to complain and the council to enforce against issues.

1.4 A key initial project for the team is to review and revise, where necessary, the Council's Code of Construction Practice (CoCP), establishing a robust starting point for managing good construction. The current guidance was published in 2006.

1.5 The CoCP is a guidance document that draws on the strategic London Plan and [Tower Hamlets Local Plan 2031](#) policies that support construction phase activities. It seeks to encourage best practice from all development related stakeholders by setting minimum standards for construction operations that seek to minimise disruption to the lives of residents and businesses in the surrounding area. Once formally adopted this guidance will be attached to all newly approved developments and the Council will expect adherence to the guidance laid out within.

1.6 The Council has implemented a two-phase public consultation for the CoCP. The first phase took place from 14th January to 25th February 2022. After extensive evaluation of the Phase 1 consultation feedback, the feedback received, where relevant, was used to edit and amend the second draft of the Code, prior to Phase 2 of the consultation which took place between 24th October 2022 and 2nd December 2022.

1.7 Formal adoption of the CoCP is expected in Q1 2023. All newly approved development is expected to adhere to the guidance stipulated in the CoCP after this adoption date.

1.8 This statement summarises the process and findings of Stage 2 of the CoCP public consultation.

2 Consultation methods

2.1 The Council undertook a range of consultation activities to maximise the range of opinions garnered. Phase 2 of the CoCP consultation sought the views of the public and development professionals on the revisions made to the to the CoCP following the Phase 1 consultation, relative to its ease of comprehension and best practice processes.

3 Consultation events

3.1 During the consultation period, the Development Coordination team held the following:

- Three online Webinars for the public
- Three in-person drop-in events at three separate locations around the borough: Whitechapel and Chris Street Idea Stores and the Alpha Grove Community Centre, E14.
- Two online workshops for construction professionals.

3.2 Each of the in-person and online events (for both public and professionals) ran for 2 hours and featured a 30-minute webinar presentation explaining the Development Coordination Pilot and the content of each chapter of the revised CoCP and any revisions that had been made following Phase 1 of the consultation. This was followed by an open Q&A with DC Officers. Stakeholders were able to query elements of the CoCP as well as discuss in detail experiences of construction related issues in their respective neighbourhoods. While the open public events had low attendance, those held for professionals, were productive in terms of both attendance and discussion, leading to a range of detailed feedback being offered on many parts of the draft Code.

3.3 Two questionnaires were made available via the [online Let's Talk engagement webpage](#): a public-focussed one and another aimed at construction professionals, both of which invited comments on the effectiveness of the new draft CoCP and suggestions for ways it could be improved. These surveys were a mix of qualitative and quantitative questions to elicit engagement, with optional questions for each part of the CoCP enabling respondents to answer questions on areas directly concerning them.

3.4 During the 6-week consultation period, the council received 212 visits to the dedicated Let's Talk engagement webpage, of which 49 are categorised as 'informed' (i.e. the visitors carried out engaged actions). This includes 29 downloads of the new draft Code of Construction Practice, 24 downloads of the short code summary and 6 downloads of the new accompanying Construction Management Plan template (however, this document was not being consulted upon).

3.5 The Professionals Questionnaire was completed 4 times, whilst the Public Questionnaire was completed 6 times.

4 Other communications

4.1 **Email** communications were sent to local residents, community organisations, housing providers, residents associations, members of the Marsh Wall Construction Forum (MWCF) and other construction professionals who work within Tower Hamlets.

4.2 **Twitter/Facebook** Updates on the LBTH official Twitter and Facebook pages were posted twice a week informing people of the date, time and location of the in-person drop-in sessions as well as the public webinars.

4.3 **Hard copies** of the CoCP were provided at 8 libraries and Ideas Stores for viewing.

