

**MINUTES** Cartwright Gardens Community Liaison Meeting (CLG)

Wednesday 16<sup>th</sup> April 2014 19:00hrs - 21:00hrs

<b>Chair:</b>	Bob McIntyre	Business Rep/Judd Street
<b>Committee:</b>	Councillor Hayward	Ward Councillor
	Paul Cockle	Hotelier Rep/Crescent Hotel
	Gajan Raj	Hotelier Rep
	Ricci de Freitas	Community Rep/Marchmont Association
	Tony Tugnut	BCAAC
	Miriam Campbell	Student Residence/Church Representative
	Liz Paul	Residents Rep/SST Residents Association
	Steve Cowan	Residential Management Rep/ SST Board
	Paul Wilkinson	U of L Representative
	David Berry	CLG Liaison Officer/UPP
<b>Attendees</b>	Steve Cardno	Camden Highways
	Brian Foxton	Camden Highways
	Richard McEllistrum	Camden Case Officer
	Andrew Richardson	Brookfield Multiplex (BM)
	Nick Belsten	CBRE
	Marcus Adam	UPP
	Debbie Radcliffe	BCAAC/ Local Resident
	John Hartley	Camden Cycling
<b>Observers</b>	Janet Goodricke	Local Resident
	Glen Fenemore-Jones	Local Resident
	Libby Giddings	UPP
	Damian Quinn	UPP
<b>Apologies:</b>	Duncan Palmer	UPP
	David Stephens	U of L Representative
<b>Distribution:</b>	All of the above	

## 1. Introductions and apologies

- 1.1. Bob McIntyre assumed the role of Chair of the CLG.
- 1.2. It was noted that David Stephens, University of London Representative and Duncan Palmer, UPP sent their apologies.
- 1.3. Bob McIntyre stated that the minutes of 19 March which were circulated at the meeting held on 31 March 2014 have not been uploaded to the CLG website. David Berry disagreed and stated that those are the minutes reflected on the CLG website. Bob McIntyre checked the CLG website and confirmed that the minutes uploaded are the correct version.
- 1.4. Bob McIntyre raised his concerns with the minutes which David Berry had loaded onto the CLG website reflecting the meeting held on 31 March 2014. Bob McIntyre then circulated a version of minutes which had been prepared by Liz Paul from the audio recording.
- 1.5. Nick Belsten requested that a process is agreed on the preparation and review of minutes. David Berry explained that a process had been agreed and confirmed at the last meeting that he would prepare the minutes and send to the Chair for any amendments which had happened. The minutes will then be uploaded to the CLG website, 10 days prior to the next meeting, for the wide group to read. Paul Cockle reiterated the process which will be followed for minute taking.
- 1.6. David Berry stated it had previously been agreed by the CLG that minutes are written on an action based approach opposed to verbatim minutes, but if the group wanted a different style to be adopted they only need ask. Ricci de Freitas requested for more substance to be written around the action points of the minutes.
- 1.7. Bob McIntyre suggested that the minutes written from the audio recording should be adopted for this meeting. Debbie Radcliffe also suggested that the CLG adopt the minutes written from audio recording.
- 1.8. Cllr Hayward highlighted that s106 states it is UPP and UoL's responsibility to write the minutes. It was therefore agreed that the Liaison Officer would prepare the minutes and send to the Chair for comment as previously agreed.
- 1.9. Paul Cockle suggested that the approval of the minutes should be added to the agenda as the initial item. **ACTION: Bob McIntyre to include the approval of minutes at each meeting.**

## 2. Review of actions of meeting held on 31 March 2014

- 2.1. Bob McIntyre questioned which version of minutes should be referenced for the review. David Berry asked if there were differences in the actions and Liz Paul said there were..

Ricci de Freitas suggested that we reference one set of minutes. The minutes written by Liz Paul from an audio recording are to be used and the Liaison Officer is to check if any action is missed which was agreed. **ACTION: Minutes taken from the audio recording to be used**

**2.2. Item 1.2 – Upload of minutes to the CLG website.** It was noted that the correct set of minutes from the meeting held on 19 March 2014 have been uploaded onto the CLG website.

**2.3. Item 1.5 - Review of OSMP.** David Berry stated that the wording has been reviewed and highlighted that it is difficult to change the wording in the s106.

