

**To:
All Councillors
London Borough of Camden
2 November 2006**

Dear Councillor

Section 106 Agreement on the King's Cross Railway Lands Development

The section 106 agreement in relation to the King's Cross development is due to come to before Camden Council for agreement in mid November. There appear to be differing official views as to whether the agreement will be simply reported to the Council as a fait accompli or whether changes can be made at that stage. It seems to us that Councillors ought to make enquiries NOW as to whether the concerns that local people have been raising about the draft section 106, are being addressed in the final draft.

Local People Have Been Looking At the Details

Attached to this letter are a series of specific changes that have been requested by local people and organisations. They have all been presented (and some agreed unanimously) at the Council-supported King's Cross Development Forum (KXDF) and written copies have been given to officers. However, experience suggests that this is no guarantee that they will be accommodated, or even pursued by officers.

We Think That Councillors Should Check Out the Details

We need the oversight, and where necessary, the intervention of our elected representatives to get a workable agreement that will be implemented in the best interests of the people who will live in and around, have occasion to pass through, what will for many years be a

massive building site and eventually, a new part of Camden and of London.

How To Follow These Notes

The KXDF was told at earlier dates that it was too early to talk about Section 106. Then we were told that there would be no consultation on the terms of the Section 106 Agreement but that we could have information about it. We have been working from the publicly available “developer’s draft of the section 106 agreement”* and the topics we have raised follow the order in which that document places them: Employment & Training, Community Fund and Community Meeting Facilities, Leisure, Health, Transport, Code of Construction Practice, Heritage, Housing and Implementation Panels.

In order to make this understandable, there follows an introduction to each section that tries to convey where the comments have come from, why the matter is important and what the changes proposed are trying to achieve. The detailed amendments are then set out. We hope that Councillors will take this opportunity to understand what is at issue here and help up to get the best arrangements for taking this development forward.

This compilation has been put together by the King’s Cross Railway Lands Group although the organisations (see attached list) that have contributed to the enclosed material are not necessarily members of KXRLG.

Yours Sincerely

Marian Larragy

Co-Chair King’s Cross Railway Lands Group

* We understand that this may no longer be the most recent draft of Section 106 so members may need to ask officers to cross refer to the developers draft.

Employment and Training

Several local providers of training and some local small businesses (See attached list) met to look at the proposals on training and employment. This group had concerns about the rules for estimating the skills and number of jobs required being specified sufficiently far in advance so that arrangements could be put in place for local people to train for these vacancies.

Other concerns were the size of the proposed training facility, the length of the proposed lease and the half-hearted approach to creating a long-term training facility run by a local community organisation.

In addition, there were concerns about the effect that rising rents as a result of the development would have on the availability of services to the communities surrounding the railway lands. If the impact of the development on existing communities is to be compensated for, such as the potential loss of the services of small businesses and voluntary organisations that may no longer be able to afford the rents in the area, then a larger amount of rent controlled spaces suitable for small business and for voluntary organisations should be made available within the development through the Section 106 mechanism.

Community fund and community meeting facilities

Part of the Social and Community Fund should be allocated as early as possible to a qualified worker to facilitate negotiations between the parties (Council, Developer, Community) and to make match-funding applications, and to help establish a Cultural Interchange Centre as a principal agent in social and community activities. This amount would allow a programme of arts and other activities to commence. The Management of the Cultural Interchange Centre should be the appropriate community organisation.

The area specified for Community Meeting Facilities (pages 45/46) is of 370 sq metres. This would mean a small meeting space suitable for 50 people with no possibility to include important facilities such as public toilets, storage areas, performance space, community café, IT music facilities for otherwise disaffected youth. The space allocated for community facilities should be tripled and basements added where practicable.

