Dear Mr McWilliams,

Following the meeting held between local residents (hereafter referred to as "The Community", "Residents" or "We") and Balcap Re, Four Communications, Mayer Construction and Marek Wojciechowski Architects on Thursday 25th April, the Community is providing feedback on both specific points within the Construction Management Plan (hereafter "the CMP") and on the process of agreeing the CMP with The Community before Section 106 is granted.

General note – The section 106 is a contract and is already binding as dated.

The Community requests that when responding to this letter, Balcap Re numbers and letters their responses using the same numbers and letters of the questions below. This clarity in communication will aid the quick and amicable resolution of the issues raised, and provide valuable reference points for future meetings.

General note – to make the responses clear, the project team has annotated the original document with the relevant responses.

"Balcap Re" is used throughout this document to refer to the combination of Balcap Re, Mayer Construction and Marek Wojciechowski Architects or any one of these parties.

General note – "the project team" "we" or "I" refers to either Balcap Re or the combination of Balcap Re, Mayer Construction Marek Wojciechowski Architects and Four Communications.

1. Community Consultation and Timeframe for agreeing the CMP

Prior to the meeting on 25th April there has not been a meeting with the community for nearly six months, and no communication about the project was provided by Balcap Re to the Community, aside from when complaints about construction work were made by the Community.

It is clearly stated in the CMP (p13) that "[Residents] should be given adequate time with which to respond to the draft CMP, and any subsequent amended drafts." The CMP also suggests a three month consultation period with the Community (p6).

The Community received copies of the CMP during the evening of Thursday 25th April 2019. Until the Community has had reasonable time to feedback on the CMP and come to an agreement with Balcap Re. on these points, the Section 106 should not be granted.

At the meeting on 25th April 2019 we were informed that the project would start on 7th May 2019, less than two weeks from the meeting date. This is despite no Community Working Group meeting being held since 4th October 2018 (see below) and a completely new construction plan being presented to the community.

a. Does Balcap Re agree that seven working days between presenting a heavily revised CMP and starting the project is not adequate time (which the community is required to be given, as stated on CMP page 13), to respond to the draft CMP? If no, please provide reasons why. Consultation on the Draft Construction Management Plan (CMP) first began in September 2018. The current version of the CMP is not a completely new document, but a revised version of the original plan drafted by Life Build.

The community was consulted on this original document and submitted detailed comments to the project team for review. Mayer Construction reviewed these comments and used them to inform the current version of the CMP along with independently proposing a number of improvements to the construction methodology of the project.

At the meeting on Thursday 25th April 2019 the project team presented the changes they had made to the original CMP and explained how they had worked to address many of the concerns raised by the community. With this in mind, the project team had hoped that comments on the CMP would be minimal at this stage.

The 7th May 2019 was the project team's target date to start on site. However, this was always going to be subject to the CMP consultation and sign off process; at no stage did the project team say that the date was fixed.

- b. Can Balcap Re outline what they do consider a reasonable timeframe for community consultation, and whether it is longer than seven working days? LB Camden's guidelines ask that CMP's are in the public domain for consultation for a minimum of 14 days. We consider this to be reasonable and have adhered to this.
- Does Balcap Re agree that the Community cannot give informed comment on the CMP during the same meeting that it is presented to them for the first time? If it agrees on this principle, can Balcap Re outline its timetable for the next meeting(s) and how long in advance of the meeting documents will be published? If this is not the case, please explain why. We would not ask or expect full feedback from the community during the initial presentation of the CMP at a meeting. We believe it is important and more useful to the community if, in the first instance, the contractor explains the detail of the document and answers any initial questions from neighbours in person. Residents would have the opportunity after the meeting to review the CMP and submit questions and comments to the project team for review and response. Following the meeting on 25th April, the community has had a number of weeks to provide the project team with comments and questions, which we will be responding to at the next CMP meeting on Wednesday 22nd May. In future, when we are asking the community review documents, we would look to initially present them and then provide plenty of time for feedback.

2. Community Working Group (CWG):

A Community Working Group (hereafter "CWG") should be at the heart of any community consultation. The CMP mentions that the initial CWG meeting was held on the 12th June 2018. It neglects to reference that there has not been a meeting since the 4th October 2018; that the previous consultation was abandoned without conclusion or any communications to the Community, and that numerous complaints were made by the Community about the lack of proper process and communication from Four Communications.

