

Appendix 2

City of London Noise Code of Practice for Deconstruction and Construction Sites 2017: analysis of feedback to stakeholder consultation

Introduction

The refreshed and updated draft Code of Construction Practice sets out the approach to ensure the use of the best environmental options in planning and managing construction and deconstruction (demolition) in the City of London.

The draft Code was presented to this committee on 24th January 2017 and was made available online for stakeholder comment during a 3 month period that ended on 14th July 2017. The consultation draft version can still be downloaded from [here](#). The Code was promoted widely on the City of London social media platforms, articles were placed in City publications such as the City Property Association Newsletter, City Resident Magazine. The consultation was emailed directly to all City of London Members, City Officers, London Noise Action Forum members, London Boroughs including neighbouring Boroughs, City property Association Members, City Developers, all Considerate Contractor Scheme construction, demolition, streetworks contractors, the Noise Abatement Society, the Institute of Acoustics. In addition the draft Code was presented to the DBE User group and the City Wide Residents meeting.

Number of consultation responses received

A total of 37 written submissions, totalling 170 individual comments plus a number of informal comments, were received in response to the consultation. These submissions can be broken down into four main categories as follows:

- Residents and residents groups: 24 (65%)
- City of London departments & partner organisations: 8 (22%)
- Construction: 4 (11%)
- Noise consultant: 1 (3%)

The responses from residents included four co-ordinated responses by local residents associations (Eastern cluster, Barbican Association, Thomas Moore House Group, Speed House Group) on behalf of their members. The Code contains proposals that are aimed at residents, construction and demolition companies, consultants, developers, businesses and workers and it is the latter categories that are poorly represented in the responses received.

Overall response received

It is pleasing to report that the overall response to the consultation draft of the Code was very positive with the vast majority of comments supportive of both the overall direction of travel and much of the detail.

Further analysis of feedback received

This discussion should be read in the wider context that the majority of comments were generally supportive, or very supportive, of the draft Code. Where critical feedback has been received it is usually that the draft Code does not appear to go far enough on a particular issue, with the main underlying message from residents being a call for a stricter approach, additional enforcement and penalties; and for additional resources to be dedicated to enforcing the Code.

The following broad themes have emerged from an analysis of the feedback received, these being issues that have been raised in multiple responses out of the 170 individual comments received:

<i>Theme</i>	<i>Number of individual comments to support</i>
Technical / procedural / editorial queries and suggestions from stakeholders	45
No noisy Saturday construction in residential areas	13
More enforcement / stricter penalties	13
Support for charging proposals	13
Strengthen prohibition on reversing alarms and audible warnings	10
Support for Code	10
Support for existing working hours / days	9
Improved consultation / liaison	6
Improvements to Considerate Contractor Scheme	5
Quiet hours for residents	4
Improved access to residential maps	3
Improved notification of variations granted	3
Individual comments about specific issues	36
Total	170

The various specific technical, procedural and editorial proposals have each been dealt with methodically and have been incorporated where possible.

The relatively large number of responses received from residents and resident groups reflects the high levels of construction experienced in the City of London and the impact this has on the residential population.

A number (13) of individual comments were received requesting more enforcement or stricter penalties for breaches. Enforcement action is required to be conducted in accordance with the City enforcement policy and national legislation. The new schedule of monitoring fees paid for by developers for environmental inspectors will go some way to providing more proactive enforcement of the Codes requirements.

10 residential respondents requested the approach to audible alarms be strengthened to a general requirement for broadband alarms. This approach has been supported and is now included in the Code.

Suggested improvements received in relation to the Considerate Contractors Scheme have been passed to the officers in DBE who administer the scheme for their consideration.

The feedback received from colleagues in other Departments is very supportive and mostly consists of specific suggestions to retain the existing arrangements for noisy working hours and support for the proposed charging scheme with a potential to expand this to other Air Quality and Highways initiatives.

Proposed response to feedback received

The Code has been edited and updated in response to the issues raised. The key proposed changes are listed in Appendix A.

Officers have provided a separate briefing note in Appendix 3 to the Committee report in response to the matter of Saturday working raised by residents, City Officers and construction companies.

It is acknowledged that there have been no responses to the consultation exercise from developers who the charging regime will affect despite very specific approaches being made directly to this sector.

Table of amendments to the Code post consultation		
Paragraph	Details	Reason for Change
Cover N/A	Replace M&CP with COL.	Unnecessary use of M&CP. COL document.
Foreword 1,4,5	Added - ‘This Code meets one of the aims of the City Noise Strategy which is to mitigate and minimise noise and noise impacts that could adversely affect health and well-being of City residents, workers and visitors and to avoid noise and noise impacts that could have a significant adverse effect.’ ‘schedule of monitoring contributions introduced.’ Deleted - ‘and this year will look in particular at improvements in the field of air quality’.	Text edited so phrasing more aligned with the City Noise Strategy and with national policy in the NPPF and NPSE. Attention drawn to monitoring costs. CCS open to all environmental examples.
Para 1.4	Added ‘at the earliest opportunity. ‘	In response to respondent 4 comments.
Para 1.7	‘by the Contractor’	
Fig 2.5	Added ‘neighbours and community groups’	In response to respondent 8 comments.
Para 2.8	Added ‘Residents’	In response to respondent 5 comments.
Para 2.17	Amended – Replaced ‘may’ with ‘will’	In response to respondent 29 comments.
Para 3.10	Amended and bold ‘it will be barred between 0900 and 1700 hours’.	In response to respondent 8

