



Shared
Regulatory
Services

Pollution Control Construction Site Handbook

April 2018



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1. Introduction

Shared Regulatory Services (SRS) is a new and innovative collaborative service formed between Bridgend, Cardiff and the Vale of Glamorgan Councils on the 1st May 2015. The service delivers a fully integrated service under a single management structure for trading standards, environmental health and licensing functions with shared governance arrangements ensuring full elected member involvement.

Shared Regulatory Services recognises the balance between the need for new developments across the three Councils whilst at the same time ensuring that its residents and businesses are protected from environmental disturbance during the construction of both major and minor developments

This handbook provides guidance to contractors to ensure that disturbance from noise, vibration, dust and smoke arising from different phases of constructions are minimised, without unnecessary or unduly onerous restrictions on contractors. It is intended to encourage contractors to communicate with SRS in the early stages, to provide information, guidance and/or clarification on methods of work and assist developers to comply with relevant legislation..

Contractors should comply with the provisions of: -

- The Control of Pollution Act 1974
- The Environmental Protection Act 1990
- The Clean Air Act 1993
- The Environment Act 1995
- The Contaminated Land (Wales) Regulations 2006
- Environmental Damage (Prevention and Remediation) (Wales) Regulations 2009
- The Health & Safety at Work Act 1974
- Managing Health and Safety in Construction (Design and Management) Regulations 2015
- The Building Act 1984

It is not intended to supersede any other published guidance.

Although contractors are expected to adopt the full provisions of the Handbook, it may not be appropriate to apply all the provisions to smaller developments. However, if contractors wish to deviate from these provisions, they should consult with Shared Regulatory Services, prior to implementation, giving as much advance notice as possible.

Definition - The term 'Construction Works' applies to site activities, preparation, demolition, excavation, tunnelling works, building operations, structural alterations, repair and maintenance of buildings, transportation of materials and spoil to and from a site.

2. Protection of the Public and Building

Contractors should ensure that measures are taken to:

- ✓ Protect local communities and members of the public from nuisance or harm, and
- ✓ Protect buildings from physical damage as a result of vibration.

What are the Health and Safety Executive (HSE) responsible for?

The HSE are responsible for enforcing health & safety legislation on demolition and construction sites. They also deal with hazardous materials such as asbestos.

For further advice and information on working with asbestos please contact the HSE on: [0300 003 1747](tel:03000031747).

For advice in relation to the disposal of asbestos please contact Natural Resources Wales on: [0300 065 3000](tel:03000653000).

Dangerous Structures

Building Control are responsible for enforcing safety legislation in relation to dangerous structures. They also recommend that all sites should be adequately secured against unlawful entry. The owner of the site may be liable for costs in relation to the service, where works are needed to prevent public harm.

For further information or advice please go to Page 13, Section 9, where there is a list of contact information.

3. Hours of Work

Where there are built up areas of residents in the locality of the site, who are likely to be adversely affected by noise from construction activities, which include vehicles and plant arriving and leaving the site, the following hours should be adhered to:

<p style="text-align: center;">The permitted hours for noisy works are:</p> <p style="text-align: center;">Mon - Friday 08:00 - 18:00 hrs</p> <p style="text-align: center;">Saturday 08:00 - 13:00 hrs</p> <p style="text-align: center;">Sunday and Bank Holidays - NO noisy activities to be carried out.</p>
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Prior to any works starting, it is good practice for contractors to inform occupiers of all properties which may be affected by noise, dust or vibration arising from the nature of the construction works, proposed hours of work and their expected duration.

Contractors should include the name and telephone number of a main contact within the contractor's organisation who is able to give further information and deal with any complaints or emergencies that may arise at any time.

Shared Regulatory Services (SRS) recognise that there may be circumstances where the restriction on hours of work cannot be adhered to.

In these circumstances, the contractor will be required under the Control of Pollution Act 1974 to fully justify any proposed deviation from this Handbook and provide written justification to SRS at least 28 days prior to any works commencing. This may be done via e-mail or through a section 61 application if applicable.

The Section 61 consent application form and a step by step guide on how to fill out this application can be found in Appendix A & B.

4. Control of Pollution Act 1974

Section 61 and Section 60

Applies to: the erection, construction, alteration, repair or maintenance of building, structures or roads. The breaking up, opening or boring under any road or adjacent land in connection with the construction, inspection, maintenance or removal of works. Demolition or dredging work and any work of engineering construction.

Section 61 - Prior consent for work on Construction Sites.

