

Factsheet 40: Environmental Protection



Construction and Demolition Works

Advice to contractor and builders

This advice is intended for all builders, contractors, statutory undertakers, developers, architects, and others who are/will be carrying out works within Preston City Council's boundary. It deals with the three things most likely to give rise to complaint when carrying out demolition or construction work:

- Noise
- Bonfires
- Dust

How to avoid Noise Complaints

Some construction and demolition work is unavoidably noisy but many complaints can be avoided by carrying out work in a considerate manner. The time of day when noisy work is carried out and the methods used can make a big difference.

Hours of Working

The Council would not normally place any restrictions on sites, with regard to working hours. However, noisy activities would not be expected to be taking place outside of the following hours:

- 08:00 to 18.00 hours Monday to Friday;
- 08:00 to 13.00 hours Saturdays.

In order to ensure respite to the local residents, where noisy works do arise, the Council would expect there to be no work undertaken on Sundays or Bank Holidays.

Noisy activities are defined as those where a neighbour, whether residential or commercial, could hear the activity in their house, garden or at their business premises. There is scope for negotiation on these hours especially if there are no immediate neighbours or specialist work has to be undertaken.

Methods of Working

The law requires you to use the Best Practical Means (BPM) to minimise noise. This means that noise should be taken into account when deciding the method of work and the machinery which is to be used. Guidance on BPM can be found in

British Standard 5228 (2009) "Noise and Vibration Control on Construction and Open Sites". Care should be taken to ensure that use of non-construction equipment (e.g. radios) does not disturb people in the vicinity.



What the Council will do about Noise Complaints

If a complaint is received about noise from a construction or demolition site Officers will visit the complainant and the site to assess the severity of the problem. If the noise is causing a significant disturbance to anyone living or working in the area and the site operator is not using BPM to minimise it, legal action may be taken. The person who appears to be responsible for the site will receive a Notice containing specific requirements about how work should be done on the site.

The law dealing with noise is contained in the Control of Pollution Act 1974 and the Environmental Protection Act 1990. Anyone who does not comply with a Notice issued in accordance with these Acts is liable to a fine following a conviction in the Magistrates' Court.

Avoid Bonfires

Smoke from bonfires is the commonest cause of complaints about work sites and yet the simplest to avoid. Bonfires increase levels of air pollution and the smoke causes nuisance to people living and working in the area. Burning of materials such as plastic, rubber or paint not only creates an unpleasant smell but also produces a range of toxic fumes.

In an urban area burning any significant quantity of waste is almost certain to cause a nuisance to people in the vicinity. Waste from construction and demolition sites should not be burned on site but should be disposed of at a licensed Waste Disposal Site.

If Officers find that a bonfire on a work site is causing or appears likely to cause a nuisance to people in the vicinity, a legal Notice may be served on the person responsible in accordance with the Environmental Protection Act 1990. The Notice will require the bonfire to be extinguished or not to be lit. Failure to comply will lead to a fine following conviction in a Magistrates' Court. Currently the maximum fine is unlimited.

How to Deal with Dust

Dust from construction activities can be controlled through the use of water sprays and screens. Dry deposits should be kept damp and dusty waste material sprayed before it is loaded into lorries for removal from site. Lorries should be sprayed before they leave the site so that they do not carry dust off the site. Where practicable dusty areas should be screened. Any dirt, dust, mud, debris etc. that finds its way into surrounding areas is to be cleared immediately, e.g. dirt and dust to be cleared off footways and carriageways.



Site operators are required by law to use Best Practical Means (BPM) to minimise nuisance to people in the vicinity from dust. Legal action can be taken via the service of a Notice in accordance with the Environmental Protection Act 1990 if there is a nuisance and the operator is not using BPM. The procedure is similar to the procedure for dealing with smoke.

Drainage

Any drainage connections to public sewers should be exposed and capped off to prevent ingress of debris to the public sewer and any possible nuisance from rodents/vermin. Surface water drainage systems have to be kept clean. If a blockage arises it must be cleared immediately.

Mobile Crushing Plant

If a Mobile Crusher is used the operator of the machine must have a permit in accordance with the Environmental Permitting Regulations and we must receive prior notification of its use. The permit is issued by the local authority covering the area in which the machine is based. The Crusher must be operated in accordance with the conditions of the permit. Officers may carry out checks on this and failure to comply with the permit conditions can lead to prosecution.

Last but not Least

Good public relations will help to minimise complaints about a work site. Efforts should be made to keep local residents and businesses informed about what is happening on the site and when various stages of the works will be complete. People will usually be more tolerant if they know why the work is necessary, when it will start and finish each day and how long it will take.

Contacting us

If you would like more information you can contact us by:

Writing to: Environmental Health Department, Town Hall, Lancaster Road, Preston PR1 2RL

Phoning: 01772 906907

Emailing: info@preston.gov.uk