Paul Cockle raised concerns that the group have only partial reviewed the OSMP and questioned what version three is representing. David Berry highlighted that the OSMP is a document which will continue to change through time. Paul Cockle questioned whether version three of CMP and OSMP had been submitted to the council. David Berry confirmed that they have been submitted to the council. Paul Cockle questioned how the CMP and OSMP work in practice if they are approved by the council but can also be amended. David Berry stated that the changes to the CMP and OSMP would not be fundamental. Paul Cockle requested that at some point there needs to be a document that express what the plan is at a moment in time. David Berry explained that as and when more feedback is received changes to the plan will be made where possible. Paul Cockle requested for a line to be drawn allowing members of the CLG to submit their statements on version three as they will not all remain on the committee forever. Paul Cockle stated that there should be a clear base line for what the planning officers will do.

Liz Paul highlighted that it has never been made clear to the CLG what the process is and the CLG do not know time scales and *she* questioned why the CLG were not notified that there was a submission last week. Tony Tugnutt suggested that this behaviour is 'sneaky' and will not gain the trust of the CLG. David Berry thought that the vast majority of requests had been fed into the plan and amendments made. Also that UPP and UoL will continue to listen to the CLG and to reflect the changes to the plan which were requested by the CLG where appropriate.

**2.4.** Richard McEllistrum highlighted that an appropriate statement about the CMP and OSMP is required to reflect the input of the CLG. Both the CMP and the OSPM have now been submitted to the council. There will be another iteration of the plans in view of the concerns raised by the CLG and council officers. Liz Paul then questioned whether the CLG will have a four week period to review the plan after the next iteration. Richard McEllistrum said that because he was hearing that it does not go far enough to reflect the views of the CLG, officers could look at it again. He stated that there isn't automatically a four week period, but he will consider that time is needed for the CLG to review the plan.

**2.5.** Nick Belsten explained that the idea is to get a plan which address people's concerns or provides an explanation. When it is submitted to Camden the CLG have to consider that it is an ongoing process and Camden will never be able to provide a one stop solution. The key idea is to provide a robust statement that address the issues raised. Tony Tugnutt stated that the CLG do not have confidence in the plan. Nick Belsten responded that the CLG have provided their comments previously.

Bob McIntyre highlighted that Camden have now refused the traffic management plan. Nick Belsten highlighted that it is being reviewed. Paul Cockle suggested that now version three has been submitted, it would be useful for the CLG consider an appropriate statement. Tony Tugnutt said that this was premature because the CMP lacked a traffic plan.

- 2.6. Andrew Richardson stated that on the 31 March 2014 the CLG provided additional comments on the Traffic Management. This is the first instance that Brookfield Multiplex has been made aware of the concerns relating to Leigh Street.

Bob McIntyre then offered Andrew Richardson the email stating the traffic concerns for him to review. Andrew Richardson stated that he will review the email at an alternative time not during the CLG meeting.

Andrew Richardson stated that hopefully we now have a full set of comments and can develop the plan further. It was highlighted that Brookfield Multiplex does not want to be seen as trying to force something through without the CLG knowing.

Gajan Raj stated that the new proposals will need to be reviewed by the group which will undoubtedly create more comments as the main concern is traffic, which has caused version two and three of the plan. Andrew Richardson stated that Brookfield Multiplex will review Steve Cardno's email and create an optimum plan. Steve Cowan questioned what the best process is for reviewing the revised plan, so the CLG can issue an appropriate statement. Andrew Richardson suggested that he will review Steve Cardno's email and make comment, which the CLG can then review. Steve Cowan agreed that this is an appropriate process. Paul Cockle added that he believes the CLG are still in a position to make a statement with other issues. **ACTION: Andrew Richardson to review Steve Cardno's email and respond.**

- 2.7. Paul Cockle asked Richard McEllistrum about the enforceability of the documents under discussion, we need clarity about the significance of these documents within the S106. Richard McEllistrum responded stating that he is not a Planning Lawyer but his understanding as a Planning Officer, is that the main body of s106 will be enforceable.

Paul Cockle stated that the CMP is quite precise and states commitments are being made, but this is not true of the OSMP. Liz Paul disagreed and suggested that Steve Cardno's email on the traffic issues has highlighted that the CMP is not precise. Tony Tugnutt added that there is no point being precise if the information is wrong. Richard McEllistrum stated that it is not the council's decision to decide if the CMP is precise.

Liz Paul questioned what authority the council have if the CMP is breached. What happens if the use of 18m vehicles is prohibited and then they are used? Richard McEllistrum stated that he cannot provide details on legislative information and stated that it need to be flexible, but there are implication to rule breaks. Cllr Hayward requested that examples of the enforcement process be provided to the CLG. Richard McEllistrum stated that there is an application which can be applied to stop works. **ACTION: Richard McEllistrum to seek clarification on this process from LBC's enforcement team and provide examples of enforcement and be informed about the route through which they could seek enforcement.**

- 2.8. **Item 3.2 – CMP feedback from Item 2 from minutes of 19/2/14.** It was noted that feedback has been provided.