Contractors should demonstrate that all reasonable steps have been taken to minimise disturbance from the works. Where appropriate consideration should be given to:

- Screening noisy machinery or plant to reduce noise levels at receiver;
- Use of alternate working methods;
- Publicised 'rest periods' during which noisy operations are temporarily stopped;
- The offer of temporary accommodation to residents likely to experience severe and prolonged disturbance

The Local Authority can;

- Attach conditions to a consent; and
- Limit or qualify a consent to allow for any changes in circumstance; and
- Limit the duration of a consent

If the Local Authority considers that the application contains sufficient information and if the works are carried out in accordance with the application, then the Local Authority would not serve a section 60 notice.

Section 60 - Control of Noise on Construction Sites.

The local authority may serve a notice under section 60 of the Control of Pollution Act 1974, imposing requirements such as restricting or prohibiting the way in which the works are to be carried out and/or specify the hours, which is likely to have a detrimental impact on a person's quality of life within the locality.

- The Local Authority shall also have regard to ensuring that the best practicable means (BPM) are employed by contractors to minimise noise.
- The notice shall be served on the person who appears to the Local Authority to be carrying out, or going to carry out, the works, or who appears to be responsible or have control over the carrying out of these works.

If you require any further information in relation to Section 60 and Section 61 under the Control of Pollution Act 1974, please contact us on [0300 123 6696](tel:03001236696).

5. Noise and Vibration

Noisy plant or equipment shall be situated as far as possible from noise sensitive buildings or sites. Barriers should be effectively placed and employed wherever practicable to reduce the amount of noise from reaching noise sensitive buildings, and may take the form of site huts, partitions, earth bunds or acoustic enclosures.

The following provisions should be adhered to wherever practicable: -

1. Vehicles and mechanical plant shall be fitted with effective exhaust silencers and maintained in good and efficient working order. They should be operated in such a manner so as to minimise noise emissions. The contractor shall ensure that all plant and equipment, is well maintained, properly silenced and used in accordance with the manufacturer's instructions and BS 5228.
2. Machines in intermittent use should be shut down or throttled down to a minimum when not in use.
3. Compressors should be fitted with properly lined and sealed acoustic covers that should be kept closed whenever in use. Pneumatic percussive tools should be fitted with mufflers or silencers of the type recommended by the manufacturers.
4. Equipment that breaks concrete, brickwork or masonry by bending or bursting shall be used in preference to percussive tools where practicable. Avoid the use of impact tools where the site is close to occupied premises.
5. Where practicable rotary drills and bursters activated by hydraulic, chemical or electrical power shall be used for excavating hard or extrusive material.
6. Neither any part of the works or any maintenance of plant shall be carried out in such a manner as to cause unnecessary noise or vibration except in the case of an emergency, where the work is absolutely necessary for the saving of life or property or the safety of the works.
7. Plant shall be maintained in a good condition so that extraneous noise from mechanical vibration, creaking and squeaking is kept to a minimum.

Care should be taken to reduce noise when loading or unloading vehicles or dismantling scaffolding or moving materials etc. Instructions should be given to ensure that vehicles and plant arriving at and leaving the site should comply with the stated hours of work.

Piling

Piling works are one of the most intrusive construction activities and most annoying to neighbouring occupiers and residents. The noise sensitivity of the area should always be considered when determining the method of piling to be used. Both the Building Control and Neighbourhood Services Teams of Shared Regulatory Services should be consulted on the reasons for the chosen method of piling.

The use of conventional impact hammers for driven steel piling should, wherever possible, be avoided. Where practicable, jacked or auger piles shall be used in preference to piles driven using other methods. Any pile driving shall be carried out by plant equipped with a recognised noise reducing system.

Where surface contamination or ground gases are present on site, appropriate piling techniques should be adopted to prevent potential or significant, harm or pollution to receptors. (See section on contaminated land.)

In some circumstances, Shared Regulatory Services may limit the hours of piling further. [If piling is to be undertaken, it is important to contact us first to discuss this.](#)

Gritblasting

The work area should be close sheeted to reduce dust nuisance from grit. Routine checking is required to ensure that the sheeting remains functional, intact and sealed during the operation. Attention shall also be given to the working platform to ensure that it is properly sheeted or sealed to contain dust.

Non-siliceous grit must be used to avoid the long-term irreversible lung damage from silica dust.

Proper protection will be provided for any structure painted with lead based paint in order to prevent the exposure of workers or the general public to the dust produced.