5 Feedback mechanisms

5.1 Feedback and comments during the consultation were collected via the following methods:

- Online via the Council’s Let’s Talk pages
- Online drop-ins, workshops and webinars
- Face to face drop-ins
- By email development.coordination@towerhamlets.gov.uk (*no comments were received via email)
- By post to Development Coordination Team, Tower Hamlets Town Hall, Mulberry Place, Clove Crescent, London, E14 2BG (* no comments were received by post)

5.2 Summary of findings from feedback: the number of responses giving feedback has been quite small - overall, the Council received 10 completed questionnaire responses and detailed feedback from 5 online events and 3 in-person events.

5.3 Quantitative data: The two questionnaires contained two optional quantitative questions for the respondents’ views on each of the 15 sections of the Code, one for clarity/comprehensibility and one for efficacy. Each of these had a single 5-option radio button response, which corresponded to a 5-point Likert scale, with 1 being the most positive and 5 being the least positive response. Within the data from these answers, the median average for all Likert responses for completed questions in both the public questionnaire and the professionals’ questionnaire was 2, which correlates to “somewhat clear”.

5.4 Overall, both the public and the professional responses showed a reasonably high level of satisfaction with the revisions to the CoCP, notwithstanding some specific points regarding clarity in each survey’s collated responses. The Development Coordination team consider this to be a good level of acceptance.

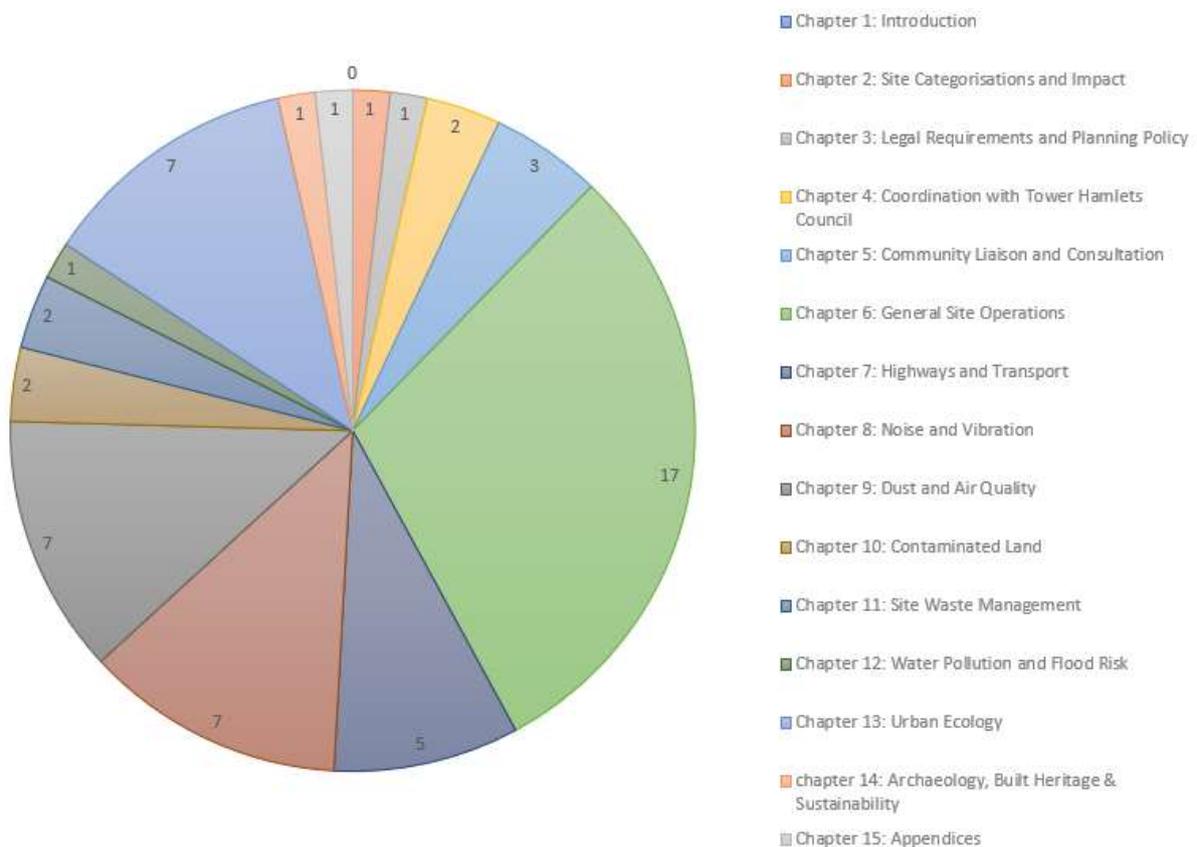
5.5 Qualitative data: The qualitative data (including the longform responses to the questionnaires) was assessed by topic in relation to the structure of the CoCP, and the occurrence of each topic noted; this was captured via thematic breakdown and has been compiled into a table recording 57 distinct points of input (see table below).