- 2.9. **Item 3.4 – Steve Cardno to discuss traffic plans with TFL.** Steve Cardno stated that he has consulted with two teams at TFL regarding the traffic management proposal. One of the individuals from one of the teams is currently working on the cycle scheme re-draft and his feedback was that Camden Highways should not

support the road closure unless it was absolutely necessary. Given the strategic nature of Cartwright Gardens as a cycle and pedestrian route closure was unlikely to be an option. He stated that sending cyclist around the crescent is too much of a diversion. He had also consulted Tom Plant, a pedestrians' representative who thought closure was not an option.

Steve Cardno added that the planning application is not on a red route. TFL said they will provide comment on this, once received Steve Cardno will circulate the comments to the CLG. **ACTION: Steve Cardno to circulate TFL's red route response.**

Tony Tugnutt questioned whether other roads have been closed for two years. Steve Cardno and Brian Foxton could not think of an example of this happening. They stated they will close the road only if there is no other construction option.

- 2.10. Item 3.5 – Andrew Richardson to review the traffic options.** It was noted that the action is on-going and Andrew Richardson will liaise with Steve Cardno on the traffic options. Steve Cardno agreed to add Cllr Jones, the cabinet member responsible for transport and planning issues, to the distribution list. **ACTION: Steve Cardno to add Cllr Jones to the distribution list.**
- 2.11. Item 3.8 – Andrew Richardson to provide more detailed traffic options.** It was noted that it has already been debated with regards to Steve Cardno's email and other traffic options are being considered. **ACTION: Andrew Richardson to consider further options.**
- 2.12. Item 3.10 – David Berry to include the four tennis courts plan in the OSMP.** David Berry confirmed the four tennis courts plan has been included in the OSMP.
- 2.13. Item 3.11 – David Berry to seek approval for the SLA to be included as an appendix to the OSMP.** David Berry explained that the SLA cannot be included as an attachment to the OSMP as the SLA is commercially confidential and the OSMP is a public document. David Berry offered to discuss the SLA in further details with any member of the CLG.

Paul Cockle questioned why the SLA cannot be published as it is an incredible useful document as it highlights the tasks, measurement and sampling. David Berry reiterated that the SLA cannot be published because it is commercial confidentially. Paul Cockle explained that he has seen an example SLA which did not seem confidentially so cannot understand why it cannot be published. Marcus Adam added that the document Paul Cockle saw was an example. Cllr Hayward questioned why the SLA is a confidential document and suggested that tasks within a SLA should not be commercially confidential. Paul Cockle stated that if the CLG do not have access to the SLA then they do not have a benchmark. David Berry agreed to investigate whether a stripped back version of the SLA can be included within the appendix of the OSMP. **ACTION: David Berry to investigate whether a stripped back version of the SLA can be added to the OSMP as an appendix.**

Cllr Hayward reiterated that the CLG would like the SLA to be published. Gajan Raj added that it would be useful to have the SLA published as people will come and go from the CLG. David Berry repeated that he will ask if a stripped back version can be added. Marcus Adam stated that the SLA forms part of the commercial agreement. Ricci de Freitas suggested that the Camden Park Department are contacted as they have published documents.

- 2.14. Item 3.12 – David Berry to report on the structure of the sinking fund.** Paul Cockle reiterated that money provided in the past by hotels for the maintenance of the gardens was not clearly invested in the gardens. Paul Cockle requested for further details of the life cycle costing to be added into the OSMP. Bob McIntyre added to Paul Cockle's request and asked for a breakdown of the sinking fund. Marcus Adam responded stating that this was not possible as it is a commercial document.

David Berry said that he could come back with details of the sinking fund and how it worked and that in the OSMP it states works will be undertaken. Paul Cockle raised his concern that if the SLA is re-negotiated in the future, the CLG could be in a situation where adequate funds are not available or funds are reduced. Bob McIntyre added to Paul Cockle's comment and questioned whether the document is robust. David Berry explained that UPP have a responsibility to maintain the grounds to a suitable standard and would be penalised if they didn't do so. Cllr Hayward added that the CLG would like to have a published copy of the SLA so they can scrutinise if tasks have been completed. David Berry reiterated that he has an action to investigate whether a stripped back version of the SLA can be included within the appendix of the OSMP. Paul Wilkinson stated that from the University's perspective he would support UPP's decision to include a stripped b  
**ACTION: David Berry to provide detail of the sinking fund and how it works.**

- 2.15.** Cllr Hayward questioned whether the SLA is an output specification. David Berry confirmed that it is. Tony Tugnutt stated that the track record of garden maintenance has been poor in the past. Paul Wilkinson Adam added that UPP will be providing the service not UoL.