In cases where water is used for large scale cleaning and blasting the requirements of Natural Resources Wales should be followed.

Further guidance and mitigation measures are contained in:

BS5288, 'Code of practice for noise and vibration control on construction and open sites Part 1 and Part 2.

6. Dust and Air Pollution

Local Air Quality Management

The provisions of Part IV of the Environment Act 1995 establish a national framework for air quality management, which requires all local authorities in England, Scotland and Wales to conduct local air quality reviews. Section 82(1) of the Act requires these reviews to include an assessment of the current air quality in the area and the predicted air quality in future years.

The air quality objectives applicable to Local Air Quality Management ('LAQM') in Wales are set out in the Air Quality (Wales) Regulations 2000, No. 1940 (Wales 138) and Air Quality (Amendment) (Wales) Regulations 2002, No 3182 (Wales 298). Where the air quality reviews indicate that the air quality objectives may not be met the local authority is required to designate an Air Quality Management Area ('AQMA'). Action must then be taken at a local level to ensure that air quality in the area improves. This process is known as LAQM.

Legislation, Impacts & Causes

Air quality impacts associated with construction and demolition activities that may affect sensitive receptors are;

- Dust deposition, resulting in the soiling of surfaces;
- Visible dust plumes, which are evidence of dust emissions;
- Elevated PM10 concentrations, as a result of dust generating activities on site; and
- An increase in concentrations of airborne particles and nitrogen dioxide due to exhaust emissions from diesel powered vehicles and equipment used on site (non-road mobile machinery) and vehicles accessing the site.

Receptor is defined as - A location that may be affected by dust emissions during demolition and construction. Human receptors include locations where people spend time and where property may be impacted by dust. Ecological receptors are habitats that might be sensitive to dust.

The risk of dust emissions from a demolition/construction site causing loss of amenity and/or health or ecological impacts is related to;

- Activities being undertaken (demolition, number of vehicles and plant etc.);
- Duration of these activities;
- Size of the site;
- Meteorological conditions (wind speed, direction and rainfall);
- Proximity of receptors to the activities;
- Adequacy of the mitigation measures applied to reduce or eliminate dust; and
- Sensitivity of the receptors to dust.

Best Practicable Means (BPM) must be taken to prevent dust causing a statutory nuisance and it is the duty of the contractor to demonstrate that all reasonable remedial action has been implemented. Where dust generated from construction work amounts to a statutory nuisance or a nuisance is likely to occur or recur, SRS has a duty to serve an abatement notice under section 80 of the Environmental Protection Act 1990 (as amended) requiring the nuisance to be abated or to prevent its likely occurrence or recurrence. If there is a breach of the notice, the Magistrate's Court can impose a fine of any amount upon summary conviction.