- a. Since October 2018 the construction has been postponed, the construction plan changed and the contractor changed. Can Balcap Re please provide the reason why, given these significant changes, a CWG has not be convened? A letter, dated 27 November 2018, was sent to neighbours announcing the postponement of works and therefore the CWG until further notice. The project team was not in a position to hold CWG meetings without a contractor in place. We got back in touch with residents once the contractor had been formally appointed, and the CMP had progressed to a point where we could share it with the community.
- b. Does Balcap Re value the input and contributions of the Community and does Balcap Re consider a CWG important to the Section 106 Agreement? We understand the importance of upholding the obligations of the Section 106 Agreement and the CWG is an integral part of this. We have had some really valuable contributions though the CWG and we look forward to resuming meetings once the CMP is signed off.
- c. If Balcap Re does value the participation of the Community, whose lives will be severely affected by this construction, does Balcap Re commit to reinstating the CWG, meeting on a monthly basis at minimum, so that proper community engagement can continue? We really value the input of the community and will do everything we can to ensure that the impact of the construction process is kept to a minimum. Once the CMP has been finalised, and work on site has begun, we will resume CWG meetings to take place on the first Thursday of the month subject to team availability. As we move forward, the frequency of these meetings will be reviewed to correlate with activity on the site.
- d. Can Balcap Re commit that a Notice Board and comments dropbox will be in place (in full and easy view) for the Community to see key information about the works including: Deliveries/Removals (two weeks in advance), noise/dust levels, and times of works? The project team is very happy to install a notice board and physical dropbox for comments and information will be posted regularly in a visible location on the front of the site hoarding.

Unfortunately due to external factors such as weather there may be a need to alter the activity on site at short notice. We will endeavor to give as much notice as possible, but due to unforeseen circumstances we cannot guarantee that two weeks' notice will always be possible.

3. Mitigating Damage to Residents' Wellbeing

Although the Community has not been provided with predictions on the levels of noise during construction, from meetings it is clear that noise levels will be high. In light of this, some Residents will suffer serious impacts to their livelihoods or health. The Community has continously raised this point at meetings but never received a solution from Balcap Re. Other construction projects in London boroughs have set a precedent for providing alternative accommodation or working spaces to residents who need to be at home during the noisiest times of construction.

Derby Lodge is used by Camden Council for housing "Sensitive lets", as well as being the home of many other residents whose personal or professional wellbeing rely on the quiet use of their properties. For instance, there are night shift nurses who need to sleep during the day, a number of elderly and infirm people, and most importantly a number of mentally ill people – including one known to have schizophrenia. Balcap Re appear to have made no attempt to scope out the needs of vulnerable residents in their project. Is this correct? If not, please provide evidence of investigation into the impact of the works on vulnerable residents in Derby Lodge and the outreach to these specific residents. Developers have a clear responsibly for the well-being of members of the public during construction works, such that we must ensure the works we are carrying do not directly cause demonstrable harm to members of the public. We are carrying out noise monitoring to ensure works on site do not exceed LB Camden's stipulated levels, checks to monitor the structural integrity of the building and surrounding properties and various measures to protect members of the public from coming to any harm when walking past the construction site.

I hope you will agree that we have explained what actions we are taking to ensure the safety of the public during construction in some detail and have answered any and all questions, including holding a series of rolling community meetings. The community meetings have helped us to identify residents with particular concerns relating to the timings of the noise, including a nurse who works night shifts, we have also distributed newsletter and email updates to local residents asking them to contact us if they have any concerns. We have also worked closely with local councillors and LB Camden, who are best placed to bring to our attention any specific cases they would like us to consider. We are always happy to do what we can to support residents during the construction works and work with the council officers, particularly those in the housing service and adult social care services, to support vulnerable residents.

It is worth making an important distinction between the role of a developer and of a local authority when it comes to dealing with the complex situation of potentially vulnerable residents; a developer's primary safety concern is to ensure the construction site is made safe, the other factors that stem from this, e.g. wider impact, are then a matter of consultation with the local community, including, but not limited to, the local authority. If either the developer or any of the consultees raise specific examples of residents who are likely to be impacted by a particular aspect of the development then a developer would naturally work with the local authority, who have the requisite expertise, knowledge and processes, to address those issues.

