

ISSUE DETAILS

Reference	ENV/06	Issue No.	1	Issue Date:	20/02/15
Title	Control of Noise, Vibration and Nuisances				
Status	New				
Compliance Date	Immediate				
Document Owner	Head of Quality & Environment				

BRIEFING REQUIREMENTS

The following table defines how revised issues of this document are briefed to existing employees according to related specific responsibilities.

This is determined using the 'RACI' principle. Those roles identified as 'Responsible' and 'Accountable' should receive a formal awareness briefing facilitated by the Document Owner.

Role	RACI	Type of briefing
All Staff	Informed	Awareness
Environmental Advisor	Responsible	Technical
HSQE Managers/Advisors	Responsible	Technical
Project Managers	Accountable	Technical
Senior Project Managers	Accountable	Technical

PURPOSE

The site activities carried out by VolkerRail (VR) have the potential to create nuisances to many stakeholders including local residents and/or businesses. This may lead to complaints, either directly to VR site personnel, VRCC, clients or to the local authority. These complaints can influence public perception of the company and as a result, damage the reputation leaving VR at a competitive disadvantage.

This standard has been produced to assist project teams reduce the adverse impacts of nuisances as a result of VR activities. It outlines the definitions of nuisances with regard to the meaning under the Environmental Protection Act 1990 (EPA) and provides guidelines on prevention and minimisation of these nuisances ultimately ensuring compliance to environmental legal requirements.

The standard also describes the process to be followed when applying for a Section 61 (S61) Consent

SCOPE

The standard applies to all VR activities, which may if left unmanaged, cause inconvenience to others and leave the business non-compliant with environmental legislation. It is essential that Project Managers liaise with the VR environmental department throughout all stages of the project to ensure they adequately control environmental risks.

WHAT HAS CHANGED IN THIS LATEST ISSUE AND WHY

With the implementation of this standard the following changes to the IMS include:

- SQE75 – Best Practicable Means: Control of Noise, Vibration and Nuisances from Construction Activities withdrawn and renumbered ENV/06.
- Title of standard changed to just Control of Noise, Vibration and Nuisances
- SQE76 – Management of Section 61 Applications – Standard withdrawn from IMS as requirements now included in ENV/06
- SQE77 – Management of Statutory Nuisances – Standard withdrawn from IMS as requirements now included in ENV/06

ISSUE RECORD

Issue No.	Date	Summary of changes
1	20/02/15	Initial issue.

IMS AUTHORISATION

Approval	Name	Role
Document Owner	Chris Leek	Head of Quality & Environment
Approval for IMS	Emma Glenc	Assurance Manager
Approval for IMS	Chris Leek	Head of Quality & Environment

1. PURPOSE

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3. REFERENCES (INPUTS) / RELATED DOCUMENTS

- ENV/01 – Corporate Environmental Manual
- ENV/04 – Project Management and the Environment
- ENV/08 – Management of Environmental Incidents
- SQE81 – Environmental Aspects and Impact Identification
- BS5228:1997 - Noise and Vibration Control on Construction and Open Sites
- BS4142:1997 - Method for Rating Industrial Noise Affecting Mixed Residential and Industrial Areas
- BS7445:1991 - Description and Measurement of Environmental Noise
- Environmental Protection Act (EPA) 1990 Part III
- Control of Pollution Act 1974 (COPA 1974),
- Noise and Statutory Nuisance Act 1993,
- TBT/E006 – Be a Good Neighbour Toolbox Talk
- TBT/E012 – Dealing with Members of the Public Toolbox Talk
- TBT/E014 – Dust and Air Quality Toolbox Talk
- TBT/E024 – Noise and Vibration Toolbox Talk

4. DEFINITIONS

Abatement Notice	Served by the LA under the Control of Pollution Act (CoPA) 1974 in order to prevent VolkerRail from undertaking the planned work in the proposed manner.
BPM	Best Practicable Means; Refers to all methods employed to reduce the nuisance impacts on site. Methods used are to be cost effective and viable under the circumstances.
EA	Environment Agency
EHO	Environmental Health Officer; has duties to respond to public complaints of nuisance in the community. An EHO will attend the site following complaints to investigate the cause of the noise.
Interested Parties	Includes members of the public, regulatory bodies (Local Authorities) and any other persons/organisations that may be affected by the work
LA	Local Authority
MS	Method Statement
PECR	Project Environmental Checklist and Report

