

**LBC LEGAL DUTIES and EXPECTATIONS REGARDING BUILDING CONSTRUCTION/DE-CONSTRUCTION SITES**

**Addendum to CMR - CMP WORKING FRAMEWORK**

**Site: Plots 5&6 Central Somerstown, Purchase Street, NW1 1EL**

**Planning number: 2015/2704/P Rev A**

**Date: 12/01/2023**

**Revision:1**

This document is part of a site specific CMP framework, in which the developer and the principal contractor agree to ensure that environmental impacts from the construction of the proposed impacts do not give rise to significant adverse effects on health and quality of life.

The Developer and the Main Contractor agree to provide the council the necessary information to demonstrate the implementation of best practice and compliance with the relevant legal and contractual requirements.

**1. TIME FOR NOISY OPERATIONS**

Construction activities and ancillary works which are audible at the site boundary shall normally be carried out between the following hours:

- Mondays to Fridays 08.00 – 18.00
- Saturdays 08.00 – 13.00

Where noise or vibration from the construction of the proposed development exceed the significant observed adverse effect levels or at the reasonable request of the council, works shall take place on a 2 hours on/off basis. For example:

- ON - Monday to Friday 08:00 - 10:00, 12:00 - 14:00 & 16:00 - 18:00
- ON - Saturdays 11:00 - 13:00.

**2. NOISE AND VIBRATION CONTROL**

The contractor shall undertake a detailed construction noise assessment and produce a comprehensive noise and vibration strategy, which shall include the following:

- (ii) construction method statement identifying the rationale for the work
- (iii) worksite layout plans
- (iv) methodology used to predict construction noise
- (v) Equipment schedule showing the number, type and make of Equipment used for each stage of the construction
- (vi) On-site and off-site mitigation measures
- (vii) Noise and vibration monitoring proposal
- (viii) A noise and vibration trigger action plan setting out the steps to be taken in the event that predicted and proposed trigger action levels, are exceeded.
- (ix) Noise reports should be sent to Camden's pollution team at [pollutionduty@camden.gov.uk](mailto:pollutionduty@camden.gov.uk)

**3. CONTROL OF VISIBLE DUST AND ITS MONITORING**

- Prevention
- Suppression
- Containment

**4. MEETING AIR QUALITY CRITERIA (NON VISIBLE DUST) AND ITS MONITORING**

**Air Quality Requirements**

- Contractors are required to monitor and manage air quality in accordance with current best practice guidance (Mayor of London Control of Dust and Emissions During Construction and Demolition SPG), measuring for PM10 using real-time analysers which have MCERTS 'indicative' or an equivalent certification for accuracy/precision.
- If the site's air quality assessment finds dust risk level to be 'medium', two monitors are required. If the risk level is 'high', four monitors are required.
- If the risk level is 'high', four monitors are required.
- Monitoring should start at least three months prior to commencement of works on site, and must continue until practical completion, i.e. real-time dust monitoring is required for all phases of development, therefore the developer must ensure that dust monitoring is passed between demolition and construction contractors etc.
- Monitoring locations/positions and the justification for these must be checked with and approved by Camden's air quality team: [AirQuality@camden.gov.uk](mailto:AirQuality@camden.gov.uk).
- Real-time monitoring should be supplemented with visual and qualitative monitoring of construction dust.

Trigger values	Amber Alert 15 mins Average	Red Alert 15 mins Average
	150µg/m <sup>3</sup>	250µg/m <sup>3</sup>

- **AMBER ALERT.** 'amber' trigger level (at which point the cause of the dust should be immediately investigated and remedial action taken to mitigate it)
- **RED ALERT.** If this level is reached, works on site must be stopped until conditions improve.

**YOUR ATTENTION IS DRAWN TO THE FOLLOWING:**

- (i) Taking into account the baseline monitoring conditions, repeated exceedances of the upper trigger level may lead ultimately to the Council moving to halt works on site.
- (ii) Monthly AQ summary reports should be sent to Camden's air quality team at [AirQuality@camden.gov.uk](mailto:AirQuality@camden.gov.uk), and these should note (at the very least) the current positions of the monitors (including photographs), the number of trigger level exceedances, data coverage, and narrative on site works and remedial dust mitigation measures applied.
- (iii) The AQ reports should also be made publicly available, either by hosting online or by posting the data summaries on the site hoarding.

- (iv) Automated trigger level exceedance alert emails should also go to the above email address as well as to the developer/contractor on-site representative/s for managing air quality. Failure to provide data or to manage air quality may lead to an injunction.

#### **5. RODENT CONTROL**

- Before any works ascertain the presence of rats and mice and how they will be destroyed if found on site.
- Monitoring programme

#### **GENERAL AGREED UNDERSTANDINGS.**

- (a) London Borough of Camden under the Control of Pollution Act 1974, Environmental Protection Act 1990 and Prevention of Damage by Pest Act 1949, has the legal duty to protect from the effects of noise (including vibration), statutory nuisances and pest prevention from rodents to those who are living in the proximity of the proposed works.

The Council expect to receive no valid complaints during the entire duration of the proposed works to be undertaken at, **Plots 5&6 Central Somerstown, Purchase Street, NW1 1EL.**

- (b) The CMP shall be a living document to be reviewed/modified as soon as problems arise or at the reasonable request of the council.
- (c) A proactive approach towards the management of environmental impacts will be incorporated and enforced throughout the duration of the project.

#### **Noise and Vibration**

- (d) All reasonable steps shall be implemented in the design and construction of the proposed development so that noise and vibration from the construction do not give rise to significant adverse effects on health and quality of life.
- (e) Where noise or vibration from construction exceeds the defined significant observed adverse effect levels or at the reasonable request of the council, some form of respite shall be offered.
- (f) Best practicable means (BPM), as defined in Section 72 of the Control of Pollution Act 1974 and Section 79 of the Environmental Protection Act 1990, shall be applied during all construction works to minimise noise (including vibration) at neighbouring residential properties and other sensitive receptors.
- (g) Consideration will be given to the recommendations contained within BS5228:2009+A1:2014, approved by the Secretary of State as the Code of Practice for noise and vibration control on construction and open sites.

#### **Dust**

A copy of this document shall be made available to the appointed Building Contractors and their sub-contractors

- (h) No demolition works shall be commenced without an adequate water supply to cover the working areas.


**Pests**

- (i) At all times the site shall be kept free, so far as is reasonable practicable, from rats and mice. (Prevention of Damage by Pests Act 1949, part 'H' of the Building Regulations (Drainage & Waste Disposal)).

**Community liaison**

- (j) A programme of community liaison will be carried out, including regular engagement meetings, notification of works and details of the complaints process.

**Applicant: NB By signing this form you are confirming you are a person whose signature is recognised by your company.**

**Signed:**  .....

**Date:** 18/1/23 .....

**Print Name:** ALAN BUSH .....

**Position:** Project Manager .....

Note: This agreement shall be binding on, and ensure to the benefit of, the parties to this agreement and their respective personal representatives, successors and permitted assigns, and references to any party shall include that party's personal representatives, successors and permitted assigns.