Re-housing and running a housing service to support local residents is a statutory responsibility of London boroughs. This is not to say that developers cannot help bring specific cases to the housing service's attention, moreover it is about which organisation is best placed to actually help. Local authorities, such as LB Camden, have experienced housing professionals, who have processes in place to address concerns such as these. Being rehoused is a complicated process and it would be odd in the extreme for a developer to attempt to re-house someone unilaterally of what the local authority can offer or indeed advise.

I would very much encourage the community to speak to the local councillors and see whether the housing service is in a position to be able to re-house people during the works and whether they meet the requisite criteria.

Is we are able to provide any information necessary to help in the assessment we will. The project team is conscious of ensuring that local residents are not seriously harmed, not just physically but mentally, by the construction work.

- b. If Balcap Re has conducted this investigation and outreach can it please explain why there is no plan nor section in the CMP for dealing with the needs of these vulnerable residents? The CMP does not deal with matters that fall under the remit of the local authority, namely housing and/or re-housing. The CMP deals specifically with ensuring the construction site is made safe and explains how the construction process will take place.
 - We have said previously that we are happy to provide whatever support we can to residents looking to be re-housed during the works, but this is, in the end, a decision for LB Camden to take based on their own criteria.
- the Community is particularly concerned about those with mental illness, and the effect the Construction will have on their wellbeing. We also believe Balcap Re's primary concern throughout the planning and building process to be the safety, health and wellbeing of local residents. Does Balcap Re agree with the sentiment of the above statements? We agree that the well-being of the public during construction works is paramount, which is why we have put in a place a series of measures designed to do just that. Persons concerned with the issues of providing support for those living with mental health

problems, or persons concerned that the proposed works may cause mental health problems should speak directly to the LB Camden's mental health support services.

We are always happy to speak to local residents and mental health professionals about how we can ensure that our activities during construction are done in the most considerate way possible, within the parameters of also acknowledging that construction works do bring a certain amount of disruption and noise.

- d. If Balcap Re does value the wellbeing of affected and vulnerable residents, will it commit to solutions to minimise the impact on these persons? Will Balcap Re publish these solutions in in a new amended CMP? Please refer to the responses provided to questions 3(a), (b) & (c)
- e. The community is very keen to hear these suggestions, but for the most vulnerable and most disturbed by the works, we see re-housing as a possible solution (in some case it appears the only solution). For affected homeworkers, we see the provision of alternative working space by Balcap Re as the only solution. Has Balcap Re considered these solutions? If Balcap Re has considered these solutions and decided not to pursue them, can Balcap Re provide reasons as to why, with special regard to those suffering from physical and mental illness, upon whom a significant decrease wellbeing could have serious effects? Please refer to the responses provided to questions 3(a), (b) & (c)

4. Working Hours:

- a. The CMP states (p11) that work will take place from 8am-1pm on Saturdays. In the CMP presentation on the 25th April 2019, Balcap Re stated verbally that they would not conduct work on Saturdays. Will Balcap Re commit to not working on Saturdays and amend the CMP accordingly? As stated in the presentation on 25th April, Mayer will endeavor NOT to work on any Saturdays, especially until the 'noisy works' are complete (when permanent roof is fitted).
 - This response is based upon the current strategy and programme, i.e. being able to carry out noisy works 3 hours on / 3 hours off in a working day. As the project comes to completion we may have to implement Saturday work, however the nature of the works will cause minimal distribution to the neighboring community. All neighbors will be informed of any such works well in advance.
- b. The CMP states that Balcap Re will conduct noisy works on a three-hours-on, three-hours-off basis. Given that affected residents include, but are not limited to, a night shift nurse (who needs to sleep during the day) and home-workers, can Balcap Re commit to not conducting the noisy works in the first three

hours of the day (8-11 am)? As stated in point 4a, the works have been sequenced to optimize time and efficiency within a working day, including scheduling 'noisy works' between 8-11am and 2-5pm. If we don't complete any noisy works between 8-11am as requested this will effectively add months to the programme duration. Please note the permanent roof will be fitted by week 45 of construction therefore noise will reduce significantly.

c. Can Balcap Re commit to providing clear signing, well in advance of the times of most disruption and outline a process through which residents can seek to alter timings during the Construction period? Yes, all residents will be notified on all upcoming disruptive works in advance via a contractor newsletter, the project website http://britanniastreetdevelopment.co.uk/ and site hoarding located on Britannia Street. A letterbox will be fixed to the hoarding and checked daily for any resident comments.