CoCP Chapter	No. of issues raised
Chapter 1/Intro	0
Chapter 2/Site Categorisation	1
Chapter 3/Legal & Policy	1
Chapter 4/Council Communication	2
Chapter 5/Public Communication	3
Chapter 6/General Site Operations	17
Chapter 7/Highways & Transport	5
Chapter 8/Noise & Vibration	7
Chapter 9/Dust & Air Quality	7
Chapter 10/Contaminated Land	2
Chapter 11/Site Waste Management	2

Chapter 12/Water Pollution & Flood Risk	1
Chapter 13/Urban Ecology	7
Chapter 14/Archaeology, Built Heritage & Sustainability	1
Chapter 15/Appendices	1
Total	57

5.6 This table has also been presented as a pie chart at 5.7 below. The longform feedback has been broken down into individual responses on matters related to particular sections of the code. Some longform data contained multiple points of interest in single comments. A few longform comments were potentially duplicated by participants.

5.7 The qualitative responses in relation to each part of the CoCP are recorded in the following pie chart:



6 Overview of Responses to consultation

6.1 The paragraphs below summarise the substantive feedback received via the questionnaires, webinars, and drop-in sessions. This is followed by an extensive table of written responses received during the consultation period, and the Council’s response to the comments.

6.2 **Public Questionnaire:** An overview of the quantitative feedback by section for the public questionnaire found that whilst the public are supportive of the amendments to the current CoCP, which was published in 2007, they are concerned about how its requirements will be enforced, if and when, sections are not being adhered to.

6.3 Professionals Questionnaire: This found a broadly general level of satisfaction overall with the second draft of the CoCP, with the main source of concern surrounding the proposed hours of operation and there being no working on a Saturday without prior consent from LBTH. Whilst this section has undergone a review and adjustments made to the chapter since the first consultation, the construction professionals have stated that they would like further clarification about how much notice needs to be given of an intention to work on a Saturday, especially given when events occur outside of their control which may necessitate this (adverse weather conditions, road closures etc) which may delay site operations and require the need to work on a Saturday.

6.4 Cumulative assessment of the quantitative data across all questionnaires has found that respondents are largely satisfied with the additions and amendments made to the CoCP itself, notwithstanding a few specific concerns which correlate directly to the areas where the most quantitative feedback was received.

6.5 While local residents of course dislike the disruptions associated with construction and demolition works, the impacts of those disruptions are felt more strongly when they are not communicated at an early stage, and when there are insufficient avenues for complaints to be made and responded to in a timely manner. This points to a key area where the draft CoCP could greatly improve matters with relatively little intervention, by providing clearer guidelines about developer expectations around communication with the public.

6.6 Overall, there was a light to intermediate level of interest in the CoCP itself, stronger interest in the ways the Council will manage coordination of activities described within the CoCP, (with a strong desire from the public to see active monitoring and oversight from all relevant Council teams), and some key areas of the CoCP where sufficient detailed feedback was received to facilitate further work.