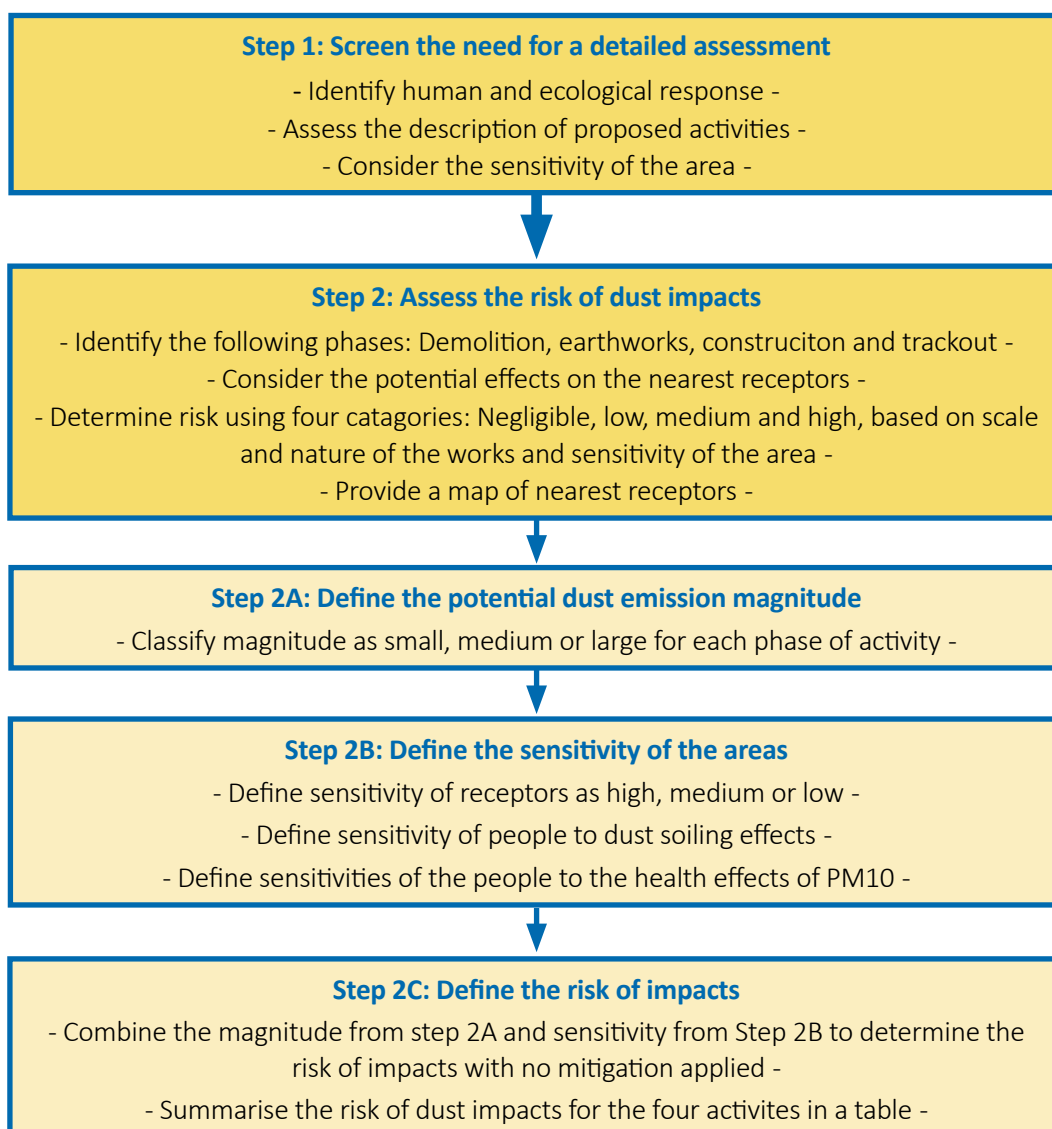
Dust Assessment

As part of the planning process, it is a requirement that consideration and correct procedures are adopted to quantify the potential adverse impact to sensitive receptors due to emissions derived by works undertaken on a development site. Utilising best practise guidance IAQM '[Guidance on the assessment of dust from demolition and construction' \(2014\)](#), the contractor shall quantify the need for a detailed dust assessment. The dust assessment will assess the magnitude of risk posed by demolition and construction activities on a development site, on the basis of the scale and nature of the activities, and the sensitivity and proximity of dust-sensitive receptors.

Activities on construction sites with the potential to generate dust and emissions can be categorised into four types of activities;

- Demolition- any activities associated with the removal of existing structures on site;
- Earthworks- includes the processes of soil-stripping, ground-levelling, excavation and landscaping;
- Construction- any activities relating to the provision of new structures on site; and
- Track-out- the transport of dust and dirt from the construction site onto the public road network where it may be deposited and re-suspended by traffic using the network.

The potential for dust emissions is assessed for each activity that is likely to take place, following a four-step process in order to determine the risk of impacts. The four step process is outlined by the figure below, (which is taken from London's SPG) '[The Control of Dust and Emissions during Construction and Demolition' \(2014\)](#).



Construction site vehicle emissions

Exhaust emissions from construction vehicles and non-road mobile machinery (NRMM) have the potential to impact local air quality during the construction phase. IAQM guidance advises that a quantitative assessment may be required where a scheme is expected to result in a change in HDV flows on local roads of 25 vehicles per annual average day or more in or adjacent to an Air Quality Management Area (AQMA).

Mitigation Measures during Construction

There are a range of mitigation measures that can be employed to control dust and emissions generated during construction and thereby lessen the nuisance and human health impacts associated with these activities.

Construction dust usually responds well to mitigation measures as long as a coordinated Air Quality Dust Management Plan (AQDMP) is implemented. The AQDMP will form part of the wider Construction Environmental Management Plan ('CEMP') that will be prepared in advance of the commencement of development.

All potential dust-generating activities and locations must be identified prior to commencement of work on site. Dust should be controlled at source by the use of appropriate handling techniques, good maintenance and good housekeeping. Possible mitigation techniques are recommended in the IAQM guidance. Best practice guidance dictates that impacts of NRMM and vehicle emissions should be minimised by employing vehicles and plant machinery that are reasonably new, that conform to recent emission standards and that are well maintained.