5. Better Homes Major Works on Derby Lodge

Derby Lodge is due to undergoing major service works over in 2019/20. Despite The Community raising this point in previous meetings, the CMP makes no mention as to how it will coordinate with Camden Council during the Major Works. Can Balcap Re commit to working with Camden Council to create a building plan that will not disrupt these much need works to local residents' property and amend the CMP to show this new plan? We can provide a commitment to work with LB Camden when the Better Homes Major Works are progressed to ensure that both construction sites can work together in harmony. This issue was discussed during the meeting with planning officers at LB Camden and at this juncture, the Council are unable to confirm when the Better Homes Major Works are planned to be undertaken.

6. Incompleteness of the CMP

There are numerous errors in the CMP. For instance, the CMP presented on 25th April 2019 said the project start date was 18th April 2019. Appendices are either miss-labelled or missing; jumping from C to L. Page 26 refers to the Timber Hording proposal in Appendix M. Appendix M refers to contractor site rules. Page 28 states that "predictions for noise and vibration levels throughout the proposed works" are available in Annex L. Annex L is titled "Site up/Hoarding" and contains no information on noise. Similar mistakes occur again and again. Additionally, some of the Appendices are colour-coded plans (such as Appendix D), but the CMP was printed in black and white, meaning the diagrams cannot be understood. The incompleteness or erroneous nature of the CMP makes it very difficult for the Community to understand the building plan and process.

a. Does Balcap Re agree that the Community cannot provide meaningful consultation on a erroneous and incomplete CMP?

The Construction Management Plan has been in DRAFT since its initial submission as part of the planning application for the development in 2016. Until the consultation and review process has been concluded the CMP document will continue to be in DRAFT format. In addition to this, following

commencement of the works the CMP will be treated as a live document, available for continuous review as necessary by LB Camden. The CMP has been developed and advised by a professional team over the course of many months. The document contains a large quantity of information along with many appendices which provide LB Camden with assurances that the development will be delivered professionally and responsibly.

- b. Does Balcap Re agree that the Section 106 cannot be agreed with Camden Council based on a incorrect and incomplete CMP? Please refer to the response to question 6(a)
- c. Does Balcap Re commit to correct and publish a new version of the CMP before the next meeting, with reasonable time for residents to read and provide comment? Please refer to the responses to questions 1(a), (b) and (c)
- d. Can Balcap Re commit to provide hard paper copies, as many residents do not have access to computers? The project team continue to commit to communicate with residents though all necessary means. Hard copies have always been, and remain, available to residents upon request.

7. Wall Damage and Movement to Neighbouring Buildings

While the CMP outlines how Balcap Re will measure movement of their own walls, it mentions nothing as to the potential damage to neighbouring buildings, specifically Derby Lodge in which the majority of the Community live and which is an old building with shallow (or no) foundations. There appears to be no plans to monitor wall movement of or damage to Derby Lodge that may occur as a result of vibration, despite such a potential risk not only threating to damage residents' property but also threaten their safety.

- a. Can Balcap Re provide the Community with their risk assessment of the vibration effects on Derby Lodge? This is not a requirement under the party wall act or permitted developments. A risk assessment is not required.
- b. Can Balcap Re provide the Community with their assessment of the current state of Derby Lodge in order to be able to measure any cracks or other damage reported by residents against a baseline? Measures under the Party Wall Act, and the subsequent process with which the development complies, addresses the concerns raised in section 7 and residents who are concerned should speak to the freeholder of the property and the appointed Structural Engineer. Part of this process will have been the production of a condition survey to document the baseline of all adjacent properties. If residents have further concerns or questions during the course of the development, they should contact the project liaison or raise questions to the Community Working Group.