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PEMP	Project Environmental Management Plan
Statutory Nuisance	Defined in Section 79 of the EPA 1990 as “...any smoke, dust, gas fumes, steam, smell, accumulation, deposit, keeping of an animal, noise or vibration at or from premises which is prejudicial to health or a nuisance, may be a statutory nuisance”
WPP	Work Package Plan
VR	VolkerRail

5. PROCESS

5.1 Introduction

It is the responsibility of VR Senior Management / Project Managers to ensure that the requirements of this standard are met in order to minimise the impact of nuisances that may arise from work sites and that relevant legislation is not breached.

All site staff must be informed of the necessary requirements through site specific inductions, task briefs and work package plans, and it is the responsibility of all site staff to apply these requirements to meet statutory requirements relating to nuisance control.

5.2 Pre-Work Site Assessments

Prior to any work taking place a site visit(s) shall be undertaken in order to identify any concerns within the terms of this standard. Following this visit the Project Manager shall ensure that the Project Environmental Checklist and Report (PECR) is completed. This should detail the risk rating associated to the works, requirements for contact with the Local Authority (with specific regard to S61 consents) and recommended actions to minimise the impact of nuisances.

The types (residential, industrial or commercial) and numbers of buildings in close proximity to the proposed site of work should be noted and from this the relevant course of action to minimise the effect on the local communities will be taken. This will depend on a number of factors, including the distance from site, the predicted hours of work, the type of nuisances expected to arise.

Further information regarding PECR’s is detailed in VR standard ENV/04 – Project Management and the Environment.

5.3 Project Environmental Management Plan (PEMP)

Project Environmental Management Plans developed for projects should explicitly detail the use of BPM to control impacts from construction noise and vibration. The PEMP’s should contain those specific measures contained within this standard that are considered appropriate to the works in question. The applicable Project Manager should ensure that these measures are communicated to all relevant personnel at the outset of the site activities. In addition to this the PEMP should include any associated consent requirements.

Please note that the specific measures contained in this standard are not an exhaustive list and further measures may be identified depending on many factors of the site activities e.g. site location etc.

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5.4 Minimisation of Nuisances

The Project Manager must ensure that nuisance preventative measures are implemented. Where total prevention is not possible, minimisation methods must be utilised. For example, dust from ballast on hot summer days may be unacceptable if work is taking place near a hospital or other another environmentally sensitive receptor. A damping down procedure or alternative schedule may be necessary to minimise nuisance risk. These control measures must be outlined in the PECR, which may be a stand alone document or, alternatively, can be attached as an appendix to the Task Brief / WPP.

Wherever possible, working hours will be scheduled to avoid periods where nuisance may cause complaints from local residents, for example, complaints about site lighting during night- time working.

Best Practicable Means (BPM) shall be used at all times to minimise disturbance and disruption to local residents, for example, by switching off plant and vehicles when not in use. Staff will be advised on the times they must be on-site to minimise the nuisance impact of the work and they will be instructed to exercise due care and attention throughout the shift to avoid creating unnecessary nuisance.

5.5 Local Authority Permissions Required to Carry-Out Work

Local authorities (LA) should be contacted by the Project Manager / HSQE Advisor / Environmental Advisor in advance of the commencement of work in order to inform the Environmental Health Officer(s) (EHO) of VR’s presence on site. This improves public relations as the EHO may be able to answer any queries arising from the general public without involving VR, which reduces the possibility of any disputes arising between VR and the LA. Such disputes can be time consuming and may result in an abatement order which will lead to an overrun in the work.

Where it is necessary, the Project Manager / HSQE Advisor / Environmental Advisor may contact the LA to discuss and agree certain conditions to facilitate the works planned. Such agreements may include restricted working hours, for example, there may be certain times of the day when work may not be possible. Written notices to explain the nature and duration of the work must be issued where necessary to give reasonable advance notice to neighbours. A S61 may also be granted by the LA – this is further detailed in clause 5.8 of this standard.