**Item 3.14 – David Berry to review the wording of the OSMP for private event.** David Berry stated that it is hard to find other words to describe the private events.

David Berry explained that there are a limited number of events and priority would be given to the local community as already defined in the s106. Richard McEllistrum added to David Berry's response that Camden Parks were approached when writing this agreement and is not sure what else can be added to it. Ricci de Freitas disagreed with Richard McEllistrum's comment and stated that Brunswick Square has a written agreement that no private events can take place which restrict the use for the public in a separate garden. Tony Tugnutt said that given the tennis courts were retained there would not be much room for events. Ricci de Freitas said that we want as many members of the community as possible to use the gardens. Nick Belsten added to the discussion explaining that the Skinners wanted to ensure they had the overall control of the gardens. The wording went to the Skinners and they objected to making the use of the garden more restrictive. Ricci de Freitas suggests the CLG write to the Skinners. Bob McIntyre agreed to do so. **ACTION: Bob McIntyre to write to the Skinners regarding the garden restrictions.**

- 2.16. Item 3.20 – David Berry to discuss contract terms with the Human Resource Department.** David Berry stated that within the contract there is a requirement to follow management instruction, but UPP will not be adding anything more than this instruction. UPP cannot contract someone to bear witness. Bob McIntyre questioned whether David Berry had been in contact with PC Michael O'Grady. David Berry confirmed that as reported at the last meeting he had and is expecting feedback. **ACTION: Feedback from PC O'Grady**

### **3. Process to date (CMP and OSMP)**

#### **3.1. Traffic**

Andrew Richardson stated that he would like to review Steve Cardno's comments and requirements and then will report back to the CLG in turn. Brian Foxton and Steve Cardno stated that they had a meeting last week, of which the comments are reflected in the email. Andrew Richardson stated there is quite a volume of information within the email which needs reviewing in content before comment is passed.

**3.2.** Ricci de Freitas raised concerns as to why in previous discussions the CLG were led to believe the traffic route in the CMP had been agreed as part of the planning process. Andrew Richardson explained that from the very start the document was used in principle. This was then developed further through discussion with Steve Cardno and Brian Foxton's team to understand if it is acceptable.

**3.3.** Steve Cardno and Brian Foxton were asked if they could see a solution; they have discussed some traffic route options, looking in particular at cyclist and pedestrian option. They are looking into alternative options as the use of the crescent for cyclists is discouraged. John Hartley raised concern that cyclists are going to be neglected as Camden cyclists were unaware that these plans were going on. Brian Foxton stated that is not the case, cyclists and pedestrians are being considered.

Andrew Richardson stated that he has met with Steve Cardno at least five times to discuss the traffic route options. Andrew Richardson added that there are currently discussions as to how vehicles will leave if they come from the north as they cannot turn in a single lane highway. Bob McIntyre questioned whether if it is impossible to resolve. Brian Foxton stated that it is not impossible it needs reviewing and that there are provisions which will give some levels of solution, and part of this was the timing of the installation of the service roads. Tony Tugnutt stated that this wouldn't be a problem if they had decided a refurbishment were to be carried out instead. Bob McIntyre stated that the decision to demolish and reconstruct had created unnecessary dangers. Nick Belsten stated that they have planning permission and that therefore this argument had already been had.

**3.4.** Cllr Hayward questioned whether the interests of residents are being considered. Brian Foxton responded stating that they are being considered and the interest of local businesses. Brian Foxton said that it was a given that vehicles will not be able to use Sandwich and Thanet streets.

**3.5.** Ricci de Freitas suggested that the onus is on Andrew Richardson to find an on site solution. Andrew Richardson agreed with that statement.

Paul Cockle questioned whether shorter wheelbase lorries can be used. Andrew Richardson responded stating this was not possible as the panels are large so need to use the large lorries. Paul Cockle questioned whether the products had been contracted for. Andrew Richardson replied stating that they have not, however they are in the plans. Bob McIntyre questioned whether smaller panels can be used. Andrew Richardson replied stating that smaller panels cannot be used as the design intent has been reviewed and agreed. Bob McIntyre pointed out that safety was a prime consideration. Bob McIntyre asked what are the actual measurements of the panel. -Andrew Richardson said they were 3m by 6m. Bob

McIntyre then stated those measurements were small enough to go on a shorter wheelbase lorry. Andrew Richardson stated that they are too heavy for the shorter wheelbase lorries.