- c. Does Balcap Re agree to commit to monitor movement of Derby Lodge walls and make these readings available to residents in real or near-real time throughout construction? Yes, this is picked up in SES movement monitoring package. Each 'target/'monitor' will have a number and the findings will be published on a weekly basis on Four Communications website, a hard copy can be distributed on request.
- d. Does Balcap Re commit to correct any damage to Derby Lodge and other neighbouring properties as a result of the construction? We as residents view this the minimum responsibility of a contractor. The project has been designed to ensure that the development will be constructed without structural impacts to neighbouring buildings. The development will be delivered by a skilled and experienced construction team who will be working to ensure there are no structural impacts to neighbouring buildings. In the event of an impact to the structural integrity of any neighbouring property, the Contractor's monitoring team has a warning system in place to take necessary action in response. Details of this monitoring package are included in Appendix K of the CMP.
- e. If the answers to questions a, b and c above are negative, can Balcap Re explain why? This has been explained in answers a-d.

8. Expected Noise:

While it is an unavoidable fact that construction works are noisy, the affected residents have little to no idea as the scale and scope of noise. The CMP does not contain clear information about noise level predictions during construction. Page 28 states that "predictions for noise and vibration levels throughout the proposed works" are available in Annex L. Annex L is titled "Site up/Hoarding" and contains no information on noise. The only detailed information on noise is about an air-conditioning unit installed after project completion.

General Comment - The CMP has now been revised, an updated CMP will be issued with notes of all revisions.

- a. Can Balcap Re and its representatives undertake to provide the Community with information in a revised CMP (understandable to the layman) on expected noise levels at each stage of the project? A revised CMP will be issued by email to neighbours, who have signed up to receive updates, on Friday 17th May. The SES report is located in Appendix K 'Installation reports of targets and precise levels'. We have also uploaded the SES report via the Four Communications website http://britanniastreetdevelopment.co.uk/.
- b. Can Balcap Re provide Residents with the locations of noise monitoring devices during construction? As per the CMP the locations of noise devices/targets are marked on a map within Appendix K, section 4 of SES

- report under targets and on the Four Communications website http://britanniastreetdevelopment.co.uk/.
- c. Can Balcap Re commit to working with Camden Council to make noise records visible to Residents in real time (or near-real time) during the Construction? Yes, a weekly PDF report will be uploaded to the Four Communications website http://britanniastreetdevelopment.co.uk/. Each monitor/target can be identified by a number marked on the drawing with a graph and DB level for the week's activities. Hard copies will be made available on request. We can review the 'real time' monitoring at a later date as the site progresses if required.
- d. Due to previous experience with generators, the Community are not convinced by the effectiveness of the suggested Noise cladding being used to muffle noise pollution. Can Balcap Re provide detail on which cladding will be used and provide data on how effective it will be, and whether these generators be running 24 hours a day for the duration of the building works? The generator will be encapsulated with an acoustic barrier (wall/fence), wrapped in part with acoustic insulation to absorb sound and anti-vibration mounts fitted under the generator itself. All will be in accordance with the HSE noise level and monitored via SES targets. The generator will only be on within working hours, i.e. 8am-6pm and switched off at night. We will also ensure the permanent incoming electricity supply will be fitted ASAP, once fitted a generator will not be required.
- e. If the answers to any of questions a, b, c or d above are negative, can Balcap Re explain why? This has been explained in answers a-d.

9. Suspension of Parking Bays and Road Closures

The parking bays outside 3 and 5 Britannia Street are to be suspended. During steelwork deliveries the parking bay outside Derby Lodge is also to be suspended.

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- a. Can Camden Council and Balcap Re commit to providing Dual Usage parking on the Pay and Display in Britannia Street during the duration of the entire works and include this in the CMP? Camden Council terms and conditions state at any one time resident parking bays can suspended with notice. Camden Council do not have a duty of care to provide any additional parking locations and will not allow residents to use the pay displays with their parking permits. Resident parking permits and pay and displays are two separate entities. The only time they may consider a change if it's to do with the Crossrail project.
- b. At the meeting on 25th April, Balcap Re committed to providing a "Plan B" in case Britannia Street is closed off. Can Balcap Re amend the CMP to include

this "Plan B"? Rerouting of traffic will be subject to LB Camden permission, this will be applied for under a section 14. Mayer will issue the community with a minimum of 2 weeks' notice to ensure residents can make alternative plans when the road is closed. Residents can also speak/write to the Mayer management (via site postbox) with any requests, for example altering time of crane/delivery, letting cars out etc. All requests will be considered/replied to. The traffic diversion will be instrumented via Camden Council and is likely to be diverted via the A501, right out of Britannia Street at the end the road won't be closed.

c. If the answer to either a or b above is negative, can Balcap Re explain why? This has been explained in answers a-b.

