

RL/JD/P3405  
18 October 2018

London Borough of Camden  
Regeneration and Planning,  
2<sup>nd</sup> Floor, 5 Pancras Square  
London  
N1C 4AG

*For the attention of: Mr Charles Thuairé*

Dear Sirs

**THE HOSPITAL CLUB, 24 ENDELL STREET, WC2H 9HQ**

**DISCHARGE OF OBLIGATION 3.10 (WASTE MINIMISATION REFUSE AND RECYCLING PLAN)  
AND 3.12 (SERVICING PLAN) PURSUANT TO LEGAL AGREEMENT DATED 7<sup>TH</sup> APRIL 2000  
AND PLANNING PERMISSION REF. PS9904338/R1**

Further to previous discussions concerning the above site and on behalf of our client, The Hospital Group Ltd, please find enclosed the following details for approval in relation to Clauses 3.10 (Waste Minimisation Refuse and Recycling Plan) and 3.12 (Servicing Plan) pursuant to legal agreement dated 7<sup>th</sup> April 2000 and associated planning permission ref. PS9904338/R1.

- Servicing and Waste Management Plan with appendices – *prepared by Caneparo Associates*

No application fee is required for the discharge of an obligation scheduled to a legal agreement.

Site Location and Planning Background

The Hospital Club is located on Endell Street, between the junctions of Shorts Gardens and Betterton Street, in the Covent Garden Area.

Planning permission (alongside an associated legal agreement) was granted on 7<sup>th</sup> April 2000 for the following works:

*“Redevelopment to provide a building of basement, ground and four upper floors plus plant, for arts based uses including recording studios, photographic studio, screening room, offices, members lounge and meeting room, restaurant, conference, training, information, and storage rooms, public art gallery with ancillary retail space and residential accommodation with retention of facades to Shorts Gardens and Endell Street”. (Ref. PS9904338/R1)*

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Prior to the approved redevelopment scheme, the site had been vacant for approximately 10 years following its former use as the St Paul's Hospital. The development was completed in 2003 and its permitted use has continued to provide unique arts based activities in the manner of a "private members club".

Since its opening, the Hospital Club has provided an essential 'hub' for creative individuals and enterprises that previously might not have had a 'formal' presence in Central London; enabling them to conduct business, share experiences and develop ideas. Over the years, the Club has evolved to become an important contributor towards the growing 'tech' economy in London, offering dedicated services which meet the diverse and specialist needs of the industry. In addition, over the past ten years, the Club has acted as an important catalyse for the local and surrounding area of Covent Garden; evolving from its former 'traditional' industrial and warehouse functions to the 'modern' creative business seen today.

Through-out this period, and in accordance with the original aspirations of the planning permission, the development has continued to be serviced via the internal rear servicing yard with an 'in-out' passage way linking Betterton Street and Shorts Gardens. Please refer to the submitted Servicing and Waste Management Plan for further details.

#### The Proposed Discharge of S106 Clauses 3.10 & 3.12

Accordingly, as the role and function of the Hospital Club has grown and evolved, so has its requirements for the collection of waste and servicing of the premises from that previously envisaged. In this time, the site's waste and servicing activities have adapted to meet: current 'best practice' for the industry; updated waste regulations and guidance; and a changing quantity and type of waste being produced on-site alongside the range of products and facilities being delivered.

Following a number of discussions with the Council, and as a result of those changes, a revised servicing and waste strategy has now been prepared to reflect the Club's current operational needs.

The associated legal agreement dated 7<sup>th</sup> April 2001 signed in connection with the redevelopment scheme (ref. PS9904338/R1) required the following details under Clauses 3.10 & 3.12 to be approved by the Council:

#### *3.10. The Waste Minimisation Refuse and Recycling Plan*

*3.10.1. Prior to the implementation date to submit a draft of the waste minimisation refuse and recycling plan to the Council for approval and in drawing up such plan to the owner shall ensure that it incorporates elements addressing the requirements and reflecting the contents of the Sixth Schedule hereto the owner shall not occupy or permit occupation of any part of the development until the Council has approved the waste Minimisation Refuse and Recycling Plan.*

*3.10.2. After the occupation date to manage the development in strict accordance with the terms of the version of the waste minimisation refuse and recycling plan approved by the Council and in the event of non-compliance with this sub-clause the owner shall upon notice from the Council forthwith take any steps reasonably required by the Council to remedy such non-compliance.*

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And,

3.12. *The Servicing Plan*

3.12.1 *Prior to the Implementation Date to submit a draft of the servicing plan to the Council for approval and in drawing up the servicing plan the owner shall ensure that it incorporates elements addressing the requirements and reflecting the contents of the Seventh Schedule hereto and the owner shall not occupy or permit occupation of any part of the Development until the Council has approved the Servicing Plan.*

3.12.2 *After Occupation Date to manage the Development in strict accordance with the terms of the version of the Servicing Plan approved by the Council and in the event of non-compliance with this sub clause the Owner shall upon notice from the Council forthwith take any steps reasonably required by the Council to remedy such non-compliance.*

Having consideration of the above, this submission now seeks to formally 'discharge' Clauses 3.10 & 3.12 taking those 'reasonable steps' to ensure that the updated strategy fulfils the original requirements of the legal agreement (as per the above clauses and associated schedules).

It is confirmed that the updated strategy has taken careful consideration of those extensive discussions held with Camden Council and previous engagement with local residents and relevant stakeholders. It is considered the updated strategy will enable the continued servicing of the Hospital Club, whilst ensure the continued protection in the amenity of those nearby residents and highways safety.

Clause 3.10 - Waste Minimisation Refuse and Recycling Plan

In accordance with Clause 3.10 'Waste Minimisation Refuse and Recycling Plan', consideration has been given to the original contents and requirements of the Sixth Schedule within the S106 Agreement. The updated strategy has therefore included the following requirements:

- Means of review, management and recording of waste and recycling levels;
- Promotion of waste-minimisation and recycling by the company;
- Review of ways to reduce waste generated;
- Appropriate separation of recycled materials and waste storage.

Please refer to the submitted Delivery and Servicing Management Plan as prepared by Caneparo Associates for full details.

Clause 3.12 - Servicing Plan

In accordance with Clause 3.12 'Servicing Plan', consideration has been given to the original contents and requirements of the Seventh Schedule within the S106 Agreement. The updated strategy has therefore included the following requirements:

- Means of procedures to observe, manage and organise deliveries associated with the Club's operations;
- Consideration of the number and type of vehicles servicing the site;
- The restriction of deliveries during certain times of the day and weekends;

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- Means of monitoring servicing on site.

Please refer to the submitted Delivery and Servicing Management Plan as prepared by Caneparo Associates for full details.

Summary and Conclusion

It is considered that the updated details, as required by Clauses 3.10 (Waste Minimisation Refuse and Recycling Plan) and 3.12 (Servicing Plan), included in the accompanying plan will ensure the continued successful operation and servicing of the site, including the Club's day-to-day management of waste and recyclables. The updated plan will ensure that servicing vehicles associated with the Club do not restrict or impede the flow of traffic in surrounding streets and can support the future operations of the building.

We trust you have sufficient information to discharge the requirements of Clauses 3.10 and 3.12 pursuant the legal agreement dated 7<sup>th</sup> April 2000 in association with planning permission ref. PS9904338/R1. However, should you require any further information or would like to arrange a further site visit, please do not hesitate to contact us.

Yours faithfully

*Rupert Litherland*

For and on behalf of  
Rolfe Judd Planning Limited

cc	Mr Rob Seals	The Hospital Group Ltd.
	Mr P Caneparo	Caneparo Associates