For further information, please refer to;

The Institute of Air Quality Management: Guidance on the assessment of dust from demolition and construction. <https://tinyurl.com/pbhc34u>

7. Waste

Under Section 34 of the Environmental Protection Act 1990 'Anyone who produces, imports, keeps or stores, transports, treats or disposes of waste, has a 'duty of care' to take all reasonable steps to ensure waste is safe and that it is adequately described on transfer.

Disposing of Controlled Waste

Business and commercial waste must be disposed of by a 'Registered Waste Carrier, who holds a Waste Management Licence.' A person who transports, recycles and disposes of waste within Wales must be registered with Natural Resource Wales. If a private contractor takes your waste away, you should ensure that they are registered by asking to see their Waste Registration Certificate or check on Natural Resources Wales website.

A [Waste Transfer Note](#) must also be completed for each load of waste that leaves your premises.

Storage

Waste should be stored in suitable receptacles that are weatherproof to prevent the escape of waste and from preventing packaging from blowing away and be capable of containing the waste in case of accidents. It should also be kept in a secure manner to ensure that, as far as is reasonably practicable, access is prevented by vandals, thieves and animals.

Hazardous Waste

Waste classed as hazardous has to be removed using "Special Waste", Section 62 consignment note procedures. These are available from the Natural Resources Wales on 03708506506.

If in doubt contact the Council's waste department and/or waste contractor for advice. Offenders can be fined up to £5,000 or an unlimited fine if sent to the Crown Court.

All contact information for Waste can be found on Page 13, Section 9 of this handbook.

Under NO circumstances are contractors, agency workers or sub-contractors allowed to burn waste, unless they have been granted a Waste Exemption from Natural Resources Wales.

8. Land Contamination

Your site may be contaminated with pollutants as a result of past activities, especially on brownfield sites. Common pollutants include asbestos, hydrocarbons (such as oils and fuels) and hazardous heavy metals and solvents. They might be present in either the soil or groundwater or both. On any site it is important to identify possible contamination before you start works as your activities have the potential to mobilise any contamination and present a risk to human health and the environment. You need to ensure your activities don't cause future land contamination, particularly if you handle hazardous substances. If you pollute the land or ground you could be prosecuted and may be liable for clean up costs. If your site is classed as contaminated land you will have responsibilities under law for managing the contamination and will need to work very closely with SRS to remediate the site to ensure that the land is not a risk to human health or the environment.

- Ensure you're aware of any planning conditions or requirements to investigate or remediate any land contamination.
- Before work starts, identify any potential contamination on site.
- Contact us to find out if we are aware of any contamination issues at the site.
- A specialist contamination assessment may have been undertaken, even if your site is not classed as 'contaminated land'; this should help you identify the location of any contaminants and the measures required to manage them.
- Seek expert advice on dealing with contamination. if required, e.g. from a consultant with proven experience in the assessment and remediation of contaminated sites.
- Ensure you work to an agreed remediation strategy for dealing with contamination.
- Liaise with your local authority to discuss your proposed methods for dealing with contaminants.
- Ensure that you work to agreed methods to prevent pollution.
- Ensure that you have an incident / emergency plan for dealing with incidents on site such as a spillage.
- If you discover unexpected contamination on the site, stop works and seek advice from us.

If you have any concerns regarding contamination at your site please call our Specialist Services Team on [0300 123 6696](tel:03001236696). For matters relating to the pollution of controlled waters contact NRW on [0300 065 3000](tel:03000653000).

For more detailed guidance on managing land contamination please refer to the following [Development of Land Affected by Contamination: A Guide for Developers](#) , available on the SRS website.

9. Contact information

Pollution, Noise, Air Quality and Contaminated Land (24hours):

030 0123 6696

enquiries-SRSWales@valeofglamorgan.gov.uk

For all other enquires please contact each individual Council.

Bridgend County Borough Council

01656 643643

talktous@bridgend.gov.uk

Cardiff Council

029 2087 2087

<https://www.cardiff.gov.uk/ENG/Home/Contact-us/General-enquiries/Pages/default.aspx>

The Vale of Glamorgan Council

01446 700111

C1V@valeofglamorgan.gov.uk

NRW: 0300 065 3000

HSE: 0300 003 1747

Appendix A

Guidance on completing the Section 61 prior consent application

1. Address or location of proposed works

Address / location of the work site. A site location plan should be included to a scale of not less than 1:1250

2. Name and address of main contractor

Company name and address (Registered Office) of Applicant. The name and telephone number (and e-mail address) of an appropriate contact within organisation should be provided (e.g. from site manager).

