

120 CET

Appendix 22



CROWN ESTATE PAVING COMMISSION

12 Park Square East, Regent's Park, London NW1 4LH

www.cepc.org.uk

25 January 2022

Mr Loftus
16 Chester Terrace
Regent's Park
London NW1 4ND

Dear Mr Loftus

Chester Terrace garden – proposed works to balustrade

I am writing further to our previous correspondence on the proposed works to the balustrade in the Chester Terrace garden.

The Working Group have now received the consultant quantity surveyor's costings for a further option which was suggested by one of the reviewing structural engineers, Ramboll. We have asked the Commission's consultant structural engineers, Hurst Pierce + Malcolm to update their Scheme Proposals and Pricing document to include this possible option, labelled Option 5. This option allows for further monitoring of the balustrade and wall/foundations that might lead to obviating or confirming the necessity to do all of the work indicated in Option 4 at this time and in the next several years to come (see also sixth bullet point below).

The updated document (numbered '12.') is available here <https://www.cepc.org.uk/residents/chester-terrace-resident-ratepayers-meeting/> along with all the previously supplied information. The paper copy of this letter will include a paper version of the updated Scheme Proposals and Pricing document. We draw your attention to the various caveats and exclusions within each of the documents.

For additional reference to the document, it should be noted that:

- The Working Group have now explored a number of different options including doing the work to the balustrade and the wall/foundations in its entirety up front or spread over a period, as well as alternative methods of securing/making safe the balustrade and wall/foundations.
- Whilst indicative sketches of proposals by the structural engineers have been provided for the purposes of assessing approaches and obtaining indicative costings from a quantity surveyor and/or relevant specialist contractors, no detailed design work on any approach has been carried out. Whilst the Options are outlined in the Scheme Proposals and Pricing document it is possible that different iterations of the Options could be considered (for example over different timescales or phased in different tranches of work). As there could be numerous iterations of undertaking

some Options, it is not considered practical to list each individually. It is possible that the chosen approach to the project might vary from that outlined at this stage for example following the outcome of this process or as a result of relevant information being discovered during the planning or implementation of the project.

- While all options will cause disturbance, if the whole of the wall/foundations need to be replaced, Option 4 of doing all of the work upfront provides the least number of days when residents will suffer disturbance.
- All options that address the wall/foundations will of necessity disturb the trees that are currently situated along the front of the wall, but steps will be taken to mitigate this insofar as this is possible with any removals subject to permission from Camden and any replacement trees they will require.
- Options 2/2A and 3/3A have been discarded as being either more expensive or more risky than the alternatives. They can be viewed on earlier iterations of the Hurst Pierce + Malcom document, available on the Commission's website via the link above.
- Option 5 spreads the work over a period and would allow further time to monitor sections of the balustrade and wall/foundations for ongoing movement before deciding what, if any, work is needed to the wall/foundations in these areas. It would mean for periods of monitoring there would be non-matching sections of the balustrade. It would also likely require repairs to the existing sections of the balustrade, unless these continued to be barriered as currently. The costs of these repairs have not been included in the assessment of costs in the document.
- Some of the estimated costs of the options have increased from previous iterations based on the advice of the consultant quantity surveyor due to construction cost inflation which may continue to affect the project.
- At 30 November 2021 the Chester Terrace Garden fund held £440,620. This figure includes any rates levied but at the time unpaid.

This letter is our request for comments from Chester Terrace garden ratepayers on the options for works to the balustrade. Please could comments be made in writing and be received by 22 February 2022.

It is relevant to consideration of the options, that the Chester Terrace garden fund, in to which all Chester Terrace properties contribute specific garden rates, is responsible for funding costs associated with the balustrade. The Paving rates, which all relevant Crown leased properties north of Marylebone Road pay, are responsible for funding costs associated with the wall/foundations which hold up the road.

A key aspect of moving forward on the project is the decision whether to deal with the issue of the moving wall/foundations. The only viable option to definitively provide the necessary stability is for an Option 4 type solution involving new foundations. Such stability was provided with new foundations at Cumberland Terrace in the 1950s, on which that garden's recent new balustrade sits. The Working Group are currently of the view that it is unlikely they will recommend to the Commissioners any option such as 1, 1a or a version of 1b each option only involving either replacement or refurbishment of the balustrade (either in one operation or several) without addressing at least the most high risk sections of the wall/foundations. This is on the basis that the

advice received from the reviewing structural engineers, Ramboll, is that such an approach to the wall/foundations is justified at least in the high risk area, as identified by them, on safety grounds. Ramboll's suggested approach acknowledges the possibility that the wall/foundations in the medium and low risk sections, as identified by them, may need to be replaced after monitoring.

Whilst the approach to the issue of the wall/foundations, as a Paving cost, is an issue on which the Commissioners will need to assess the risks/benefits/ anticipated costs and make a decision (as indeed they will need to do for the balustrade having also considered Chester Terrace garden ratepayers' comments on that aspect), ratepayers may wish to bear in mind any impact the Commission's approach to the wall/foundations might make to their views on the options for the balustrade.

The Hurst Pierce + Malcom document includes some positives and negatives of the options. These are not necessarily complete in terms of the factors that the Commission might take in to account in reaching a decision. Other relevant factors may include the identified risks of specific approaches such as contaminated soil, Party Wall etc Act issues, other site discoveries/additional cost, completing some work that may not have been necessary, loss of trees, the risk of increased cost/disruption arising from phasing work rather than in one operation, ongoing monitoring/liability of not addressing the wall/foundations, the benefit of resolving the issue decisively with no ongoing liabilities or opportunity cost for the Commission.

I take the opportunity to wish you all a Happy New Year and look forward to hearing from you. I am available to discuss any aspect of the issue or work to date should you so wish.

Yours sincerely



Nick Packard
Director (Clerk & Treasurer to the Commissioners)

Encs. Updated Scheme Proposals and Pricing document prepared by Hurst Pierce + Malcolm