Essential to the planning process is the recognition of which part of the week, the time of day and the season during which the work will take place. Using this information and the information gathered in the pre-assessment stage, the potential effects on sensitive receptors (hospitals, schools, hotels and residences etc.) can be assessed.

5.6 Nuisance

If our activities are found to be causing a nuisance to the surrounding community, the local authority (LA) can limit or even stop the company from working. The LA can restrict:

- The type of machinery used;
- Working hours;
- Noise levels emitted from our premises or sites

Failure to address a nuisance problem can result in legal action and a fine.

If the local authority believes that VolkerRail site activities are creating an unreasonable level of noise or a potential statutory nuisance, it can serve a prohibition notice. In England, Scotland and Wales, this is known as a Section 60 Prohibition Notice.

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5.7 Section 61 Consent

VR can apply to the local authority before we start work for a consent, this gives prior permission for the generation of construction noise, agreeing conditions to be kept to while work is being completed. This reduces the risk of being served a notice under the terms of the Control of Pollution Act 1974.

In England, Scotland and Wales this is known as a Section 61 (S61) consent. A S61 Prior Consent is covered under Part III of the Control of Pollution Act (COPA) 1974. Without such a consent, LAs can serve an abatement notice (under section 60 of COPA 1974) on VR, imposing requirements on the way the work is conducted, for example, specifying the types of plant and machinery used and the hours of work. Non-compliance with an abatement notice when issued is an offence.

Obtaining a S61 Prior Consent protects the company from any abatement notices that may be issued, providing that terms and conditions and noise levels set out in the consent are complied with.

The local authority will give their consent if they consider that our proposals for the site are reasonable and, if you we act in accordance with our application, it would not serve a prohibition notice.

The consent application must contain details of:

- The work we will be undertaking
- The location of the work
- The proposed working hours
- The proposed method of work
- Plant and Equipment to be used
- Estimated noise levels
- The steps we will take to minimise the noise.

Again failure to undertake work in accordance with the consent will mean that the local authority may prosecute VR.

5.7.1 Determining the Requirement for a Section 61 Consent

An application for a S61 consent must be made if the client has specified this in the contract documents. If it is not specified, the Project Manager (in liaison with the Local Council and Client) must decide whether consent will be required for the work.

If the proposed work has the potential to cause public complaints, S61 consent can prevent the LA from issuing an abatement notice providing that the noise limits specified in the consent application are being adhered to and that BPM can be demonstrated. If S61 consent is not sought, the EHO from the LA may visit the site and prevent work from continuing. The Project Manager may request advice on this matter from the Head of Quality & Environment and/or HSQE Advisor / Environmental Advisor.

5.7.2 Submitting the Application

It is the responsibility of the Project Manager to obtain and complete the appropriate application forms which should be obtained from the LA. Where a number of local councils are involved, e.g. where the work site crosses the boundary of two or more, then a S61 must be completed for each LA.

The S61 application form usually requests the following information from the applicant:

- Main address,
- Contact Name
- Location of the proposed work,
- Proposed working hours,
- Anticipated dates of work,
- Mitigation measures to be used,
- Method statement
- Plant and equipment to be used and
- Predicted Noise Levels of the proposed work.

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The LA is entitled to 28 days to determine the application so it is essential that sufficient time is allowed for this. Work must not begin until a consent has been obtained in writing from the LA. Where work requires that two or more LAs are consulted, written consent must be obtained from all LA's involved.

5.7.3 Information to Include in the Application

The application form to be submitted to the LA requests information on the noise levels of the plant to be used. Where VR Plant machines are to be used, where ever possible, these should be actual noise levels obtained from the Specific Plant Environmental Information (SPEI) or the Plant Noise Levels spreadsheet which can be found on the HSQE section of the intranet. Alternatively, the noise readings can be obtained from noise monitoring results that may be available following noise surveys. Where sub-contract plant is to be used, noise levels should be obtained from the suppliers where ever possible.