3. Particulars of the works to be carried out

Details should be provided of the type of work to be carried out at each stage.

4. Methods to be used in each stage of the development

Method statement of the works involved at each stage of the project should be provided, including the nature of work and duration of each phase. The application should set out how the work will be carried out and provide an outline justification on why the methods selected constitute Best Practicable Means.

5. Working hours

Hours of work proposed for each method or stage of work should be provided, and can include a programme detailing work operations to be carried out on daily (or other) cycles

6. Number, type and make of equipment and machinery stating Sound Power Levels

A full list of plant and equipment proposed to be used. Sound power levels should be included for each piece of equipment. Sound power levels may be extracted from guidance offered by British Standard 5228 or from other appropriate sources, e.g. manufacturers' specifications.

7. Proposed steps to minimise noise and vibration

The use of best practicable means (BPM) at all times, details of the specific BPM measures to be employed should be indicated (see British Standard 5228 for guidance).

8. Predicted noise and vibration levels

Noise levels should be predicted at locations identified on the Site Plan and, in particular, at "sensitive receptors" identified beyond the site boundary. "Sensitive Receptors" will include residents, schools, hospitals, places of worship and businesses having particular sensitivity to noise.

9. Approximate duration of works

The application should set out the project duration including the anticipated start date and completion date. Also an indicative Construction Programme, showing the duration of each phase of work should be provided, where possible, acknowledging that the programme may be subject to change.

10. Person to contact in case of complaint

Engagement and notification measures, such as newsletter and letter drops to all those affected, and the setting up of a telephone “hotline” for complaints (where appropriate), should be included in the application as good public relations can substantially reduce potential conflicts between residents and contractors.

11. Closest residential receptors

Identifying residential areas within close proximity of the site which may be adversely affected. Engagement and notification measures, such as newsletter and letter drops to all those affected, and the setting up of a telephone “hotline” for complaints (where appropriate), should be included in the application as good public relations can substantially reduce potential conflicts between residents and contractors. Also any proposed monitoring locations.

12. Site Plan

Include maps of the site and close surrounding areas which is going to be developed.

13. Other information

May include contact names, telephone numbers and e-mail addresses. This section may also make reference (for information only) to other off-site control measures that the project in question may have committed to and which is material to understanding the likely effects on persons in the locality.

14. List of Appendices

All attached plans and documents should be listed. The use of numbered appendices is recommended.

Appendix B

Application Form for Section 61 Consent

CONTROL OF POLLUTION ACT 1974, Section 61

Submission No:

Local Authority Reference:

To Shared Regulatory Services

I/WE HEREBY MAKE AN APPLICATION for prior consent in respect of works to be carried

out at the site specified in section 1 below, under Section 61 of the Control of Pollution Act 1974.

Signed Date.....

APPLICANT'S DETAILS:

Name:

Address:

Post Code:

Address of registered office:

Post Code:

Telephone:

E-mail:

Applicant's interest in the site:

<p>1. Address of proposed works and location plan</p>	
<p>2. Name and address of principle contractor.</p>	
<p>3. Particulars of works to be carried out, including any piling operations, demolition work/ concrete crushing and screening work, concrete pouring and power floating</p>	
<p>4. Methods to be used in each stage of works</p>	
<p>5. Hours of Work</p> <p>Are there envisaged to be any situations where work will be carried out outside 'normal' working hours?</p> <p>If yes, provide a robust rationale / justification for any works which need to be undertaken outside of 'normal' working hours and the proposed hours of working</p>	
<p>6. Number, type and make of plant and machinery (including heavy vehicles) stating Sound Power Levels.</p>	

<p>Table 6.1 Full List of Plant- including number and type of compressors/ temporary traffic lights to be used</p>
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Table 6.1 (cont)	

7. Proposed steps to minimise noise and vibration/ best practicable means to be employed to control noise	
8. Predicted noise and vibration levels	
9. Approximate duration of Works-include start and finish dates	
10. Person to contact in case of complaint	
11. Identification of closest residential receptors and proposed steps to ensure that residents are not adversely affected by noise and vibration, including any proposed monitoring locations	
12. Site Plan	
13. Other Information	
14. List of Plans and documents attached	