7 Table of substantive issues raised during Phase 2 of the consultation:

CoCP Chapter	Feedback: Residents	Feedback: Professionals
1. Introduction		
2. Site Categorisations and Impact	None	Would be useful to have the weblinks when reading online, so relevant links can be opened in a new tab as opposed to moving from the page you are reading. At present when you press 'back' to go back to the document it brings you to page 1 of the CoCP.
3. Legal Requirements and Planning Policy	None	Links to the policies listed would be useful.
4. Coordination with Tower Hamlets Council	None	Would like to join any developer/LBTH forums that are setup.
		Coordination is key when planning the works, we have often looked at utility connections/disconnections with a view to trying to get them all to carry out their works within the same traffic management set up where possible. Councils need to be more aware of the nature of connections works taking place and work with the developer and the utility providers.
5. Community Liaison and Consultation	LBTH should enforce when complaints are made.	Often find that residents tend not to read the relevant resources provided (ie site hoardings)
	No buildings should be higher than buildings already in area.	
	More community interaction is needed. The building on the Violet Road has been unsafe for locals for months with no community interaction to enable residents to raise concerns.	

6. General Site Operations	When complaints are made about breaches on site, LBTH do not seem to enforce.	The revised draft of the CoCP does not state the current standard working hours - only the new ones.
		The change of restricting any works on Saturdays will inevitably add to programme duration and thus the duration of overall impact on residents of the project. High impact activities will also be prolonged.
		Definition of "construction vehicle movements" needs to be clearer. Size of vehicles need to be considered as small delivery vans should not be restricted if these can be accommodated on site.
		Saturday working is often required to catch up on the programme. For example you could be faced with adverse weather on a certain week day which impacts progress and often Saturday would be seen as a catch up day. The main question with implementing this rule is how much notice one would have to give the council in order to achieve the necessary consent?
		With regards to the High Impact activities, clarification is needed as to whether piling is in reference to sheet piling and/or CFA Piling?
		Excavation should not be classes as high impact works but as every project is different it would depend on ground conditions, if you were breaking out concrete or rock for example then that would be high impact however digging out London Clay or sandy/gravel ground would not be high impact.
		Demolition works should be classed as high impact.
		Looking at the list of classifications, where cutting using power tools, the use of impact fasteners, loading of heavy machinery, why are these are all classed as high impact? These are essential processes in day to day construction. To limit these activities to just 5.5 hours a day results in half a days work in most contracting organisations which could result in doubling the duration of the programme of works.
		Construction vehicle movements being restricted to 09:30 to 15:00/16:30 - whilst it is appreciated why this would be considered, planning construction logistics can be challenging enough with the nature of the road networks and forces of nature beyond developers control, who cannot account for accidents or incidents causing delays to the road network. There could and often can be issues with concrete batching plants where they could have a breakdown in the plant which would have a cumulative effect on all sites requiring concrete that day.
		There will be days where cranes get winded off, there will also be days where it is nice and calm up until 09:30 and then the wind picks up and developers will have missed a window of opportunity. There could be anti-climate protestors gluing themselves to roads and bridges resulting in delays.

		With regards to providing justification in writing to work on a Saturday - this would have to be on the day based on events of that day, Would dynamic reporting be acceptable in these instances?
		Saturday working is often required to catch up on the programme. For example you could be faced with adverse weather on a certain week day which impacts progress and often Saturday would be seen as a catch up day. The main question with implementing this rule is how much notice one would have to give the council in order to achieve the necessary consent?
		Often in London it takes vehicle an hour to get anywhere. Every single development project is different and developers have to deal with the 'here and now; all of the time. Proximity to batching plants or tips is a main factor as is the volume of traffic to and from each destination. Sites will not know the intricacy of it all until they are fully up and running, until then they have to make assumptions.
		With regard to modular construction methods the restriction to construction vehicle movements looks to be limiting. Adhering to the permitted hours of operation within the draft CoCP would result in an increase in the number of days needed to install modular units.
		Whilst developers endeavour to do their best to comply with the rules and regulations they are working in a sensitive area (LBTH) and the benefit of modular construction is that it is quicker and quieter than some traditional methods of construction - however if the hours are cut back due to restrictions on delivery times then this method of construction may not be suited to LBTH.