5.7.4 Changes to the Proposed Work

S61 consent allows the contractor to apply for a dispensation to take into account any major changes arising once works have started under an approved consent. The application for the dispensation is required at least 14 days in advance of the start date of the proposed works. The contractor should include reasons for the changes.

Minor changes are treated as a variation, which is normally processed within seven days in advance of the proposed works.

5.8 Communication within Site Team

The Project Manager shall ensure that environmental toolbox talks and pre-work briefings are carried out in all cases where site operatives / operations are likely to cause an environmental nuisance. The relevant information from the PECR / WPP where nuisances have been identified should form the basis of the site briefing.

Before commencing work at a new location, all site staff, including both VR employees as well as sub- contract staff must be briefed on any site specific information they require in order to ensure they are aware of potential nuisance issues.

This includes details of local sensitive receptors, high risk operations relating to nuisance and the control methods to be implemented to minimise the adverse impacts.

The Project Manager must ensure that records of all those briefed are retained in the project file.

It is the responsibility of the Project Manager to ensure that all employees and subcontractors working on a worksite for which a S61 consent has been obtained are briefed on any specific requirements of the consent e.g. if noise screens are to be used, specific plant and equipment is to be used.

A copy of the S61 consent must be available on site throughout the duration of the project.

5.9 Liaison with Local Environmental Health Officer

It is essential that prior to work commencing contact with the local EHO at the LA is made with information on the proposed work being provided. The EHO can provide advice on any local nuisance issues and whether any consents are required.

The Project Manager/Environmental Advisor and/or HSQE Advisor must ensure that the EHO is kept informed of the works progress, the dates and times of any particularly disruptive activities and the contact details of a named person.

The Project Manager/Environmental Advisor and/or HSQE Advisor should encourage the EHO to contact VR with any public complaints that may arise, which will provide the opportunity to address those complaints before formal action is taken.

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On-going dialogue with the EHO at the LA is essential to the effective management of the S61 consent and will prevent unscheduled visits to sites.

5.10 Management of Complaints

The Project Manager/Environmental Advisor and/or HSQE Advisor shall ensure that all necessary preventive action is taken to avoid complaints from all interested parties. This will include the careful planning and regular communication with any interested parties. The latter will take the form of mail drops and/or visits to local residents prior to the commencement of the work. A good relationship with the public must be maintained to portray a positive image.

All letters that are delivered as part of a mail drop system should contain the VRCC number and/or the client’s telephone number at the client’s request. A copy of a standard mail drop letter can be obtained from the HoQE, Environmental Advsiord or local HSQE Advisor. Where possible these letters should be delivered 14 days in advance of works.

Any complaints received will be dealt with by the Project Manager in liaison with the HoQE with any corrective actions carried out by the relevant Project Manager unless otherwise stated.

It should be noted that in some cases the client may request that all complaints/enquiries are sent to them in the first instance e.g. Network Rail require the Network Rail community liaison team to issue noise letters. Where this is the case the client should be requested that all complaints/enquiries concerning VR works that are reported must be copied to VRCC at the earliest opportunity in order for effective mitigation to be implemented by VR.

VR will ensure that all complaints / enquiries are addressed as soon as possible, with formal communications retained by the PM.

It is important that a good relationship with the public is maintained to portray a positive image. Any complaints received will be dealt with accordingly and any corrective actions will be carried out by the Project Manager in conjunction with the relevant HSQE Advisor where necessary. All complainants will be dealt with in a sympathetic and diplomatic manner

5.11 Good Practice

WPP/MS should explicitly require the use of BPM to control impacts from construction noise and vibration. Individual WPP/MS should contain those specific methods detailed in 5.12.1, 5.12.2 & 5.12.3 that are considered appropriate to the works in question. These measures should then be communicated in sufficient detail to relevant site personnel by the Project Manager/Environmental Advisor and/or HSQE Advisor.

5.11.1 Plant and Equipment

All relevant plant and equipment should be expected to meet the noise limit and noise marking requirements prescribed by the Noise Emission in the Environment by Equipment for Use Outdoors Regulations 2001, implementing EU Directive 200/14/EC.

