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Construction Site Noise

A Guide for Contractors

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West Lothian
Council

Environmental Health and
Trading Standards

Introduction

Building and construction work are an essential part of the growth and development of West Lothian. Unfortunately the noise and disruption from construction sites can cause problems to neighbouring residents and other noise-sensitive premises, e.g. Schools, Hospitals.

This leaflet provides useful advice for contractors on how to minimise disruption and noise and avoid conflicts with local residents.

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.

Common causes for complaint

Every site is unique and presents its own problems, but there are a number of common complaints that can lead to conflict between contractors and neighbours. These include:

- Running generators unnecessarily;
- Siting generators or pumps near to noise-sensitive premises when they can be located in a more distant or shielded part of the site;
- Deliveries arriving at the site before the start of the working day;
- Allowing vehicles to sit with their engines running;
- Blaming sub-contractors instead of managing them;
- Saying one thing and doing another; and
- Carrying out noisy work during anti-social hours.

Avoiding these will help maintain good relations with your neighbours.

Neighbouring commercial activities may also be affected by your operations. For example, meetings and telephone conversations can become difficult or impossible. Early discussions with neighbours will minimise conflict and avoid actions for compensation.

Occasionally, conflicts between contractors and neighbours will arise. In such cases, Environmental Health may intervene. In the first instance the situation is usually dealt with informally, allowing an attempt to be made to remedy the problem without using formal restrictions. Where disturbance is caused, immediate formal action will be taken.

Plant Reversing Alarms

The use of audible warning devices on plant and machinery which have tonal reversing alarms can be a source of significant disturbance. Where this is identified as a particular problem it is considered best practice to install non-tonal (white noise or broadband) alarms.

Restrictions

If informal attempts to resolve conflicts are not successful, Environmental Health will use its powers under the Control of Pollution Act 1974 to impose restrictions on working hours, plant or machinery which can be used and in some cases noise levels.

Time restrictions - this is the most common form of restriction to be placed upon a site and is likely to restrict site operations (including deliveries) to 08.00 – 18.00 Monday to Friday and 08.00 – 13.00 on a Saturday so that no noise is audible at the site boundary (or within dwellings where work is being undertaken on occupied dwellings) outwith these times.

There may be more onerous restrictions on particularly noisy operations e.g. hammer piling. Under normal circumstances, evening, night-time and Sunday and Bank Holiday working will not be considered reasonable. There may be exceptions to this, for example, for reasons of public safety and/or Police requirements. In such cases contractors need to demonstrate that other authorities require the work to take place at these times.

Plant and machinery restrictions - certain items of plant or machinery may be considered inappropriate for the works being undertaken and therefore prohibited from use.

What the Council will do about Noise Complaints

Commonly, construction noise issues are resolved informally. 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, 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.