Andrew Richardson stated that Brookfield Multiplex are looking at alternatives and where alternatives cannot be provided explanations will be given. Ricci de Freitas stated that if something cannot be changed, then the CLG need assurance that the vehicles will move in a way causing minimise harm. Ricci de Freitas questioned whether the vehicles would be going slower because of the nature of the load. Andrew Richardson confirmed they would be going slower.

- 3.6.** Liz Paul highlighted concerns of the heavy wrecking equipment being delivered to Sandwich Street as the number of deliveries is not detailed in the plan. Steve Cardno said that he was also concerned about this Andrew Richardson stated there would be six delivers as detailed in an email sent to Bob McIntyre that morning . Liz Paul questioned if the first delivery had been booked. Andrew Richardson stated that he will give four weeks notice prior to the delivery. Steve Cardno stated that there is no other way to get demolition equipment into the site, but stated the deliveries can be arranged for a weekend or out of peak hours.
- 3.7.** Debbie Radcliffe questioned whether they are going to bring construction of the service road forward and if so whether if the road is there Sandwich Street would be used. She was assured that it would just be used as a turning point on site.
- 3.8.** Steve Cardno stated that there will be an additional turning point nearer the south, which will hopefully minimise the use of Leigh Street, however articulated lorries will have to use this road. Andrew Richardson added that a banks man will be used where necessary. Ricci de Freitas highlighted that coaches cause concern on a street, which is now recorded on CCTV. Ricci de Freitas questioned if drivers know they will be seen on CCTV and suggested Andrew Richardson makes the drivers aware of this. Andrew Richardson stated that there will be marshals where necessary depending on the vehicle type.

Debbie Radcliffe questioned whether an assessment has been carried out on the trees in the streets. Brian Foxtan stated that once the routes have been chosen these considerations will be given.

Liz Paul asked whether drivers would be told that Judd Street was particularly sensitive because of the school, the elderly and the blind.

**3.9.** Student & Summer Use Management Plans

The CLG requested that the summer management plans and student management plans could be circulated to the group. Bob McIntyre pointed out that these plans have a bearing on the traffic discussion because of use of coaches, which are already a serious problem on Judd Street and would be even more so on Cartwright Gardens. David Berry stated that the plans can be circulated, but suggest the focus remains on the CMP and OSMP. Nick Belsten also agreed that the focus should be on the CMP and OSMP. Ricci de Freitas suggested that the CLG may be able to help with elements of the Student & Summer Use Management Plans. Tony Tugnutt said it was up to the CLG to decide whether the summer management plan and student management plan have a bearing on the CMP and OSMP **ACTION: David Berry to circulate the plans.**



3.10. Miriam Campbell questioned whether documentation *on noise* previously agreed to be circulated by the end of April 2014 would still be. Andrew Richardson confirmed that the demolition statement and rodent papers will be circulated before the end of April 2014. **ACTION: Andrew Richardson to circulate papers.**

3.11. Ricci de Freitas highlighted that KCB a local group would like to offer their services and support with young people and questioned whether the tennis courts could be used for other activities in the holiday periods such as basketball or netball and organised events. Debbie Radcliffe asked where people would pay for use of the courts while the halls were being demolished.

3.12. Ricci de Freitas questioned whether the catchment area was a true representation of the local residents. David Berry stated that the plan gives an estimation of the local residents definition based on the feedback received so far. Ricci de Freitas suggested that the local catchment area for tennis needs revisiting and the CLG will provide a statement of what they wish it to be. David Berry clarified that this relates to those who are eligible for a discounted fee for using the tennis courts and not those who can use the courts. **ACTION: CLG to consider who a local resident is with regards to the catchment area for discounted use of the courts.**

3.13. It was asked how the courts would be managed during the construction of the residence. **ACTION: David Berry to confirm how the courts will be managed during construction.**

Paul Cockle asked for reassurance that accommodation would not be placed in the gardens. He received this. Liz Paul said one plan had shown accommodation on the car park on Sandwich Street, and this would be welcome protection from noise.

3.14. Debbie Radcliffe questioned when the CLG will receive feedback on the traffic routes. Andrew Richardson highlighted that discussion need to take place. Steve Cardno added that feedback will not be provided this week.

#### 4. **Scheduled date of next meeting**

It was agreed that the transport section of the CMP is revised and circulate before the next meeting date is determined.

Ricci de Freitas questioned whether the CLG can see the traffic report before the final document is submitted to the council. Andrew Richardson agreed to this.

David Berry requested Bob McIntyre to send him a soft copy of the minutes which were prepared by audio recording. **ACTION: Bob McIntyre to send David Berry the minutes.**

**Minutes Approved (Chair):** .....

**Date:** .....