7. Highways and Transport	No enforcement carried out by LBTH when breaches are reported.	It is often the case that the S278 works can drag out, more transparency would be appreciated in the planning and execution of these works particularly if they are to be carried out by the councils nominated contractor. It would be useful to sort the S278 plan out early in the contract so that plans are in place in time for the actual works to take place. Often external works are the last thing to come to fruition however they can have an impact on practical completion so having plans in place in good time should aid the process.
	Bellamy Close should be made a way-way street before any works commence on site	
	Roads should be repaired more often	
8. Noise and Vibration	LBTH appear to let everybody work on Saturdays	No advice on fees or charges. What is a Pre-CoCP agreement?
	The CoCP should state that there is to be no engine idling - contractors need to be better informed and made to turn engines off.	Page 65 states refer to 3.3 to 3.10 above - should this read 8.3 to 8.10?
	Should be more police control of noise.	By applying for a Section 61 Prior Consent, does this mean that there is an agreement in place whereby if a situation arose during the week which meant that work had to take place on the forthcoming Saturday, the developer would only have to give LBTH 24 hours notice to activate the agreement?
	Residents often woken up by noise late at night from sites.	
	Sites not adhering to current noise and vibration level limits all over LBTH.	
9. Dust and Air Quality	There should be less high rise developments (15 storeys max. is sufficient), less strain on local infrastructure and less traffic. Currently no real visible monitoring by LBTH. Development often blocks out light to other buildings. Dust and pollution from sites gets into peoples homes. More robust enforcement needed as dust is a problem around E14. Dust and pollution result in peoples windows often being filthy. Need to be tougher on builders not having dust / debris management plans in place.	None
10. Contaminated Land	The smells from sites can cause severe headaches and nausea and these complaints are not taken seriously by LBTH.	Would be useful if links opened within a new tab
11. Site Waste Management	Site waste can be changed to green energy. People working on sites must stop dumping their personal rubbish onto residential streets.	None
12. Water Pollution and Flood Risk	Better drainage and more control of waste water.	None

13. Urban Ecology	The CoCP should state that there is to be no engine idling - contractors need to be better informed and made to turn engines off.	Whilst it is a very onerous document, it is useful to have the links.
	No consideration for the appearance of an area. Ongoing construction work will have a detrimental impact upon the Cemetery Park in Mile End and will ruin the village feel to Bow Common Lane.	13:17 should state "... (such as trees, shrubs, tall herbaceous vegetation, and existing buildings)..." Reason: in an urban borough like Tower Hamlets, the majority of red-listed birds (e.g. house sparrows, starlings, and swifts) will be nesting in buildings, but this is not currently acknowledged in this chapter.
	Local MP's do not support local residents with opposing proposed schemes.	13.13 should state: "- These could include timing of works, protection of parts of the site or existing buildings,..." Bats, a protected species, will be potentially roosting in buildings. This could also state perhaps as a 2nd sentence for additional clarity: "Existing buildings may also host wildlife."
14. Archaeology, Built Heritage & Sustainability	<u>None</u>	Very useful to have the information should it become necessary.
15. Appendices		All very useful information to have, good to have the links too and as stated previously it would be better if they opened in a new tab. The document is onerous and 128 pages is rather daunting however it is appreciated that not all sections are relevant all of the time and good to know the information is there should it be required.

8 Key findings from Phase 2 of the consultation summarised

8.1 Despite hosting a number of online and in-person events, emailing a wide range of housing, residents and other relevant groups within the borough, and the regular use of the Council's own social media platforms to inform people about upcoming consultation events, the sample size for this consultation has been relatively small. Nevertheless, a reasonable amount of data upon which to proceed with final amendments to the CoCP was received.

The feedback received ranged from providing further clarification to certain chapters within the CoCP, to matters outside the Code (such as planning policy). The overall response, particularly from construction professionals, has been positive for the second draft of the Code.

Since the last CoCP was published in 2006, the need for revisions has been established, particularly with regard to updates in 'best practice' and new or amended legislation. The DC team will review the feedback received and make any amendments, where considered relevant and necessary, to the code.

It is anticipated that the final version of the code will be adopted Q1 2023