10. Rodents

- a. Can Balcap Re amend the CMP to include evidence of the following statement (page 37 of the CMP): "Mayer Construction have been advised that there has been no evidence of any rodent infestation either within the existing building or around the site"? This statement has been removed from the revised CMP. We have added appendix 'P' to the CMP, including a full report of Rentokil and strategy of pest control for the site and surrounding buildings.
- b. At the Meeting on 25th April 2019 Balcap Re stated Rentokil had been appointed to deal with Pest Control. Balcap Re also stated at the meeting that they will provide Rentokil to deal with any Rodent issues encountered by Residents as a result of the works. Can Balcap Re confirm that in such a case, the costs will be covered by Balcap Re, not the Community? If not, please provide an explanation as to why. The process will be fully managed, if rodents are reported in surrounding building, Mayer/Balcap will investigate the cause of the infestation. If proven its from the site, Balcap/Mayer will pay for the problem to be resolved. Rentokil will be monitoring this as part of their works.

11. Asbestos

Given the known presence of asbestos in the building being demolished, the Community is concerned about health impacts during the demolition. Although the asbestos survey is included in the CMP, there is no asbestos removal plan.

- a. Can Balcap Re amend the CMP to include the asbestos removal plan? This is not a requirement for the CMP. Mayer will appoint a specialists UKAS asbestos removal contractor, whom will hold all relevant licenses, risk/method statements, accreditation and insurances. Once all asbestos has been removed a certificate will be issued.
- b. Can Balcap Re commit to providing residents with warnings in reasonable time as to when the asbestos works are being carried out? Yes, all works

will be notified in advance via notice boards, newsletter and Four Communications' website http://britanniastreetdevelopment.co.uk/.

12. Terms of lease on completion of project

Some members of the Community are concerned that they have no knowledge of how the new building will be used once complete. The information provided by Balcap Re has ranged from office space to an art gallery to a co-working space to a space for private events. Given its extreme proximity to neighbouring homes, the community requires more information on the terms of the Lease of the new building.

- a. Can Balcap Re provide the Community with a written brief on the use of the new building, specifying hours of use, access and security?

 The building will be used as office space. Access will be on normal working hours. There may be some employees that may leave office late from time to time. Offices are expected to be occupied by financial sector companies. Private events are not expected. The current designation would not allow galleries or similar businesses. Tenants will be mostly from venture capital/financial/accounting sector side. Regarding security, there will be no access from the building site into the courtyard. When the development is complete, access will continue to be via the Britannia Street entrance and there will be no access from the finished building into the courtyard. During the works the scaffolding surrounding the site will be fitted with a security alarm. Co working space are referred to office space NOT private events.
- b. Can Balcap Re provide details on where fire exits for the both the new building and the the building site will be and how they will be secured? Specifically, please clarify whether there will be any access to the Derby Lodge courtyard. All access including fire escape will be via the existing Britannia Street entrance for the duration of the works. This door will be fitted with a secure lock and will have an entry code. There will be no access from the building site into the courtyard. When the development is complete, access will continue to be via the Britannia Street entrance and there will be no access from the finished building into the courtyard. During the works the scaffolding surrounding the site will be fitted with a security alarm.
 The completed development will be a functioning building with requisite security measures.
- c. Will Balcap Re agree to Consult with the Community on the terms of the lease as part of the proposed ongoing Community Working Group? Balcap Re will be happy to listen and consult with the community as they have always done, provided this is done in a constructive manner. As a likely tenant myself, the business I work for has unfortunately a fairly boring work hours and behaviours. Office parties are regretfully very rare and certainly not held on the office premises.

We look forward to your response and discussing these at the next Construction Management Plan meeting and the Community Working Group meetings going forward. As stated in this letter, we greatly appreciate your efforts in providing the Community with written responses and documents in a reasonable timeframe ahead of meetings.

Kind Regards, The Community

(Comprising Residents and local businesses of Derby Lodge, Britannia Street and Kings Cross Road)