Well maintained plant and equipment will make less noise and is also less likely to break down. It is therefore essential that a robust service and maintenance regime is in place for plant and equipment.

If possible VR will look to use mains generated electricity instead of diesel generators wherever practicable.

VR will look to reduce noise from vehicles by:

- Turning off engines when they are not in use
- Checking the brakes are properly adjusted and don’t squeal
- Not revving the engine unnecessarily
- Only use the horn in an emergency
- Replacing exhaust systems as soon as they become noisy

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Sound-reduced plant shall be used wherever possible. This is particularly important where night-time work is involved and where residential, industrial or commercial buildings are close to the site of work and likely to be affected by environmental noise.

NB. When hiring all plant, the individual placing the order must specify if silenced plant is required in order to reduce the overall noise levels on site. Super-Silenced generators must be specified by the project management team. BATNEEC (Best Available Technique Not Entailing Excessive Cost) shall be considered when hiring generators.

Wherever practicable, and especially during particularly sensitive periods, e.g. night time possessions, the quietest methods of working should be used. For example during material breaking the use of hydraulic or electricity powered tools, thermal lances etc, with pneumatic methods used only as a last resort where quieter methods are not practicable.

Crane spindles, pulley wheels, telescopic sections and moving parts of working platforms etc should be adequately lubricated in order to prevent undue screeching and squealing.

5.11.2 Working Methods

VR will ensure that where possible nuisance is reduced through selection of the most appropriate working method. This includes (but is not limited to):

- Subject to satisfactory ground conditions and having due regard to any logistical restraints, “silent” piling methods, where the pile is pressed into the ground, should be the preferred method and should be selected where conditions allow.
- In laying out the site the Project Manager shall avoid locating site entrances opposite or adjacent to noise sensitive receptors
- When breaking out concrete, an oversize breaker should be used to minimise the blow rate and hence the percussive nature of the noise produced. This should also minimise the time taken to complete the breaking out works.
- All materials should be handled, stored and used in a manner that minimises noise. It should be necessary to ensure the efficient handling of materials to avoid unnecessary double handling and to ensure that drop heights are minimised.

5.11.3 Noise Barriers

Temporary noise barriers can be used to shield sensitive receptors and reduce noise levels where appropriate and practicable, these barriers can be temporary or permanent. Temporary noise barriers should be erected to screen breaking out activities wherever possible or around static plant such as generators to reduce noise levels and effects to sensitive receptors.

Site perimeter screens/hoardings should also be installed early in the project to reduce noise levels where practicable.

Earth bunds can be built to provide screening for major earth moving operations.

5.12 Noise Surveys

Where required VR shall employ the services of specialist noise consultants to obtain figures on the noise levels arising on site to ensure compliance with the requirements of a S61 consent issued by a LA.

Future noise monitoring may also take place on an ad hoc basis as required, for example, during a blockade or following a number of complaints arising in the same area(s) of work.

Noise monitoring shall be brought in-house when the relevant equipment has been sourced and purchased. Additional personnel may also be trained in the use of these meters in order to increase the resources for conducting noise surveys.

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5.13 Ensure Compliance with Legislative and Statutory Requirements

VR's Document Control department holds copies of legislative documents and Codes of Practice relating to noise. If anyone is unsure of the legislation applicable to this procedure or requires any advice relevant to its application they can obtain this from the HoQE, Environmental Advisor and/or HSQE Managers / Advisors. It is the Project Manager's responsibility to ensure compliance with requirements, including any conditions specified in a S61 consent.

6. DOCUMENTATION (OUTPUTS)

- Briefing Records of Site Personnel
- Project Environmental Management Plan (PEMP) and Project Environmental Checklist & Report (PECR)
- Section 61 Notices
- HSQE Inspections
- Copies of Mail Drop Letters
- Dust/Air Pollution readings
- Noise Pollution readings applicable to requirements set out in S61 Consent
- Estimated noise levels from equipment and plant to be used on-site
- Communication records with Regulators and Local Authorities.

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