		comments.
Para 3.30	Deleted ‘wherever practicable’.	In response to respondent 8 comments.
Para 4.4	Insert: ‘As additional best practice and case studies become available they will be available at www.cityoflondon.gov.uk/airqualityconstruction ’	In response to respondent 7
Para 4.12	<p>Insert / delete text</p> <p><u>...Before sourcing diesel plant, consideration needs to be given to low and zero emission plant, such as electric or hybrid MEWPs. Where diesel plant is employed they it should also be well maintained adhere to the NRMM policy below as a minimum. Notwithstanding the policy size requirements, ALL diesel plant should be the lowest emission available.</u></p> <p><u>...or updates to the overall NRMM policy requirements, which should be adhered to,</u></p> <p><u>In order to demonstrate NRMM compliance, best practice includes using stickers on machinery to show engine stage and the use of a spreadsheet to detail all equipment on site, with photos and a compliance reference; such best practice is encouraged on City sites.</u></p>	In response to respondent 4 and for clarity
Para 4.13	<p>Delete text: Alternative technologies are also available and should be investigated.</p> <p>Insert text: <u>Where generator use cannot be avoided, it should be a lower emission solution, such as hybrid, gas or hydrogen technology. Where diesel is used, the newest Euro standard engine should be used (in accordance with the NRMM policy), with a lower emission solution that incorporates battery storage technology. This reduces generator size and running hours, cuts fuel consumption, emissions and noise. The use of hydrogen technology for lighting towers and site cabins rather than generators</u></p>	In response to respondent 6 and 7

	<u>should also be considered.</u>	
Para 4.21	<p>Insert and delete text:</p> <p>a.<u>Plans should be made to eliminate dusty works, where this is not possible</u>.....</p> <p>b. All sites should be <u>sufficiently</u> screened / wrapped <u>in order</u> to prevent offsite dust deposition. <u>Plans should be made for screening dust generating activity and for water to be</u> and plans made for dust generating activities to be screened and water available for damping down.</p>	In response to respondent 4 and for clarity
4.23	<p>Insert and delete text:</p> <p>d. <u>Dusty works should be eliminated; where this is not possible</u>, solid screens or barriers of appropriate height should be erected around dusty activities and/or the site boundary and <u>action taken to prevent offsite deposition</u>. Where there is a high dust potential these areas should be fully enclosed, where possible.</p>	In response to respondent 4 and for clarity
4.24	<p>Insert and text:</p> <p>c. <u>full load only delivery</u>, considered logistics planning, and liaison with other sites within close proximity <u>and the use of consolidation centres</u>. To that end, produce a Construction Logistics Plan <u>should be produced</u> to manage the sustainable delivery of goods and materials. <u>See TfL Guidance:....</u> https://tfl.gov.uk/info-for/urban-planning-and-construction/transport-assessment-guide/guidance-by-transport-type/freight</p> <p>d.and Implement a Travel Plan https://www.cityoflondon.gov.uk/services/transport-and-streets/transport-planning/Pages/default.aspx</p> <p>j. <u>Where possible, vehicles visiting site should sign up and adhere to FORS standards (or equivalent)</u>. Best practice has noted the use of an on-line</p>	In response to respondent 4, 6 and 12 and for clarity

	<u>booking system which only allows compliant vehicles to attend site and this is encouraged.</u>	
Para 4.26	Delete text e. Bag and remove any biological debris or damp down such material before demolition	In response to respondent 4
Para 5.2.3	Amended – <u>The City</u> advises that all projects with an estimated construction cost exceeding £300,000 excluding VAT <u>have</u> require ...	Legislation repealed.
Para 6.1	Amended – ‘The City recommends...’	In response to respondent 4 comments.
Para 6.8	Amended ‘ ‘in compliance with current guidance and legislation’	Legislation repealed.
Para 8.5	Insert.....or equivalent, for example, PEFC certification;	In response to respondent 4 comments.
Para 9.3 and 9.4	Added - 9.3 Site lighting outside of working hours should be designed to the minimum required to ensure safety and security taking to prevent potential impacts on neighbours. 9.4 During the fit out stages of construction, it is a requirement that contractors will utilise black out window coverings.	In response to respondent 8 comments.
11.1	Insert text The Contractor should keep all appropriate documentation <u>and records</u> relevant to the requirements of this Code in designated files held on or <u>accessible from</u> site (<u>i.e. electronic or on-line</u>). They must be available at all times for inspection and review by the City of London or other authorities and should	In response to respondent 4

	<p>include as a minimum:</p> <ul style="list-style-type: none"> • Scheme of Protective Works (as per section 2); • liaison minutes, letters, photos and newsletters. • noise, vibration and dust monitoring results (where applicable); • waste management documentation (where applicable); • inventory of non-road-mobile machinery <u>and corresponding emission standards, with the relevant plant registered on the NRMM website;</u> and emission standards • Site hours variation sheets; and • a complaints/incidents log with actions taken. 	
Appendix L	Remove 'average' / 'approximately' / estimate	For clarity