There should be a museum, or gallery, of the industrial and social history of the area, funded with part of the Public Art fund of £1.75 million

Leisure

KCHCL (King's Cross Health Company Limited), a joint venture company with shares 50% council and 50% developer, is to be established to provide leisure facilities on the site. Although these facilities will be used by local people, there is no indication of community involvement. We therefore ask that those voluntary groups that are involved with leisure activities may be consulted on the needs and the possibilities of the site.

There is no indication if the leisure facilities will be an extension of the public realm with free play and local access. There is concern about a decrease of the provision of spaces which can be freely used by local communities. There is no detail on guarantees that the Leisure Facility and Indoor Sports Hall will remain for local residents.

Health

New health centres should be suitable for a wide range of health related services. The facilities should include recognized complementary therapies, physiotherapy, dentistry, podiatry,

counselling and bi-lingual clinics. Given the diverse ethnicities in area, the employment of support staff who speak community languages is a key issue.

Here is a great opportunity for a holistic health centre that is not focused solely on the medical view of health but that could provide health education and health related services to the community. There should be clauses added to the section 106 which commit the Developer to work with the PCT and the community to provide specific health provision as previously described.

Transport

We welcome the improvements to the bus services and the study into Maiden Lane station, but would like to see reference to the congestion in the south being overcome by re-orientating the transport programme to the rest of the area. We object to the developer appointing the co-ordinator of green travel initiatives, and under Green Travel there should be a monitoring of targets to show a clear reduction in car use. We are disappointed at the lack of reference to the network rail transport interchange.

Code of Construction Practice

This is a matter of great importance because it will hugely affect the impact that the years of construction will have on people living in and travelling through the surrounding areas. The comments that have been made are by a group that was involved with the detailed negotiation of the Channel Tunnel Rail Link legislation. They ensured that the legislation provided protection to the communities around the lands and were also instrumental in assisting the residents of Coopers Lane in using those safeguards to win a case against 24 hour working on the site. It should be noted that the CTRL company are on record

as acknowledging that the requirement to work with local residents on the details of working hours for noisy and disruptive tasks, has been surprisingly helpful to them. We urge Councillors to pay close attention to the details of the proposals and comments made in this section of the comment on what the S.106 agreement needs to deliver.

Heritage

We want to see stronger protection for those heritage buildings and structures that are mentioned in the s 106. "Reasonable endeavours" is far too weak. There should be more stringent requirements for the treatment of the retained Stanley Building South.

Could be done in the s 106 so that the historic built environment can play a major role in social and economic regeneration. Under environmental sustainability, the s 106 should mention the embodied energy in the heritage buildings. Local heritage organisations should be included in the implementation panels.

Housing

We want a better deal for social housing at King's Cross. We are raising questions about who will provide the housing and who will have access to the housing. The alternative housing providers should satisfy all the requirements of the tender, and the tender should make reference to customer care, user involvement, management and maintenance as in Camden's Housing Strategy. Local Tenants Associations should be involved in selecting the housing providers.

We feel strongly that the tender process could be undermined by the discretion given to the developer to decide which alternative housing providers to invite to tender, the discretion to change the transfer

price and to transfer the affordable housing to whomsoever the developer wants.

Not enough time is given for the Council and community to respond to contract variations. For example, the process for deleting the specialist units for the frail elderly.

For wheelchair accessible homes, there are various conditions that must be met. These should be resolved before the commencement of the development and with full involvement of the KX Access Forum.

The sustainable estates lettings policy limits lettings to over 55's and those with no breaches of their tenancy agreement. There should be other criteria such as overcrowding, disability, harassment, homelessness. We also feel that the space standard is too low.

Implementation Panels

The developer, Council and community working together in a series of working groups or implementation panels is to be welcomed.

However, much more substance is needed and this should be clarified in the s 106 and not left "open".

All of the main themes of the development should be covered by an implementation panel (for example, there is no housing panel), and all community interests should be represented. (for example, no role is given to tenant associations or the DMC). No resources are provided for the implementation panels, when resources are essential if the community is to contribute effectively.

Detail Comments in the attachment "KX Compiled Responses"

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